

From: Clark, Charity <Charity.Clark@vermont.gov>
Sent: Friday, April 24, 2020 5:14 PM
To: D. S. [REDACTED]
Cc: Gilman, Gabriel <Gabriel.Gilman@vermont.gov>
Subject: RE: Vermont Public Records Act request, dated 4/16/20, (1 of 2)

Please see attached.

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OFFICE OF THE ATTORNEY GENERAL
109 STATE STREET
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April 24, 2020

David Shaddy
[REDACTED]

Re: Vermont Public Records Act request, dated April 16, 2020 (1 of 2)

Dear Mr. Shaddy:

I write in further response to one of the two requests for public records you made on April 16, 2020. You requested: “[A]ny public records that the Vermont Attorney General has of the existence of the ‘Vermont Office of the State Prosecuting Attorneys,’ and an official of the state, a ‘State Prosecuting Attorney.’” By email of April 22, 2020, you further explained:

The web link, stated with the Vermont Attorney General’s earlier response to my public records request, which links to documents claiming I was in some sort of case or dispute with the Vermont Office of Professional Regulation, etc., contains the name of an attorney.

That attorney’s name is Gabriel Gilman, Esq.

In a document I received from Gabriel Gilman, Esq., he claims to be a “State Prosecuting Attorney”, a Vermont governmental official, within the Vermont Office of State Prosecuting Attorneys.

Based on the Vermont Attorney General’s request for clarification, I am assuming that the Vermont Attorney General believes that such an official and agency exist.

Please provide as many or as few records as required to substantiate that existence.

Attorney Gilman is General Counsel at the Vermont Secretary of State’s Office of Professional Regulation (OPR). In the document you received and reference in your e-mail of April 22, 2020, Attorney Gilman was the prosecuting attorney for the State of Vermont. However, there is no such office as the “Vermont Office of State Prosecuting Attorneys.” You may be referring to 3 V.S.A. § 129(c)(2), which recognizes a “State prosecuting attorney assigned by the Office of Professional Regulation [who] shall be responsible for prosecuting disciplinary cases before

boards or administrative law officers.” Attorneys who perform this work may be referred to as “State prosecuting attorneys.”

For the reasons stated above, the Attorney General’s Office has no records responsive to your request.

Sincerely,

/s/ _____
Charity R. Clark
Chief of Staff

Cc: Gabriel Gilman
General Counsel