

**THOMAS J. DONOVAN, JR.**  
ATTORNEY GENERAL

**JOSHUA R. DIAMOND**  
DEPUTY ATTORNEY GENERAL

**WILLIAM E. GRIFFIN**  
CHIEF ASST. ATTORNEY  
GENERAL



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

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

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

October 9, 2017

Benjamin E. Novogroski, Esq.  
Barr Law Group  
125 Mountain Road  
Stowe, Vermont 05672

Re: Public Records Requests dated September 21 and 22

Dear Mr. Novogroski:

This is in further reply to the two access to records requests that you submitted to the Office of the Attorney General and the two identical requests that you submitted to the Agency of Commerce and Community Development. The requests were dated September 21, 2017 and September 22, 2017, and were received on September 25, 2017. This reply is made on behalf of the Office of the Attorney General and the Agency of Commerce and Community Development.

The September 21 requests asked for:

All documents concerning the State of Vermont's legal fees paid for legal services rendered in relation to Vermont's EB-5 program over the past three (3) years; and

All documents concerning the State of Vermont's legal fees paid to the law firm of Baker, Donelson, Bearman, Caldwell and Berkowitz, PC over the course of the past three (3) years.

The September 22 requests asked for:

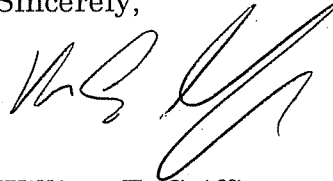
All documents concerning the Vermont Regional Center's Form I-924 (Application to Regional Center Designation Under the Immigrant Investor Program) and Form I-924a (Annual Certification of Regional Center) submissions since 2006.

The documents described in your requests are relevant to two pending lawsuits. The first lawsuit is the civil action that the State of Vermont filed against

Ariel Quiros and others – *State of Vermont et al v. Ariel Quiros et al*, No. Wncv 217-4-16. The second lawsuit is the civil action that you filed against the State and several current and former state officials – *Sutton et al v. State of Vermont et al*, No. Lecv 100-5-17. The documents are therefore exempt from public inspection and copying under 1 V.S.A 317(c)(14). Information in the documents would also be protected by other exemptions; for example, 1 V.S.A 317(c)(3) (information protected by ethical standards) and 1 V.S.A 317(c)(4) (information protected by statutory and common law privileges).

You are entitled to appeal this determination to the Civil Division of the Superior Court as provided in 1 V.S.A 319.

Sincerely,

A handwritten signature in black ink, appearing to read 'W. E. Griffin', written over a horizontal line.

William E. Griffin

Chief Assistant Attorney General

cc: John Kessler  
General Counsel, Agency of Commerce and Community Development