

**From:** Persampieri, Nick

**Sent:** Thursday, November 10, 2022 10:54 AM

**To:** Brandi Backus <[bbackus@historyassociates.com](mailto:bbackus@historyassociates.com)>

**Subject:** History Associates, Inc., Seventh, Eighth and Ninth Vermont Public Records Act Requests

Brandi,

Please see the attached letter. I am also sending a cost estimate by separate email. I hope that you enjoy the Veterans' Day weekend.

Nick

Nicholas F. Persampieri  
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OFFICE OF THE ATTORNEY GENERAL  
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November 10, 2022

Brandi Backus

By email to: [bbackus@historyassociates.com](mailto:bbackus@historyassociates.com)

Re: History Associates. Inc., Seventh, Eighth and Ninth Vermont Public Records Act Requests

Dear Brandi,

I write in response to three of the nine Vermont Public Records Act requests of History Associates, Inc.: the seventh request, which was emailed to us by James Mitchell on July 18, 2022 at 3:51:07 pm; the eighth request, which was emailed to us by James Mitchell on July 18, 2022 at 3:52:03 pm; and the ninth request, which was emailed to us by James Mitchell on July 18, 2022, at 3:53:08 pm.

The seventh request sought:

Copies 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, that was in effect at any time between January 1, 2016, and the date you process this request.

This may include but is not limited to:

- Any agreement to hire, house, second or otherwise place any attorney or attorneys or staff in the OAG.
- Any purported common interest agreement with any of those entities.
- Any confidentiality agreement with any of those entities.
- Any agreement that provides funding or resources to the OAG or the State of Vermont or another agency or department of the State of Vermont.

The eighth request sought:

Copies 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 through any of those groups, which agreement(s) was in effect at any time between January 1, 2016 and the date you process this request.

The ninth request sought:

1. Copies of all correspondence, agreements, documents, notes, memoranda, and/or other documents (including drafts thereof) dated between August 25, 2017, and the date you process this request and arising from or 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.
2. Copies of all correspondence, agreements, documents, notes, memoranda, and/or other documents (including drafts thereof) dated between August 25, 2017, and the date you process this request and arising from or 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 have no records that are responsive to the seventh, eighth and ninth requests listed above. As previously explained, while the Vermont Attorney General's Office did apply for a State Energy & Environmental Impact Center fellow through NYU, we were not selected for that program.

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

Sincerely,

/s/ Nicholas F. Persampieri

Nicholas F. Persampieri  
Assistant Attorney General