

From: Persampieri, Nick
Sent: Tuesday, May 12, 2020 4:10 PM
To: MatthewDHardin@protonmail.com
Subject: Vermont Public Records Request

Mr. Hardin,

Please see the attached letter. Thank you.

Nick

Nicholas F. Persampieri
Assistant Attorney General
Office of the Attorney General
109 State Street
Montpelier, VT 05609
(802) 828-6902

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

May 12, 2020

Matthew D. Hardin
Executive Director
Energy Policy Advocates

By e-mail to: MatthewDHardin@protonmail.com

Re: Vermont Public Records Act Request

Dear Mr. Hardin:

I write in response to your Vermont Access to Public Records Act request dated April 28, 2020. In that request you sought:

copies of all electronic correspondence, including also any attachments, and accompanying information (see discussion of SEC Data Delivery Standards, *infra*), that was sent to or from or which copies Nick Persampieri, dated from February 1, 2020 through April 28, 2020, inclusive, that:

1. includes, *anywhere*, whether in an email address, in the sent, to, from, cc, bcc fields, or the Subject fields or body of an email or email thread or attachment, and including as part of that record, a) the word “complaint” **and** b) i) “criteria pollutant” (which also includes “criteria pollutants”), ii) “greenhouse gas”, (which includes “greenhouse gases”), and/or iii) “GHG”; or that
2. provides notice pursuant to any common interest agreement of any public records request, or otherwise discusses or references any public records request or public records lawsuit, submitted to any party by a)

Matthew Hardin, b) Neal Cornett, c) Chris or Christopher Horner, and/or d) Energy Policy Advocates.

By letter dated May 1, 2020, this office extended the time limit for its response, and advised that it would further respond on or before May 12.

In response to Request No. 1, please be advised that we have withheld 11 records because they are exempt from disclosure pursuant to 1 V.S.A. § 371(c)(4) (attorney-client communications, attorney work product) and/or 1 V.S.A. § 317(c)(14) (relevant to litigation). These records consist of communications among the Attorney General's offices of multiple states, including Vermont, regarding issues of common interest, made in connection with ongoing or anticipated litigation. We do not have any other records responsive to this request.

In response to Request No. 2, we have withheld 24 records because they are exempt from disclosure pursuant to 1 V.S.A. § 371(c)(4) (attorney-client communications, attorney work product) and/or 1 V.S.A. § 317(c)(14) (relevant to litigation). These records consist of communications among the Attorney General's offices of multiple states, including Vermont, regarding issues of common interest, made in connection with ongoing or anticipated litigation. We do not have any other records responsive to this request.

If you feel 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.

Sincerely,

/s/Nicholas F. Persampieri

Nicholas F. Persampieri
Assistant Attorney General