



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

DIVISION OF STATE COUNSEL

LETITIA JAMES
ATTORNEY GENERAL

February 6, 2020

Caitlin Heim, Esq.
Associate Attorney
Office of State Comptroller
110 State Street
Albany, New York 12236

**Re: Public Officers Law §17 in connection with
SAM Party v. Cuomo et al., USDC/SDNY, 20 CV 323**

Dear Ms. Heim:

Pursuant to Public Officers Law Section 17(2)(b), this office has reviewed the presently available facts and circumstances relating to the above matter. Based on this review, we have determined for the purposes of representation only, and without any determination as to the ultimate merits, that representation by the Attorney General of defendants **NYS Board of Elections Co Chair Peter S. Kosiniski, NYS Board of Elections Co Chair Douglas Kellner, NYS Board of Elections Commissioner Andrew Spano, NYS Board of Elections Co-Executive Director Todd Valentine, NYS Board of Elections Co-Executive Director Robert Brehm, Speaker of the Assembly Carl E. Heastie, Senate Minority Leader John J. Flanagan, Assembly Minority Leader William A. Barclay, Senate President and Majority Leader Andrea Stewart-Cousin, and Governor Andrew M. Cuomo** would be inappropriate.

I, therefore, certify that **NYS Board of Elections Co Chair Peter S. Kosiniski, NYS Board of Elections Co Chair Douglas Kellner, NYS Board of Elections Commissioner Andrew Spano, NYS Board of Elections Co-Executive Director Todd Valentine, NYS Board of Elections Co-Executive Director Robert Brehm, Speaker of the Assembly Carl E. Heastie, Senate Minority Leader John J. Flanagan, Assembly Minority Leader William A. Barclay, Senate President and Majority Leader Andrea Stewart-Cousin, and Governor Andrew M. Cuomo** are entitled to be represented by **private counsel** in accordance with the provisions of Section 17 of the Public Officers Law.

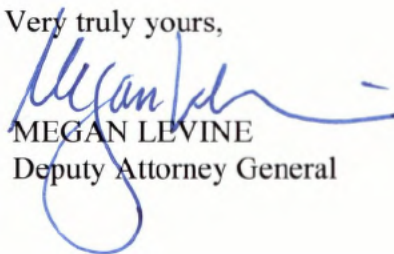
The same private counsel is authorized to be retained for the following defendants:

NYS Board of Elections Co Chair Peter S. Kosiniski, NYS Board of Elections Co Chair Douglas Kellner, NYS Board of Elections Commissioner Andrew Spano, NYS Board of Elections Co-Executive Director Todd Valentine, and NYS Board of Elections Co-Executive Director Robert Brehm.

Separate private counsel is authorized to be retained for the following defendants:

Speaker of the Assembly Carl E. Heastie, Senate Minority Leader John J. Flanagan,
Assembly Minority Leader William A. Barclay, Senate President and Majority Leader
Andrea Stewart-Cousin, and Governor Andrew M. Cuomo.

Very truly yours,



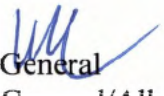
MEGAN LEVINE

Deputy Attorney General

cc: Christine Ryan

M E M O R A N D U M

TO: Christine Ryan, Deputy Attorney General - NYC

FROM: Meg Levine 
Deputy Attorney General
Division of State Counsel/Albany

DATE: February 6, 2020

RE: **Public Officers Law §17 in connection with
SAM Party v. Cuomo et al., USDC/SDNY, 20 CV 323**

With reference to the above matter, I have approved your request for **private counsel** for the named defendants **NYS Board of Elections Co Chair Peter S. Kosiniski, NYS Board of Elections Co Chair Douglas Kellner, NYS Board of Elections Commissioner Andrew Spano, NYS Board of Elections Co-Executive Director Todd Valentine, NYS Board of Elections Co-Executive Director Robert Brehm, Speaker of the Assembly Carl E. Heastie, Senate Minority Leader John J. Flanagan, Assembly Minority Leader William A. Barclay, Senate President and Majority Leader Andrea Stewart-Cousin, and Governor Andrew M. Cuomo** as set forth below in accordance with the provisions of Section 17 of the Public Officers Law.

The same private counsel is authorized to be retained for the following defendants:

NYS Board of Elections Co Chair Peter S. Kosiniski, NYS Board of Elections Co Chair Douglas Kellner, NYS Board of Elections Commissioner Andrew Spano, NYS Board of Elections Co-Executive Director Todd Valentine, and NYS Board of Elections Co-Executive Director Robert Brehm.

Separate private counsel is authorized to be retained for the following defendants:

Speaker of the Assembly Carl E. Heastie, Senate Minority Leader John J. Flanagan, Assembly Minority Leader William A. Barclay, Senate President and Majority Leader Andrea Stewart-Cousin, and Governor Andrew M. Cuomo.

Please send the appropriate letter to the defendants advising that we will certify to the Comptroller the defendants' entitlement for private counsel. Please have a copy of that letter sent to me for my files.

I will send the appropriate letter to Caitlin Heim at the Comptroller's Office, with a copy of that letter to you.

cc: Jane Goldberg