

From: [Curtis, Christopher](#)
To: bduncan@revealnews.org
Subject: Your Public Records Request
Date: Friday, September 13, 2019 5:08:42 PM
Attachments: [4710_001.pdf](#)

Dear Mr. Duncan,

Please find a response to your public records request (and a cost estimate) attached. Thank you for your consideration.

Best, Christopher

Christopher J. Curtis
Chief, Public Protection Division
Office of the Attorney General
State of Vermont
109 State Street
Montpelier, VT 05609
802-828-5586

PRIVILEGED & CONFIDENTIAL COMMUNICATION: This communication may contain information that is privileged, confidential, and exempt from disclosure under applicable law. **DO NOT** read, copy or disseminate this communication unless you are the intended addressee. If you are not the intended recipient (or have received this E-mail in error) please notify the sender immediately and destroy this E-mail. Please consider the environment before printing this e-mail.

From: donotreply@vermont.gov <donotreply@vermont.gov>
Sent: Friday, September 13, 2019 5:07 PM
To: Curtis, Christopher <Christopher.Curtis@vermont.gov>
Subject: Attached Image

THOMAS J. DONOVAN, JR.
ATTORNEY GENERAL

JOSHUA R. DIAMOND
DEPUTY ATTORNEY GENERAL

SARAH E.B. LONDON
CHIEF ASST. ATTORNEY GENERAL



TEL: (802) 828-3171
FAX: (802) 828-3187
TTY: (802) 828-3665

<http://www.ago.vermont.gov>

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

September 13, 2019

Via email to bduncan@revealnews.org.

Byard Duncan
Reveal from the Center for Investigative Reporting
1400 65th St., Suite 20
Emeryville, CA 94608

Re: Public Records Request

Dear Mr. Duncan:

I write in response to your Public Records Act request dated August 28, 2019, a copy of which is enclosed for your convenience.

The Consumer Assistance Program found roughly 44 responsive files relating to 20 complaints concerning "speculative tickets" and/or containing the following terms: "speculative ticket," "speculative tickets," "Vivid Seats," and "StubHub," dated between January 1, 2009 and July 1, 2019. We found no complaints containing the terms "TicketNetwork" or "Ticket Network." We estimate that review and redactions of the 44 responsive files will take about 2 minutes per file, with an estimated total time of 88 minutes.

Note that there is no charge for the first 30 minutes. Therefore, we estimate that at 58 minutes, billed at the lowest possible rate under the Secretary of State's fee schedule (\$.33 a minute), the cost of your Public Records Act request is an estimated \$19.14.

The Public Protection Division also located several responsive documents but the search time was de minimis and no redaction is required.

We ask that you confirm your willingness to prepay the above estimated cost of \$19.14 before we proceed further with processing your request. Upon receipt of your check, the records will be made available for you. Checks may be sent to:

Attn: Charity Clark
State of Vermont

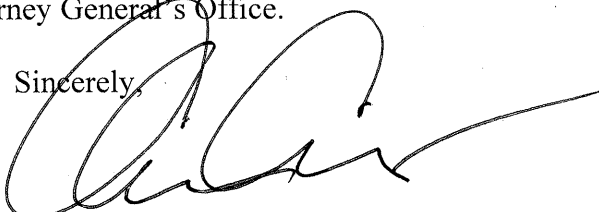
September 13, 2019

2

Office of the Attorney General
109 State Street
Montpelier, VT 05609-1001

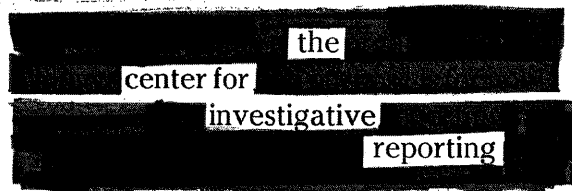
Thank you for contacting the Vermont Attorney General's Office.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Curtis", with a long horizontal flourish extending to the right.

Christopher J. Curtis
Chief, Public Protection Division
Office of the Attorney General
State of Vermont

Enc.



To Whom It May Concern:

This is a request pursuant to Vermont's Public Records Law. I am a reporter with The Center for Investigative Reporting (henceforth "CIR") seeking records of litigation and complaints related to the sale of speculative tickets in your state.

More specifically, I hereby request all consumer complaints sent to your office between Jan. 1, 2009 to July 1, 2019 that pertain to the sale or purchase of speculative tickets. I also hereby request any lawsuits filed by your office between Jan. 1, 2009 to July 1, 2019 that pertain to the sale or purchase of speculative tickets. I also hereby request all documents your office possesses, or has possessed within the aforementioned timeframe, that contain any of the following terms: "speculative ticket," "speculative tickets," "Vivid Seats," "TicketNetwork," "Ticket Network," or "StubHub."

The issue of speculative ticket selling has been publicly acknowledged several times and has become a matter of public interest.

ESPN's "Outside the Lines" has investigated the practice:

https://www.espn.com/espn/otl/story/_/id/25771518/how-wild-world-super-bowl-ticket-brokering-burn-regular-fans

New York's attorney general sued one prominent company, TicketNetwork, over the practice (that case has since settled): <https://ag.ny.gov/press-release/ag-underwood-sues-operator-online-ticket-resale-platform-ticket-broker-over-massive>

Nebraska's attorney general has tightened restrictions on the practice:

https://journalstar.com/news/local/ticket-reseller-agrees-to-pay-state-k-over-marketing-sales/article_40e6148d-50bb-5a6e-b28e-28d6408cf77f.html

Nevada has essentially outlawed the practice: <https://legiscan.com/NV/text/SB131/id/2027226>

Rhode Island has recently addressed the practice:

<https://www.apnews.com/e831cc823f4d4a39997ac56812e09408>

As an employee of the nation's oldest nonprofit news organization seeking this information for dissemination to the general public as part of an effort to examine the practice of speculative ticket selling, I request a fee waiver. 5 U.S.C. § 552(a)(4)(A)(iii). This request is made in the public interest and not for commercial use. For additional details about Reveal, please see our web site:

<<https://www.revealnews.org/>>. If possible, I would prefer the documents in electronic format.

Please notify me before incurring any photocopying costs over \$100.

I am also requesting expedited processing on this request. 5 U.S.C. § 552(a)(6)(E)(v)(II); *see also Al-Fayed v. CIA*, 254 F.3d 300, 306 (D.C. Cir. 2001). I am entitled to expedited processing because this information will reveal the extent to which local governments are addressing consumer complaints

about speculative ticket selling. This is of immediate interest to the public because the sale of speculative tickets has increased dramatically in the past decade. Any information obtained from this request will be used for the public's interest in news stories written for CIR.

I certify that the above information is true and correct to the best of my knowledge.

Please furnish all responsive records in electronic, searchable format delivered to my email address: <bduncan@revealnews.org>. If that's not possible, please send records on a CD ROM or paper printouts to the following address:

Byard Duncan
1400 65th St., Suite 200
Emeryville, CA 94608

Further Correspondence:

All correspondence regarding this request can be directed to me at <bduncan@revealnews.org>.

Please be aware that under 5 U.S.C. § 552(a)(6)(A), a FOIA request is considered constructively denied after twenty business days and is subject to litigation on that basis. If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. As the law requires, I will also expect you to release all segregable portions of otherwise exempt exempt material.

I reserve the right to appeal your decision to withhold any information or to deny a waiver of fees.

If you have any questions, do not hesitate to contact me at 510-809-3173.

Thank you for your prompt attention to this request.

Sincerely,
Byard Duncan

Byard Duncan
Engagement Reporter
Reveal from The Center for Investigative Reporting
bduncan@revealnews.org
510-809-3173