

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Monday, November 28, 2022 9:21 AM
To: 'FOIL@osc.ny.gov'; 'records.access@exec.ny.gov'; 'foil@nysenate.gov';
'marillar@nyassembly.gov'; 'kleinf@nyassembly.gov'; 'info@irc.ny.gov.'

Subject: **Retention of outside counsel in Gary Lavine v. State of New York, et al.
(Onondaga Co. #007623/2022)**

**TO: FOIL/Record Access Officers for the Attorney General*, Comptroller, Governor, Senate, Assembly,
and Independent Review Committee**

Reference is made to the declaratory judgment action [Gary Lavine v. State of New York, et al.](#), Onondaga Co. #007623/2022, where, [as yet, no appearance has been entered by the first defendant, State of New York](#), and, as to the other defendants:

- Temporary Senate President Andrea Stewart-Cousins is being represented by the law firm Hancock, Estabrook, LLP ([#13](#));
- Governor Hochul is being represented by the law firm Phillips Lytle, LLP ([#15](#), [#19](#));
- Assembly Speaker Heastie is being represented by the law firm Harris Beach PLLC ([#16](#), [#17](#));
- the Independent Review Committee is being represented by the law firm Lippes Mathias, LLP ([#20](#));
- Senate Minority Leader Robert Ort and Assembly Minority Leader William Barclay are being represented by the law firm Mackenzie Hughes LLP ([#21](#), [#22](#)).

Pursuant to Public Officers Law Article VI (FOIL), Senate Rule XIV (“Freedom of Information”), and Assembly Rule VIII (“Public Access to Records”), this is to request all publicly-available records pertaining to:

(1) Attorney General James’ determination(s)/certification(s) that the legal interests of the Governor, Temporary Senate President, Assembly Speaker, and Independent Review Committee could not be adequately protected and represented by her and that it was appropriate that each retain separate outside counsel;

(2) Attorney General James’ determination(s)/certification(s) that the legal interests of the Senate Minority Leader and Assembly Minority Leader could not be adequately protected and represented by her and that it was appropriate that the two Minority Leaders be represented by a single outside counsel;

(3) the process, if any, by which the various law firms were selected by the Governor, Temporary Senate President, Assembly Speaker, Independent Review Committee, and the Senate and Assembly Minority Leaders;

- (4) the contracts retaining these law firm;
- (5) Attorney General James' approvals of the contracts;
- (6) the Comptroller's approvals of the contracts;
- (7) payments made to the law firms pursuant to the contracts.

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
www.judgewatch.org
914-421-1200
elena@judgewatch.org

*NOTE: already sent *via* the Attorney General's web portal for FOIL requests
and assigned # G000617-112822