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January 11, 2018

James G. Levins, Esq.
Tepper Dardeck Levins & Fitzsimons, LLP
73 Center Street
Rutland, VT 05701-4046

Dear Mr. Levins:

I write in response to your public record act request dated January 4, 2018 and directed to the Attorney General's Office and the Department of Human Resources. This response is on behalf of both the AGO and DHR. Neither the AGO nor DHR logs or tracks employment settlements or stipulations based on the inclusion of an agreement not to seek re-employment with the State of Vermont. Although such clauses are rare, your request will potentially require a search and review of all employment-related settlements and stipulations dating back to 2008. We write to provide you with more information about the costs associated with processing your request, and ask you to confirm your willingness to pay associated costs before we proceed with processing your request.

A search for all employment settlements and stipulations dating back to 2008 will involve multiple hours of work. To be clear, the AGO and DHR would consolidate the processing of your request to save costs. There are approximately 675 employment settlements and stipulations in your date range that would need to be reviewed to process your request. We estimate that each settlement will take 2 to 4 minutes to review to determine whether it is responsive. Using an average time of 3 minutes per settlement: $675 \times 3 = 2,025$ minutes minus the first 30 minutes = 1995 minutes. Using the lowest possible rate available under the Secretary of State's public record fee schedule (\$.33 a minute), costs of finding potentially responsive documents are likely to be \$658.35 ($1995 \times \$.33$).

In addition, each potentially responsive settlement or stipulation will need to be reviewed for exempt information, including personal information under 1 V.S.A. 317(c)(7) and other applicable exemptions. Without knowing the number of potentially responsive settlements and the volume of necessary redactions, we

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cannot estimate costs associated with this review at this time. We are happy to follow up with an additional estimate if you are willing to pay the above costs associated with processing your request.

If you are willing to pay initial costs quoted above, please let us know and we will proceed with seeking to fulfill your request over the coming weeks. Alternatively, we ask that you consider narrowing your request into a format that can be processed more cost-effectively. Specifically, if you can provide employee names to search by, we expect the costs of fulfilling your request will be significantly less.

We hope the above information is helpful to you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Karen M. Farnsworth', with a horizontal line extending to the right.

Karen M. Farnsworth

AGO Paralegal 1

on behalf of:

Sarah London, Assistant Attorney General
and

Thomas A. Waldman, DHR General Counsel