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STATE OF VERMONT  
OFFICE OF THE ATTORNEY GENERAL  
109 STATE STREET  
MONTPELIER, VT  
05609-1001

June 29, 2017

VIA U.S. MAIL

Dan Schwartz and Anne Galloway  
VT Digger  
97 State Street  
Montpelier, VT 05602

Re: Request for tax and financial records regarding Cynthia Diaz

Dear Mr. Schwartz and Ms. Galloway:

I am writing in response to your e-mail which was received on June 28, 2017, concerning the response to your request for records pertaining to a criminal investigation regarding alleged financial or tax misconduct by Cynthia Diaz. You indicated that you are waiting "records specified in the April 20, 2017, letter from Deputy Attorney General Josh Diamond." These records include:

- "2. The Northrup deposition."
- "3. Reports from Gosselin, Clarke, Bottino, Howell, Letourneau, Palmer and Chapman."
- "4. Twenty-five pages reflecting wire transfers and wiring instructions pertaining to Ms. Diaz's personal financial accounts regarding the foreign banks the VAG identified."
- "6. Court letters from Mr. Northrup."
- "15. Correspondence with employees from the state Auditor's office."
- "16. Correspondence with Sullivan and Powers to the state Auditor's office and correspondence from the Vermont NEA."
- "18. Discovery correspondence and materials between the AGO and opposing counsel. Re: the 1,168 pages of financial documents. For now, we agree to narrow the request to bank statements and wire transfer records. Please provide us with the 585 remaining pages of records. The VAG says the discovery correspondence documents are "likely" to be exempted. We need to know whether they are exempted or not."

I will address each in turn.

*The Northrop Deposition*

These records have been provided to you in a separate response. Please refer to my letter dated June 28, 2017 and the enclosed materials.

*Reports from Gosselin, Clarke, Bottino, Howell, Letourneau, Palmer and Chapman*

These records have been provided to you in a separate response. Please refer to my letter dated June 28, 2017 and the enclosed materials.

*Twenty-five pages reflecting wire transfers and wiring instructions pertaining to Ms. Diaz's personal financial accounts regarding the foreign banks the VAG identified*

Your request for these records has been addressed in a separate response. Please refer to my letter dated June 7, 2017. The records are personal documents relating to an individual comprised entirely of information relating to personal finances. As such, they are exempt from public inspection and copying. 1 V.S.A. § 317(c)(7).

*Court letters from Mr. Northrop*

There is no reference in the April 20 letter from Deputy Attorney General Joshua Diamond to "court letters" from Randall Northrop, CPA. Cover letters from Mr. Northrop accompanying tax returns he prepared have been provided to you in a separate response. Please refer to my letter dated June 7, 2017 and the enclosed materials.

*Correspondence with employees from the State Auditor's office*

These records have been provided to you in separate responses. Please refer to my letters dated June 18, 2017, and June 28, 2017, and the enclosed materials.

*Correspondence with Sullivan and Powers to the State Auditor's office and correspondence from the Vermont NEA*

These records have been provided to you in a separate response. Please refer to my letter dated June 28, 2017 and the enclosed materials.

*Discovery correspondence and materials between the AGO and opposing counsel*

My letter to you, dated June 18, 2017, indicated that of approximately 1,168 pages of responsive records, approximately 583 appear to consist solely of personal financial information—it is extremely likely that these records are categorically exempt. The June 18 letter indicated that the approximately 585 remaining pages appear to contain both exempt and non-exempt information. As previously indicated in the June 18 letter, producing these approximately 585 pages could require up to 2,925 minutes, or approximately 48.8 hours, of senior-level staff time and that


advance payment of \$1,667.25 would be required.<sup>1</sup> If you wish for us to proceed with reviewing these records, please provide advance payment in the amount estimated.

Finally, as a point of clarification regarding the June 18 letter, the letter indicated that “approximately 12 pages of records that can be classified as ‘correspondence’ ... contain information that is exempt from production” pursuant to various provisions. These records appear to contain—but not consist solely of—exempt information. If you would like AGO to fully review only these “correspondence” records and produce redacted copies, please provide advance payment of \$34.20.

To the extent you consider this response to be a denial of your request, you may submit an appeal in writing to:

Joshua Diamond  
Deputy Attorney General  
109 State Street  
Montpelier, VT 05602

Sincerely,



Zachary J. Chen  
Assistant Attorney General

Enc.  
cc: file

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<sup>1</sup> Please note that the 48.8-hour estimate refers to worker-hours required to complete the process of reviewing the records and producing copies with exempt information redacted. These tasks are performed by AGO personnel in addition to and concurrently with other duties. Accordingly, the amount of time that would elapse between initiating the review process and producing records would likely exceed 48.8 hours.