



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

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September 18, 2012

via e-mail: elena@judgewatch.org
Ms. Elena Sassower
Center for Judicial Accountability, Inc. (CJA)
P.O. Box 8101
White Plains, NY 10602

RE: Freedom of Information Law (FOIL) Request # 120532

Dear Ms. Sassower:

This letter responds to your correspondence dated August 23, 2012, which, pursuant to the FOIL, requested the following:

“[R]e: Emily Pines, et al. v. State of New York

Pursuant to Public Officers Law, Article VI [Freedom of Information Law (F.O.I.L.)] and Attorney General Schneiderman’s Project Sunlight Initiative of his Public Integrity Unit, this is to request all publicly-available records pertaining to:

EMILY PINES, DAVID DEMAREST, JEFFREY D. LEBOWITZ, STEPHEN FERRADINO, RALPH A. BONIELLO, III v. STATE OF NEW YORK- (filed in Supreme Court/Mineola, Nassau Co: #10-13518) - wherein Nassau Supreme Court Justice Karen V. Murphy held, in a February 9, 2011 decision, that the state is ‘obligated’ to pay judges a retroactive pay raise to April 2009.

Despite previous requests, you have not furnished ANY records of this case: either from Nassau Supreme Court or from the Appellate Division, Second Department (Docket#2011-2821), where the case is now pending on an appeal perfected by Attorney General Schneiderman on November 16, 2011.

Pursuant to Public Officers Law §89.3, your response is required ‘within five business days’ of your receipt of this request. Please note, for your records, CJA’s new mailing address and temporary phone number. My e-mail remains the same:

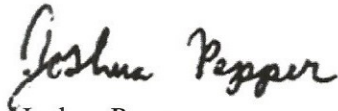
Ms. Elena Sassower
September 18, 2012
Page Two

elena@judgewatch.org.”

We have performed a diligent search for the records you request and have found 372 pages that respond to your FOIL request. The first five pages of the response are provided free of charge, and the remaining pages are \$.25 per page. If you would like to receive the documents, please send a business check, certified check, or money order in the amount of \$91.75 made payable to the New York State Department of Law to my attention at the following address: Records Access Office, Office of the Attorney General, The State Capitol, Albany, New York 12224. We will mail the documents to you after we receive your check.

If we do not hear from you by October 16, 2012, we will consider this FOIL request closed.

Sincerely,

A handwritten signature in dark ink that reads "Joshua Pepper". The signature is written in a cursive, flowing style.

Joshua Pepper
Assistant Attorney General