

## Center for Judicial Accountability, Inc. (CJA)

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**From:** Center for Judicial Accountability, Inc. (CJA) <elena@judgewidth.org>  
**Sent:** Thursday, December 1, 2016 2:52 PM  
**To:** 'Senate Foil'  
**Cc:** Robin Marilla; 'DZimmerman@EFPRgroup.com'  
**Subject:** OPPS!: Correction -- Clarification of your today's response to Nov. 23, 2016 FOIL/records request for pertaining to LEGISLATIVE LAW 91.  
**Attachments:** 11-23-16-foil-leg-law-91.pdf

Dear Secretary of the Senate Patience --

On November 23, 2016, I sent you two FOIL/records requests. Your today's e-mail responds to only one -- that pertaining to Legislative Law 91. My below request for clarification was erroneous, as it was mistakenly premised on your having responded to the second FOIL/records request, which was for the Senate contract with EFPR Group.

I do apologize for my error. However, please clarify your e-mail. Apparently, the Temporary Senate President determined that an "internal audit function" was necessary for this year, 2016 -- which, when complete, will be "available pursuant to Senate Rule". Yet, it appears that records pertaining to the Temporary Senate President's determinations in past years -- "if the records even exist" -- are "not subject to disclosure pursuant to Senate Rules". Are you saying that 2016 is the FIRST and only year that the Temporary Senate President ever determined an "internal audit function" to be necessary -- and that records pertaining to his prior determinations that an "internal audit function" was not necessary are not subject to disclosure?

For your convenience, I have attached my November 23, 2016 FOIL/records request pertaining to Legislative Law 91.

Please advise.

Thank you.

Elena Sassower

-----Original Message-----

**From:** Center for Judicial Accountability, Inc. (CJA) [mailto:elena@judgewidth.org]  
**Sent:** Thursday, December 1, 2016 1:51 PM  
**To:** 'Senate Foil' <foil@nysenate.gov>  
**Cc:** Robin Marilla <marillar@assembly.state.ny.us>; 'DZimmerman@EFPRgroup.com' <DZimmerman@EFPRgroup.com>  
**Subject:** Clarification of your today's response to Nov. 23, 2016 FOIL/records request for the Senate Contract with EFPR Group...

Dear Secretary of the Senate Patience --

Please clarify your below e-mail response of today's date to my November 23, 2016 e-mail to you of a FOIL/records request pertaining to the Legislature's compliance with Legislative Law Sec. 91.

For your convenience, a copy of my November 23, 2016 e-mail FOIL/records request is attached. As reflected therein, it did NOT request a copy of this year's independent audit. Rather, its SOLE request was for: "a copy of the Senate and Assembly contract(s) retaining EFPR Group, LLP to conduct this year's independent audit of the internal controls of each house of the Legislature".