

## CENTER for JUDICIAL ACCOUNTABILITY, INC.

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December 5, 2016

TO: NYS Comptroller DiNapoli – Records Access Officer Jane Hall  
NYS Attorney General Schneiderman – Records Access Officer Michael Jerry  
NYS Governor Cuomo – Records Access Officer Lauren Grasso  
NYS Senate – Records Access Officer/Secretary of the Senate Francis Patience  
NYS Assembly – Records Access Officer Robin Marilla

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

RE: FOIL REQUEST: Comptroller’s annual accountings  
pursuant to Public Officers Law §17(3)(d)

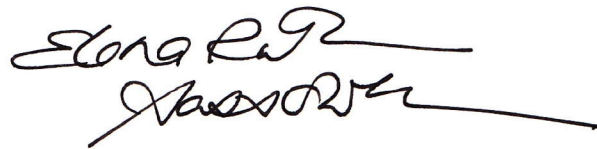
Public Officers Law §17, entitled “Defense and indemnification of state officers and employees”, states as follows at subdivision (3)(d):

“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 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](mailto:elena@judgewatch.org).

Thank you.

Handwritten signature in black ink, appearing to read "Elena R. P. Nassor". The signature is written in a cursive style with a long horizontal line extending to the right.