

From: McDougall, Robert
Sent: Monday, January 27, 2020 5:14 PM
To: Matthew D. Hardin <MatthewDHardin@protonmail.com>
Subject: Public Records Act Request

Dear Mr. Hardin:

Please see the attached.

Sincerely,

Robert McDougall
Assistant Attorney General

THOMAS J. DONOVAN, JR.
ATTORNEY GENERAL

JOSHUA R. DIAMOND
DEPUTY ATTORNEY GENERAL

SARAH E.B. LONDON
CHIEF ASST. ATTORNEY GENERAL



TEL: (802) 828-3171

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

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

January 27, 2020

Matthew D. Hardin
Executive Director
Energy Policy Advocates

By e-mail only to MatthewDHardin@protonmail.com

Re: Vermont Public Records Act Request

Dear Mr. Hardin:

I write in response to your public records request dated January 21, 2020 and received by this office the following day. In that request you seek:

"...all electronic correspondence, and any accompanying information (see discussion of SEC Data Delivery Standards, infra), including also any attachments, a) sent to or from or copying (whether as cc: or bcc:) i) Nick Persampieri and/or ii) Robert McDougall, that b) includes, anywhere, whether in the sent, to, from, cc, bcc or Subject fields, or otherwise, including also in any attachments, body of an email or anywhere in an email "thread", i) harold.koh@yale.edu, ii) michael.gerrard@arnoldporter.com, iii) margaret.barry@aporter.com, iv) margaret.barry@apks.com, v) @law.Columbia.edu, vi) @ucsusa.org, and/or vii) @law.Harvard.edu, and is c) dated from July 22, 2019 through the date you process this request, inclusive."

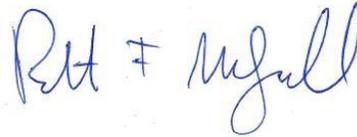
In response, please see the attached documents.

To the extent that you feel this response is a denial of your request, you may appeal to the Deputy Attorney General, Joshua Diamond. Any appeal should be made in writing and sent to him at this address:

Letter to Matthew D. Hardin
Re: Vermont Public Records Act Request
January 27, 2020
Page 2

Deputy Attorney General Joshua R. Diamond
Office of the Attorney General
109 State Street
Montpelier, VT 05609

Sincerely,

A handwritten signature in blue ink that reads "RFD McDougall". The signature is written in a cursive, slightly slanted style.

Robert F. McDougall
Assistant Attorney General

Persampieri, Nick

From: Sherman, Bill (ATG) <bill.sherman@atg.wa.gov>
Sent: Wednesday, November 27, 2019 11:07 AM
To: Goho, Shaun; Brodie, Frederick
Cc: Kaufmann, Karen; reed.sato@doj.ca.gov; christie.vosburg@doj.ca.gov; jsegal@oag.state.md.us; ssullivan@oag.state.md.us; Persampieri, Nick; Andy.goldberg@state.ma.us; Loren.Alikhan@dc.gov; wade.h.hargrove@hawaii.gov; benjamin.gutman@doj.state.or.us; Wood, Kelly T (ATG)
Subject: RE: Request for consent to filing of amicus brief in LULAC v. Wheeler and New York v. Wheeler, Nos. 19-71979 & 19-71982 (9th Cir.)

Washington consents.

From: Goho, Shaun <sgoho@law.harvard.edu>
Sent: Wednesday, November 27, 2019 7:54 AM
To: Brodie, Frederick <Frederick.Brodie@ag.ny.gov>
Cc: Kaufmann, Karen <Karen.Kaufmann@ag.ny.gov>; reed.sato@doj.ca.gov; christie.vosburg@doj.ca.gov; Sherman, Bill (ATG) <bill.sherman@atg.wa.gov>; jsegal@oag.state.md.us; ssullivan@oag.state.md.us; Nick.Persampieri@vermont.gov; Andy.goldberg@state.ma.us; Loren.Alikhan@dc.gov; wade.h.hargrove@hawaii.gov; benjamin.gutman@doj.state.or.us
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I have now heard from New York. Do any of the other States have any objection?

Shaun A. Goho
Deputy Director | Senior Staff Attorney
Harvard Law School | Emmett Environmental Law & Policy Clinic
6 Everett St., Suite 5116, Cambridge, MA 02138
(t) 617.496.5692 (f) 617.384.7633 (e) sgoho@law.harvard.edu

From: Brodie, Frederick [<mailto:Frederick.Brodie@ag.ny.gov>]
Sent: Tuesday, November 26, 2019 2:58 PM
To: Goho, Shaun <sgoho@law.harvard.edu>
Cc: Kaufmann, Karen <Karen.Kaufmann@ag.ny.gov>; reed.sato@doj.ca.gov; christie.vosburg@doj.ca.gov; bills5@atg.wa.gov; jsegal@oag.state.md.us; ssullivan@oag.state.md.us; Nick.Persampieri@vermont.gov; Andy.goldberg@state.ma.us; Loren.Alikhan@dc.gov; wade.h.hargrove@hawaii.gov; benjamin.gutman@doj.state.or.us
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Good afternoon Shaun,

We consented to your filing in 2018, and I have no problem doing so again. Thank you for your continued interest.

Very truly yours,

Frederick A. Brodie

Assistant Solicitor General
New York State Office of the Attorney General
Appeals & Opinions Bureau
The Capitol
Albany, NY 12224-0341
(518) 776-2317
Frederick.Brodie@ag.ny.gov

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Persampieri, Nick

From: Hargrove, Wade H <Wade.H.Hargrove@hawaii.gov>
Sent: Wednesday, November 27, 2019 6:59 PM
To: Christie Vosburg; Goho, Shaun; Brodie, Frederick
Cc: Kaufmann, Karen; Reed Sato; bills5@atg.wa.gov; jsegal@oag.state.md.us; ssullivan@oag.state.md.us; Persampieri, Nick; Andy.goldberg@state.ma.us; Loren.Alikhan@dc.gov; benjamin.gutman@doj.state.or.us
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Hawaii consents.

Wade

Wade H. Hargrove III
Deputy Attorney General
Health Division
State of Hawaii Department of the Attorney General
465 South King Street, Room 200
Honolulu, Hawaii 96813
(808) 587-3050
wade.h.hargrove@hawaii.gov

From: Christie Vosburg <Christie.Vosburg@doj.ca.gov>
Sent: Wednesday, November 27, 2019 6:39 AM
To: Goho, Shaun <sgoho@law.harvard.edu>; Brodie, Frederick <Frederick.Brodie@ag.ny.gov>
Cc: Kaufmann, Karen <Karen.Kaufmann@ag.ny.gov>; Reed Sato <Reed.Sato@doj.ca.gov>; bills5@atg.wa.gov; jsegal@oag.state.md.us; ssullivan@oag.state.md.us; Nick.Persampieri@vermont.gov; Andy.goldberg@state.ma.us; Loren.Alikhan@dc.gov; Hargrove, Wade H <Wade.H.Hargrove@hawaii.gov>; benjamin.gutman@doj.state.or.us
Subject: RE: Request for consent to filing of amicus brief in LULAC v. Wheeler and New York v. Wheeler, Nos. 19-71979 & 19-71982 (9th Cir.)

California consents.

Christie

Christie Vosburg
Supervising Deputy Attorney General
Bureau of Environmental Justice
California Attorney General's Office
1300 I Street
Sacramento, CA 95814
916-210-7684

From: Goho, Shaun <sgoho@law.harvard.edu>
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Persampieri, Nick

From: Segal, Joshua <jsegal@oag.state.md.us>
Sent: Wednesday, November 27, 2019 11:01 AM
To: AliKhan, Loren (OAG)
Cc: Gutman Benjamin; Goho, Shaun; Brodie, Frederick; Kaufmann, Karen; reed.sato@doj.ca.gov; christie.vosburg@doj.ca.gov; bills5@atg.wa.gov; Sullivan, Steven; Persampieri, Nick; Andy.goldberg@state.ma.us; wade.h.hargrove@hawaii.gov
Subject: Re: Request for consent to filing of amicus brief in LULAC v. Wheeler and New York v. Wheeler, Nos. 19-71979 & 19-71982 (9th Cir.)

Maryland consents — thanks!

> On Nov 27, 2019, at 10:59 AM, AliKhan, Loren (OAG) <loren.alikhan@dc.gov> wrote:

Persampieri, Nick

From: AliKhan, Loren (OAG) <loren.alikhan@dc.gov>
Sent: Wednesday, November 27, 2019 10:59 AM
To: Gutman Benjamin; 'Goho, Shaun'; Brodie, Frederick
Cc: Kaufmann, Karen; reed.sato@doj.ca.gov; christie.vosburg@doj.ca.gov; bills5@atg.wa.gov; jsegal@oag.state.md.us; ssullivan@oag.state.md.us; Persampieri, Nick; Andy.goldberg@state.ma.us; wade.h.hargrove@hawaii.gov
Subject: RE: Request for consent to filing of amicus brief in LULAC v. Wheeler and New York v. Wheeler, Nos. 19-71979 & 19-71982 (9th Cir.)

Nor from D.C.

Loren L. AliKhan
Solicitor General
Office of the Attorney General for the District of Columbia
One Judiciary Square
441 4th Street, NW, Suite 630 South
Washington, D.C. 20001
(202) 727-6287 (phone)
(202) 730-1864 (fax)
Loren.AliKhan@dc.gov

From: Gutman Benjamin <Benjamin.Gutman@doj.state.or.us>
Sent: Wednesday, November 27, 2019 10:55 AM
To: 'Goho, Shaun' <sgoho@law.harvard.edu>; Brodie, Frederick <Frederick.Brodie@ag.ny.gov>
Cc: Kaufmann, Karen <Karen.Kaufmann@ag.ny.gov>; reed.sato@doj.ca.gov; christie.vosburg@doj.ca.gov; bills5@atg.wa.gov; jsegal@oag.state.md.us; ssullivan@oag.state.md.us; Nick.Persampieri@vermont.gov; Andy.goldberg@state.ma.us; AliKhan, Loren (OAG) <loren.alikhan@dc.gov>; wade.h.hargrove@hawaii.gov
Subject: RE: Request for consent to filing of amicus brief in LULAC v. Wheeler and New York v. Wheeler, Nos. 19-71979 & 19-71982 (9th Cir.)

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No objection from Oregon, thanks.

Ben

Benjamin Gutman
Solicitor General | Appellate Division
Oregon Department of Justice
503.378.4402

From: Goho, Shaun [<mailto:sgoho@law.harvard.edu>]
Sent: Wednesday, November 27, 2019 7:54 AM
To: Brodie, Frederick
Cc: Kaufmann, Karen; reed.sato@doj.ca.gov; christie.vosburg@doj.ca.gov; bills5@atg.wa.gov; jsegal@oag.state.md.us; ssullivan@oag.state.md.us; Nick.Persampieri@vermont.gov; Andy.goldberg@state.ma.us; Loren.AliKhan@dc.gov; wade.h.hargrove@hawaii.gov; Gutman Benjamin

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Frederick A. Brodie

Assistant Solicitor General

New York State Office of the Attorney General

Appeals & Opinions Bureau

The Capitol

Albany, NY 12224-0341

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Cc: Kaufmann, Karen; reed.sato@doj.ca.gov; christie.vosburg@doj.ca.gov; bills5@atg.wa.gov; jsegal@oag.state.md.us; ssullivan@oag.state.md.us; Persampieri, Nick; Loren.Alikhan@dc.gov; wade.h.hargrove@hawaii.gov
Subject: RE: Request for consent to filing of amicus brief in LULAC v. Wheeler and New York v. Wheeler, Nos. 19-71979 & 19-71982 (9th Cir.)

Massachusetts also consents to the proposed filing.

I. Andrew Goldberg
Assistant Attorney General
Environmental Protection Division
Office of Attorney General Maura Healey
One Ashburton Place, 18th Floor
Boston, MA 02108
(617) 963-2429 (direct dial)
(617) 727-9665 (fax)
andy.goldberg@mass.gov
www.mass.gov/ago

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[EXTERNAL]

Dear Counsel,

In the consolidated cases *LULAC v. Wheeler* and *New York v. Wheeler*, Nos. 19-71979 & 19-71982 (9th Cir.), I propose to file an amicus brief in support of petitioners on behalf of public health and scientific integrity organizations, including the American Public Health Association, the American Academy of Pediatrics, and the Union of Concerned Scientists.

I am writing to ask whether you consent to our filing an amicus brief in these cases. Many thanks for your consideration of this request.

Sincerely,

Shaun A. Goho
Deputy Director | Senior Staff Attorney
Harvard Law School | Emmett Environmental Law & Policy Clinic
6 Everett St., Suite 5116, Cambridge, MA 02138
(t) 617.496.5692 (f) 617.384.7633 (e) sgoho@law.harvard.edu

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Persampieri, Nick

From: Persampieri, Nick
Sent: Wednesday, November 27, 2019 10:59 AM
To: Gutman Benjamin; 'Goho, Shaun'; Brodie, Frederick
Cc: Kaufmann, Karen; reed.sato@doj.ca.gov; christie.vosburg@doj.ca.gov; bills5@atg.wa.gov; jsegal@oag.state.md.us; ssullivan@oag.state.md.us; Andy.goldberg@state.ma.us; Loren.Alikhan@dc.gov; wade.h.hargrove@hawaii.gov
Subject: Re: Request for consent to filing of amicus brief in LULAC v. Wheeler and New York v. Wheeler, Nos. 19-71979 & 19-71982 (9th Cir.)

Shaun,

Vermont consents to your filing.

Nick Persampieri

From: Gutman Benjamin <Benjamin.Gutman@doj.state.or.us>
Sent: Wednesday, November 27, 2019 10:55 AM
To: 'Goho, Shaun' <sgoho@law.harvard.edu>; Brodie, Frederick <Frederick.Brodie@ag.ny.gov>
Cc: Kaufmann, Karen <Karen.Kaufmann@ag.ny.gov>; reed.sato@doj.ca.gov <reed.sato@doj.ca.gov>; christie.vosburg@doj.ca.gov <christie.vosburg@doj.ca.gov>; bills5@atg.wa.gov <bills5@atg.wa.gov>; jsegal@oag.state.md.us <jsegal@oag.state.md.us>; ssullivan@oag.state.md.us <ssullivan@oag.state.md.us>; Persampieri, Nick <nick.persampieri@vermont.gov>; Andy.goldberg@state.ma.us <Andy.goldberg@state.ma.us>; Loren.Alikhan@dc.gov <Loren.Alikhan@dc.gov>; wade.h.hargrove@hawaii.gov <wade.h.hargrove@hawaii.gov>
Subject: RE: Request for consent to filing of amicus brief in LULAC v. Wheeler and New York v. Wheeler, Nos. 19-71979 & 19-71982 (9th Cir.)

No objection from Oregon, thanks.
Ben

Benjamin Gutman
Solicitor General | Appellate Division
Oregon Department of Justice
503.378.4402

From: Goho, Shaun [mailto:sgoho@law.harvard.edu]
Sent: Wednesday, November 27, 2019 7:54 AM
To: Brodie, Frederick
Cc: Kaufmann, Karen; reed.sato@doj.ca.gov; christie.vosburg@doj.ca.gov; bills5@atg.wa.gov; jsegal@oag.state.md.us; ssullivan@oag.state.md.us; Nick.Persampieri@vermont.gov; Andy.goldberg@state.ma.us; Loren.Alikhan@dc.gov; wade.h.hargrove@hawaii.gov; Gutman Benjamin
Subject: RE: Request for consent to filing of amicus brief in LULAC v. Wheeler and New York v. Wheeler, Nos. 19-71979 & 19-71982 (9th Cir.)

I have now heard from New York. Do any of the other States have any objection?

Shaun A. Goho

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From: Brodie, Frederick [mailto:Frederick.Brodie@ag.ny.gov]

Sent: Tuesday, November 26, 2019 2:58 PM

To: Goho, Shaun <sgoho@law.harvard.edu>

Cc: Kaufmann, Karen <Karen.Kaufmann@ag.ny.gov>; reed.sato@doj.ca.gov; christie.vosburg@doj.ca.gov;

bills5@atg.wa.gov; jsegal@oag.state.md.us; ssullivan@oag.state.md.us; Nick.Persampieri@vermont.gov;

Andy.goldberg@state.ma.us; Loren.Alikhan@dc.gov; wade.h.hargrove@hawaii.gov; benjamin.gutman@doj.state.or.us

Subject: RE: Request for consent to filing of amicus brief in *LULAC v. Wheeler* and *New York v. Wheeler*, Nos. 19-71979 & 19-71982 (9th Cir.)

Good afternoon Shaun,

We consented to your filing in 2018, and I have no problem doing so again. Thank you for your continued interest.

Very truly yours,

Frederick A. Brodie

Assistant Solicitor General

New York State Office of the Attorney General

Appeals & Opinions Bureau

The Capitol

Albany, NY 12224-0341

(518) 776-2317

Frederick.Brodie@ag.ny.gov

From: Goho, Shaun <sgoho@law.harvard.edu>

Sent: Tuesday, November 26, 2019 2:53 PM

To: Brodie, Frederick <Frederick.Brodie@ag.ny.gov>; Kaufmann, Karen <Karen.Kaufmann@ag.ny.gov>; Oser, Andrea

<Andrea.Oser@ag.ny.gov>; reed.sato@doj.ca.gov; christie.vosburg@doj.ca.gov; bills5@atg.wa.gov;

jsegal@oag.state.md.us; ssullivan@oag.state.md.us; Nick.Persampieri@vermont.gov; Andy.goldberg@state.ma.us;

Loren.Alikhan@dc.gov; wade.h.hargrove@hawaii.gov; benjamin.gutman@doj.state.or.us

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