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February 17, 2023

Elena Sassower
Center for Judicial Accountability, Inc.
elena@judgewatch.org

Re: FOIL Requests of July 26, 2022 and December 27, 2022

Dear Ms. Sassower:

In accordance with Public Officers Law § 89(4)(a), and upon a close and careful review of your above-referenced requests for access to agency records, please find below my determination and explanation of reason(s) for further denial. Additionally, you will find together with this correspondence a certain record being provided you, notwithstanding initial denial of access thereto.

It is my determination that the records to which you requested access—except for the recusal policy applicable to staff of the Commission on Ethics and Lobbying in Government—simply do not exist and, therefore, cannot be provided in response to your requests. In their absence, provisions of Executive Law § 94(10) and Title 19 NYCRR Part 941 guide the Commission's handling of received complaints or referrals alleging that a person or entity subject to the Commission's jurisdiction has violated a law the Commission is authorized to enforce.

The Commission's Staff Recusal Policy and Procedure is enclosed herewith, in response to your December 27, 2022 request.

Very truly yours,

A handwritten signature in black ink, appearing to read "Keith C. St. John".
Keith C. St. John
Co-Acting General Counsel

KCS:
Enc.

