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05609-1001

October 13, 2017

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

Re: Public Records Requests dated October 3

Dear Mr. Novogroski:

This is in reply to the access to records request that you submitted to the Office of the Attorney General. The request was dated October 3. This reply is made on behalf of the Office of the Attorney General.

The October 3 request asked for:

All quarterly reports and all documents pertaining to such quarterly reports, as mandated in the memoranda of understanding between the various Jay Peak EB-5 projects and the State of Vermont, since the year 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.

Benjamin E. Novogroski, Esq.

October 13, 2017

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Sincerely,

A handwritten signature in black ink, appearing to read "Bill", written in a cursive style.

William E. Griffin

Chief Assistant Attorney General