

CENTER for JUDICIAL ACCOUNTABILITY, INC.

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October 2, 2019

TO: Record Access Officers
NYS Comptroller Thomas DiNapoli
NYS Attorney General Letitia James
NYS Governor Andrew Cuomo
NYS Senate
NYS Assembly

FROM: Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)

RE: FOIL/Records Request: Comptroller's annual accountings
pursuant to Public Officers Law §17(3)(d)

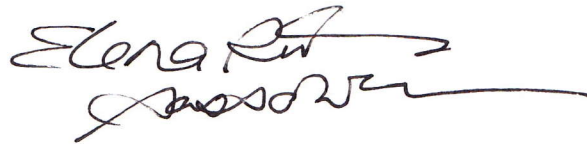
Public Officers Law §17, entitled "Defense and indemnification of state officers and employees", states as follows at subdivision (3)(d):

"Upon entry of a final judgment against the employee, or upon the settlement of the claim, the employee shall cause to be served a copy of such judgment or settlement, personally or by certified or registered mail within thirty days of the date of entry or settlement, upon the head of the department, commission, division, office or agency in which he is employed; and if not inconsistent with the provisions of this section, such judgment or settlement shall be certified for payment by such head of the department, commission, division, office or agency. If the attorney general concurs in such certification, the judgment or settlement shall be paid upon the audit and warrant of the comptroller. On or before January fifteenth the comptroller, in consultation with the department of law and other agencies as may be appropriate, shall submit to the governor and the legislature an annual accounting of judgments, settlements, fees, and litigation expenses paid pursuant to this section during the preceding and current fiscal years. Such accounting shall include, but not be limited to the number, type and amount of claims so paid, as well as an estimate of claims to be paid during the remainder of the current fiscal year and during the following fiscal year." (underlining added).

Pursuant to Public Officers Law, Article VI [Freedom of Information Law (FOIL)], request is made for the Comptroller's three most recent annual accountings submitted by him, "in consultation with the department of law", to the Governor and Legislature, pursuant to Public Officers Law §17(3)(d) – and, specifically, as relates to the litigation "type": State Finance Law Article 7-A "citizen-taxpayer action[s]", including their number and claims paid and expected to be paid.

Public Officers Law §89.3 requires your response "within five business days" of your receipt of this request. I would appreciate if you e-mailed it to me at elena@judgewatch.org.

Thank you.

A handwritten signature in black ink, appearing to read "Elena" followed by a stylized surname, possibly "Rosso". The signature is written in a cursive, flowing style.