



May 18, 2020

**Via Email:** [elena@judgewatch.org](mailto:elena@judgewatch.org)

Elena Sassower  
Center for Judicial Accountability, Inc.  
P.O. Box 8101  
White Plains, New York 10602

FOIL Request: #2700

Dear Elena Sassower:

This letter responds to your correspondence dated January 22, 2019, which pursuant to FOIL, requested:

- i. I am attaching a May 6, 2019 letter from EFPR Group, CPAs, PLLC, signed by Douglas Zimmerman, CPA, reflecting that that firm (previously known as Toski & Co., CPAs, P.C.) conducted “independent control audits” for the Executive Chamber in “2004, 2007, 2010, 2013 and 2016”.
- ii. Pursuant to Public Officers Law Article VI (Freedom of Information Law [FOIL]), this is to request pdfs of those five “independent control audits” – and of the records pertaining thereto, as sought by my October 7, 2019 FOIL/records request – plus the requested “most recent” such audit, presumably in 2019, and the requested records pertaining thereto.

Enclosed please find records responsive to your request.

Please be advised that the records or portions of records that respond to your request are exempt from production pursuant to New York Public Officers Law § 87(2)(c) because “disclosure would impair present or imminent contract awards or collective bargaining negotiations.”

Additionally, the Public Officers Law § 87(2)(a) precludes access to records that are “specifically exempted from disclosure by state or federal statute.” Accordingly, certain records that respond to your request are exempt from production pursuant to Civil Practice Law and Rules §§ 3101(c) and 4503(a) because they constitute attorney work product or confidential communications made between an attorney and his or her client.

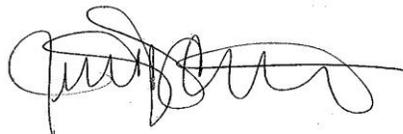
Records or portions of records responsive to your request are exempt from production because they contain information which “if disclosed, would jeopardize the capacity of an

agency or an entity that has shared information with an agency to guarantee the security of its information technology assets, such assets encompassing both electronic information systems and infrastructures.” See Public Officers Law § 87(2)(i).

Finally, portions of records that respond to your request are exempt from disclosure pursuant to Public Officers Law § 87(2)(f) because, “if disclosed, they could endanger the life or safety of any person.”

Pursuant to Public Officers Law § 89(4)(a), you have thirty (30) days to take a written appeal of this determination. You may appeal by writing: FOIL Appeals Officer, Executive Chamber, State Capitol, Albany, New York, 12224.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jillian Diaz Cringle", written in a cursive style.

Jillian Diaz Cringle  
Acting FOIL Counsel &  
Records Access Officer