

**From:** Persampieri, Nick

**Sent:** Friday, May 19, 2023 10:12 AM

**To:** Annabelle Smith <[ASmith@historyassociates.com](mailto:ASmith@historyassociates.com)>

**Subject:** Response to Second Vermont Public Records Act Request of History Associates, Inc.

Annabelle,

Please see the attached letter and attachment.

I will be on vacation next week. After I return to the office, I will get started on providing a cost estimate for one of the remaining requests.

Have a great weekend.

Nick

Nicholas F. Persampieri  
Assistant Attorney General  
Office of the Attorney General  
109 State Street  
Montpelier, VT 05609  
(802) 828-6902



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

May 19, 2023

Ms. Annabelle Smith  
Research Historian  
History Associates, Inc.  
By email to [ASmith@historyassociates.com](mailto:ASmith@historyassociates.com)

Dear Ms. Smith,

I write in response to the second Vermont Public Records Act request of History Associates, Inc., which was emailed to us by James Mitchell on July 8, 2022, at 4:34:36 pm, and was logged in as received by our office on July 9, 2022. The request seeks:

All email correspondence that was either transmitted to or received from any of the following OAG staff (whether as cc: or bcc:) between January 1, 2016, and the date you process this FOIA request:

- Nicholas Persampieri
- Wendy Morgan
- Scot Kline
- Natalie Silver

That includes any of the following terms in either the subject line or message body:

- "Bloomberg Philanthropies"
- "Center for Climate Integrity"
- "Climate Change Coalition"
- "Climate Change Litigation"
- "Climate Change Public Nuisance Litigation"
- "Climate Litigation"
- "Global Warming Litigation"
- "Institute for Governance and Sustainable Development"
- "New York University"
- "NYU"
- "NYU Fellow Application"
- "NYU Law Fellow Application"
- "State Impact Center"

And that includes, in either the subject line or message body, any of the following terms: “fossil fuel,” “greenhouse gas,” “GHG,” “greenwash,” “global warming” and/or “climate change.”

Please be advised that in response to the request the State will produce 403 records in unredacted form, and 4 records in redacted form. We plan to produce the records by providing you access to a State of Vermont SharePoint Site. A guide to accessing the Site is attached. Our paralegal, Natasha Sala, will be reaching out to you by email with an invitation to access the Site and can assist you in doing so.

Please also be advised that we are withholding 81 records because they are exempt from disclosure pursuant to 1 V.S.A. § 317(c)(4) (attorney-client privilege, work product protection, and/or common interest doctrine). The withheld records consist of:

- (1) Communications among the Vermont Attorney General’s Office and the Attorney Generals Offices of other states, pertaining to matters of common interest, and generated in connection with ongoing or anticipated litigation and/or for the purpose of facilitating the rendition of legal services to the respective states; and
- (2) Internal Vermont Attorney General’s Office communications generated in connection with ongoing or anticipated litigation and/or for the purpose of facilitating the rendition of legal services to the State of Vermont.

The information redacted from the 4 records that we will produce in redacted form consists of confidential account access and telephone number information, and/or information that is exempt from disclosure pursuant to 1 V.S.A. § 317(c)(4) (attorney-client privilege, work product protection, and/or common interest doctrine), which are within (1) and (2), above.

Please be advised that we have considered documents that we generated in connection with responding to this request as nonresponsive.

Your request seeks documents generated between January 1, 2016 and the date that our office processes the request. The documents we will now produce run through approximately January 15, 2023, when we used our search program in processing your request. If you would like us to search for and provide you with responsive documents dated after January 15, 2023, please let me know and we will do so.

You provided us with an advance payment of \$2,070.40. We incurred charges of \$1,622.70 in processing the request. Please let me know if you would like us to refund the remaining balance or hold it and apply it toward processing your remaining requests.

If you believe any information or records have been withheld in error, you may appeal to Deputy Attorney General Robert McDougall at the following email address: [Robert.McDougall@vermont.gov](mailto:Robert.McDougall@vermont.gov).

Sincerely,

/s/ Nicholas F. Persampieri  
Nicholas F. Persampieri  
Assistant Attorney General

**From:** [Persampieri, Nick](#)  
**To:** [Mishaan, Jessica](#)  
**Cc:** [Sala, Natasha](#)  
**Subject:** FW: Sala, Natasha shared the folder "Records Produced (Unredacted) HAI Request No. 2" with you.  
**Date:** Friday, May 19, 2023 10:32:38 AM  
**Attachments:** [AttachedImage](#)  
[AttachedImage](#)  
[AttachedImage](#)  
[AttachedImage](#)  
[image001.png](#)

**From:** Sala, Natasha <Natasha.Sala@vermont.gov>  
**Sent:** Friday, May 19, 2023 10:26 AM  
**To:** ASmith@historyassociates.com; Persampieri, Nick <nick.persampieri@vermont.gov>  
**Subject:** Sala, Natasha shared the folder "Records Produced (Unredacted) HAI Request No. 2" with you.



## Sala, Natasha shared a folder with you

Hello Annabelle,

I am sharing this folder with you on behalf of Nick Persampieri. This is the first of two folders I will be sharing. Please let me know if you experience any problems accessing the materials within the folder.

Thank you,

Natasha Sala  
Paralegal



[Records Produced \(Unredacted\) HAI Request No. 2](#)



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**From:** [Persampieri, Nick](#)  
**To:** [Mishaan, Jessica](#)  
**Cc:** [Sala, Natasha](#)  
**Subject:** FW: Sala, Natasha shared the folder "Records Produced (Redacted) HAI Request No. 2" with you.  
**Date:** Friday, May 19, 2023 10:32:11 AM  
**Attachments:** [AttachedImage](#)  
[AttachedImage](#)  
[AttachedImage](#)  
[AttachedImage](#)  
[image001.png](#)

**From:** Sala, Natasha <Natasha.Sala@vermont.gov>  
**Sent:** Friday, May 19, 2023 10:27 AM  
**To:** ASmith@historyassociates.com; Persampieri, Nick <nick.persampieri@vermont.gov>  
**Subject:** Sala, Natasha shared the folder "Records Produced (Redacted) HAI Request No. 2" with you.



## Sala, Natasha shared a folder with you

Dear Annabelle,

This is the second of two folders shared with you today. Please let me know if you have any problems.

Thank you,

Natasha Sala  
Paralegal

 [Records Produced \(Redacted\) HAI Request No. 2](#)

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