

rec'd 1/31/03



STATE OF NEW YORK  
EXECUTIVE CHAMBER  
ALBANY 12224

January 27, 2003

Elena Ruth Sassower, Coordinator  
Center for Judicial Accountability, Inc.  
P.O. Box 69, Gedney Station  
White Plains, NY 10605-0069

Dear Ms. Sassower:

This letter is to acknowledge that, on or about January 17, 2003, this office received your two most recent Freedom of Information Law (FOIL) requests. The first is your letter dated January 14, 2003, requesting "any publicly-available materials pertaining to Governor Pataki's appointment of Court of Claims Presiding Judge Susan P. Read to the Court of Appeals", and "the financial statement that Judge Read was required to submit as part of her application for the Court of Appeals". The second is your letter dated January 16, 2003, requesting documents "constituting a 'job description' for Deputy Counsel, containing precise dates for Ms. Read's tenure, and representing her work product" and confirmation that "there was but a single position of Deputy Counsel" during 1995-1997.

Please be advised that as with any FOIL request, this office is only obligated to grant access to those documents or records which are kept by the Executive Chamber, subject to certain exemptions. Further, this office is not obligated to grant access to documents or records that are not kept within the Executive Chamber or that do not exist. In addition, FOIL does not require this office to create documents in response to a FOIL Request.

I will review our records to determine what materials we have that would be responsive to your request. Pursuant to the provision of Public Officers Law § 89 (3), we should be able to provide you with a further response by approximately February 27, 2003.

Sincerely,

Mark R. Ustin  
Assistant Counsel to the Governor  
Records Access Officer

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