

From: Persampieri, Nick
Sent: Friday, September 2, 2022 1:11 PM
To: Brandi Backus <bbackus@historyassociates.com>
Subject: RE: Vermont Public Records Act Requests

Brandi,

I write to provide you with a cost estimate for the first of your nine public records requests, and to provide a status update about the other requests. Your first request was emailed to us by James Mitchell on July 8, 2022 at 4:32:58 pm.

Our Office charges requesters for the staff time associated with complying with public records requests. 1 V.S.A. § 316(c). The first 30 minutes of staff time is free. *Id.* Beyond 30 minutes, we follow the Secretary of State's (SOS) Uniform Charges Schedule, available on the SOS's website. <https://sos.vermont.gov/vsara/manage/information-governance/compliance/uniform-charges-schedule/> In short, for an attorney's time spent fulfilling your request, we charge \$0.57/minute; for other staff time we charge \$0.45/minute, except when the time spent is photocopying pages. In the latter case, we charge \$0.33/minute. If hard copies are requested, the Uniform Charges Schedule provides for those costs, as well.

We estimate that it will require approximately 1150 minutes (a bit more than 19 hours) of time divided evenly between lawyers and paralegals- approximately \$575- to collect and review the requested records, analyze the potential applicability of statutory exemptions from disclosure, perform any necessary redactions and prepare records for production. Please advise whether you would like us to proceed. While we have already devoted significantly more than one-half hour to complying with your first request we will treat that time as consuming only the 30 minutes of free time. We will begin assessing charges when we resume our work on this request after you give us the go-ahead.

This estimate covers records identified to date. Our work on responding to your requests is continuing. In the event that additional records potentially responsive to your first request are identified for which we would assess additional charges we will let you know.

We have made substantial progress identifying records potentially responsive to your other eight public records requests, but are not yet in a position to provide a cost estimate for those requests. As next week is a short week and one of our key personnel will be out part of the week, we will aim to provide a further update by the middle of the week of September 12.

At this time it appears that we may have no records responsive to:

- Your seventh public records request, which was emailed to us by James Mitchell on July 18, 2022 at 3:51:07 pm, which requests "[c]opies of any agreement and communications related to such an agreement that includes both the OAG (or any department or official therein) and any of New York University, New York University's School of Law, and/or the (NYU) State Energy & Environmental Impact Center;"

-Your eighth public records request, which was emailed to us by James Mitchell on July 18, 2022 at 3:52:03 pm, which requests "[c]opies of any employment agreement, independent contract agreement, consulting agreement, or similar agreement of any sort with any individual staff or attorney(s) who

came to the OAG's employ or secondment through any of New York University, New York University's School of Law, and/or the (NYU) State Energy & Environmental Impact Center, or who is otherwise placed in and/or works for or in the OAG;" and

-Your ninth public records request, which was emailed to us by James Mitchell on July 18, 2022 at 3:53:08 pm, which requests records "relating to any analysis of the OAG's legal authority to hire or otherwise bring into the OAG a fellow from the State Energy & Environmental Impact Center at NYU School of Law" and "relating to any analysis regarding the legality or ethics of the OAG employing or hiring a fellow from the State Energy & Environmental Impact Center at NYU School of Law, including any analysis of whether such employment complies with any law, regulation, code of professional conduct, or policy."

We are finalizing our search on those items and may have a formal update next week or the following week. As I believe you are aware our office did not house a fellow or attorney through any of the NYU programs.

Please let me know if you would like us to proceed as described above. Please also advise if you would like us to prioritize any of the requests, and if you are amenable to narrowing the requests in any way. Thank you.

Nick

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