

Center for Judicial Accountability, Inc. (CJA)

From: dos.sm.Coog.InetCoog <dosCOOG@dos.ny.gov>
Sent: Wednesday, February 12, 2020 1:31 PM
To: 'Center for Judicial Accountability, Inc. (CJA)'
Cc: dos.sm.Coog.InetCoog
Subject: RE: Request for Advisory Opinion -- Unconstitutionality of Public Officers Law §108.2(b), as established by Article III, §10 of the New York State Constitution

Ms. Sassower,

Thank you very much for taking the time to provide the information below and for speaking with me on the telephone about your request for an advisory opinion from the NYS Committee on Open Government concerning the constitutionality of Section 108.2(b) of the Public Officers Law in light of Article III, Section 10 of the NYS Constitution. I have carefully considered our conversation and reviewed the provided information together with Section 109 of the Public Officers law and, based upon this consideration and review, I am forced to conclude that the opinion you seek is outside of the Committee's permissible remit and jurisdiction. I wish you the very best of luck as you pursue your legal claims concerning this important question. Thank you again for contacting the Committee.

Shoshanah Bewlay

Executive Director, Committee on Open Government

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From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Monday, January 13, 2020 12:27 PM
To: Bewlay, Shoshanah (DOS) <Shoshanah.Bewlay@dos.ny.gov>; dos.sm.Coog.InetCoog <dosCOOG@dos.ny.gov>
Subject: Request for Advisory Opinion -- Unconstitutionality of Public Officers Law §108.2(b), as established by Article III, §10 of the New York State Constitution

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TO: Committee on Open Government Executive Director Shoshanah Bewlay

Following up our phone conversation a short time ago, for which I thank you, below are the chain of e-mails, going back to my March 9, 2017 e-mail to Bob Freeman, reflecting the last phone conversation I had with him and my request for an advisory opinion as to unconstitutionality of Public Officers Law §108.2(b), as established by Article III, §10 of the New York State Constitution. As I showed you, this chain of e-mails is posted on CJA's webpage for the Committee on Open Government and Public Officers Law §108.2(b), accessible from our homepage, www.judgewatch.org, via the left side panel "Searching for Champions – NYS". The direct link to the webpage is here: <http://www.judgewatch.org/web-pages/searching-nys/committee-on-open-govt/nys-constitution-article3-sec10.htm>.

I am available to answer any questions you have – including about our citizen-taxpayer action, now before the Court of Appeals, challenging the constitutionality of Public Officers Law §108.2(b) – ignored, at every level, by the Attorney General and the judges. The full record of the lawsuit, as I showed you, is accessible from the prominent center link on