

Texts for Paul Heintz PRA Request Dated April 10, 2017

These texts are from April 5 and April 6, 2017

Alicia Freese: Had a chance to look at that transcript?

TJ Donovan: Will call u around noon

AF: K thanks

AF: I'll call in one minute

AF: I'll take you up on that offer of an afternoon meeting. When's good?

TJD: 2:15 our office

AF: K. Which floor are you on?

TJD: 3rd

Griffin, Bill

From: Matthew Hardin <matthewdhardin@gmail.com>
Sent: Friday, March 17, 2017 1:28 PM
To: Griffin, Bill
Cc: Handwerger, Elizabeth; Brady Toensing
Subject: My Address

Mr. Griffin and Ms. Handwerger,

I've moved recently, and it appears to have caused a bit of confusion. To complicate matters, I just noticed the certificate of service on our most recent filing still contained my old signature block and old address. I apologize for any confusion.

For future pleadings in either *Energy & Environment Legal Institute v. Attorney General of Vermont* (558-9-16 Wncv) or *Energy & Environment Legal Institute et al. v. Attorney General of Vermont* (349-6-16 Wncv), please serve me either via email at this address or via U.S. Mail to 314 W Grace St., Suite 308, Richmond, VA 23220.

Thank you,

Matthew D. Hardin
Attorney-at-Law¹

314 West Grace Street, Suite 308
Richmond, VA 23220
Telephone: (804) 608-6456
Facsimile: (877) 310-3847
Email: MatthewDHardin@gmail.com

¹ D.C. Bar # 1032711, Minnesota Lawyer I.D. # 0397178, North Dakota Bar I.D. # 08212, Virginia State Bar # 87482.

The information contained in this message may be privileged. It is intended by the sender to be confidential. If you suspect you may not be the intended recipient, please notify the sender and delete all copies.

Griffin, Bill

From: Silver, Natalie
Sent: Monday, April 03, 2017 4:34 PM
To: Griffin, Bill
Subject: Alicia Freese

Here is Alicia's number: +1 (802) 343-8047

Natalie Silver
Executive Assistant to the Attorney General
Vermont Attorney General's Office
109 State St, Montpelier VT
Office: 802 828 3173
Cell: 802 595 8679

Silver, Natalie

From: London, Sarah
Sent: Friday, April 7, 2017 12:47 PM
To: Donovan, Thomas; Diamond, Joshua
Cc: Silver, Natalie
Subject: FW: AGO PRA data

Purely FYI.

From: London, Sarah
Sent: Friday, April 07, 2017 12:42 PM
To: 'Alicia Freese' <alicia@sevendaysvt.com>
Subject: RE: AGO PRA data

No problem. Our count of AGO pages produced in 2017 between January 1 and March 31 is approximately 2650.

From: Alicia Freese [<mailto:alicia@sevendaysvt.com>]
Sent: Friday, April 07, 2017 8:49 AM
To: London, Sarah <Sarah.London@vermont.gov>
Subject: Re: AGO PRA data

Interesting. Thanks for putting all this together.

On Thu, Apr 6, 2017 at 7:04 PM, London, Sarah <Sarah.London@vermont.gov> wrote:

Alicia, here's some info for now.

Link to public facing log of public record act requests across state government:

<https://data.vermont.gov/Government/Public-Record-Requests/fwxs-ckd2>

I've tried to look at AGO PRA data, comparing data from January 1 to March 31 across years. One challenge is, I now see that some of the productions of 2017 are very large and are occasionally logged by number of "files" produced on a CD, where an individual file can be a number of pages. I can tell the AGO has produced well over 1000 pages of AGO records in response to public record act requests from January 1 to March 31 of this year. Unfortunately, it is not necessarily easy to compare this to the number of pages produced in other years. However, based on the log at link above, it appears that in previous years, the AGO has sometimes produced fewer records on a yearly basis than what has been produced in this three month period of 2017.

Below reflects the volume of requests received by AGO across years for the period of Jan through March.

January 1 to March 31 across years

2017: 24 requests

2016: 23 requests

2015: 19 requests

2014: 9

2013: 9

2012: 7

2011: 8

I hope this is helpful for now. Happy to send any of our requests and productions as we discussed, or brainstorm other ways to try to produce aggregate data for context. Just let me know.

Sarah

Sarah London

Chief, General Counsel and Administrative Law Division

Vermont Attorney General's Office

--

// SEVEN DAYS //
:: Alicia Freese
:: Staff Writer
:: <http://sevendaysvt.com>
:: [802.343.8047](tel:802.343.8047)
:: twitter: @aliciafreese

Silver, Natalie

From: Silver, Natalie
Sent: Monday, April 3, 2017 4:34 PM
To: Griffin, Bill
Subject: Alicia Freese

Here is Alicia's number: +1 (802) 343-8047

Natalie Silver
Executive Assistant to the Attorney General
Vermont Attorney General's Office
109 State St, Montpelier VT
Office: 802 828 3173
Cell: 802 595 8679

Silver, Natalie

From: Shafritz, Megan J.
Sent: Thursday, April 6, 2017 4:10 PM
To: Matthews, Deborah; Jacobs-Carnahan, Eve
Cc: Silver, Natalie
Subject: RE: PRESS CALL - Molly Walsh - Seven Days - 802-338-5939

Thanks. Eve will return the call.

MJS

From: Matthews, Deborah
Sent: Thursday, April 06, 2017 4:08 PM
To: Shafritz, Megan J. <megan.shafritz@vermont.gov>; Jacobs-Carnahan, Eve <eve.jacobs-carnahan@vermont.gov>
Cc: Silver, Natalie <Natalie.Silver@vermont.gov>
Subject: PRESS CALL - Molly Walsh - Seven Days - 802-338-5939
Importance: High

RE: South Burlington Rebel Alliance PAC – she needs to talk with someone about this ASAP. I am copying Natalie on this because she asked to speak with Natalie, [REDACTED]

[REDACTED]?

DEADLINE: ASAP – 4:30pm

Call rec'd 4-6-17 @ 4:00pm

Deb Matthews

Administrative Secretary

Office of the Attorney General | GCAL

109 State Street, 3rd Floor

Montpelier, VT 05609

Phone | 802-828-3689

E-Mail | deborah.matthews@vermont.gov (please note my new email address)

Silver, Natalie

From: Silver, Natalie
Sent: Monday, April 3, 2017 11:56 AM
To: Mark Davis
Subject: Re: Media advisory: AG and tax commissioner holding joint press conference today

Yes we will be sending out a release

Natalie Silver
Executive Assistant to the Attorney General
Vermont Attorney General's Office
109 State St, Montpelier VT
Office: 802 828 3173
Cell: 802 595 8679

From: Mark Davis <mark@sevendaysvt.com>
Sent: Monday, April 3, 2017 11:42:23 AM
To: Silver, Natalie
Subject: Re: Media advisory: AG and tax commissioner holding joint press conference today

We can't make it, but are you guys going to be putting out any materials after the presser today?

Thanks.

Mark Davis
Seven Days Staff Writer

On Mon, Apr 3, 2017 at 6:57 AM, Silver, Natalie <Natalie.Silver@vermont.gov> wrote:
Please see attachment.

Natalie Silver
Executive Assistant to the Attorney General
Vermont Attorney General's Office
109 State St, Montpelier VT
Office: [802 828 3173](tel:8028283173)
Cell: [802 595 8679](tel:8025958679)

Silver, Natalie

From: Alicia Freese <alicia@sevendaysvt.com>
Sent: Tuesday, March 28, 2017 12:34 PM
To: Silver, Natalie
Subject: Re: got your message

Do you happen to know if he's in the office? I haven't heard back from him yet.

On Tue, Mar 28, 2017 at 11:06 AM, Alicia Freese <alicia@sevendaysvt.com> wrote:
Okay, thanks.

On Tue, Mar 28, 2017 at 10:58 AM, Silver, Natalie <Natalie.Silver@vermont.gov> wrote:
Hi Alicia,

I think you should connect with josh before we set up interviews. After that happy to chat.

Natalie

Natalie Silver
Executive Assistant to the Attorney General
Vermont Attorney General's Office
109 State St, Montpelier VT
Office: [802 828 3173](tel:8028283173)
Cell: [802 595 8679](tel:8025958679)

From: Alicia Freese <alicia@sevendaysvt.com>
Sent: Tuesday, March 28, 2017 10:56:11 AM
To: Silver, Natalie
Subject: got your message

Hi Natalie,

I got your message, and I've got a call in to Josh, who's actually one of the people I'd like to interview. I also wanted to ask, would it be possible to spend a little time at the AG offices sometime during the next couple days? I've never been, and would like to actually see the place I'm writing about!

As far as setting up interviews with people, should I go through you or reach out to them directly? And, last question (for now): Does Mr. Donovan have time for an interview tomorrow?

Thanks,

Alicia

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// SEVEN DAYS //

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:: Staff Writer
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:: [802.343.8047](tel:802.343.8047)
:: twitter: @aliciafreese

Silver, Natalie

From: Alicia Freese <alicia@sevendaysvt.com>
Sent: Monday, March 27, 2017 3:13 PM
To: Silver, Natalie
Subject: AG story

Hi Natalie,

I don't know if you've gotten my voicemail yet but I'm planning to write a story this week about newcomers to the AG's office. I don't have a comprehensive list of new hires, but I do know there have been some notable additions, including Chris Curtis, David Scherr, Ted Hobson and Josh Diamond. I'm hoping to touch base with you either today or tomorrow morning to talk about setting up some interviews.

Give me a ring when you have a minute— 802-343-8047.

Thanks,

Alicia

--

// SEVEN DAYS //
:: Alicia Freese
:: Staff Writer
:: <http://sevendaysvt.com>
:: [802.343.8047](tel:802.343.8047)
:: twitter: [@aliciafreese](https://twitter.com/aliciafreese)

Silver, Natalie

From: Elizabeth Hewitt <ehewitt@vtdigger.org>
Sent: Tuesday, March 21, 2017 4:46 PM
To: Silver, Natalie
Subject: Re: ICE report mentioning Montpelier

Hi Natalie,
Checking in to see if you expect someone will be able to get back to me today.
Thanks,
Elizabeth

On Tue, Mar 21, 2017 at 12:39 PM, Elizabeth Hewitt <ehewitt@vtdigger.org> wrote:
Thanks Natalie, that would be great.

On Tue, Mar 21, 2017 at 11:42 AM, Silver, Natalie <Natalie.Silver@vermont.gov> wrote:

Hey Elizabeth,

I believe that this is just referring to the fact that in Montpelier an ICE detainer alone is not enough to require that someone be held. There needs to be proof of probable cause in the form of a warrant by a judge. I will have someone here give you a more thorough run down on the phone. We can call later.

Natalie

From: Elizabeth Hewitt <ehewitt@vtdigger.org>
Sent: Tuesday, March 21, 2017 10:49:12 AM
To: Silver, Natalie
Subject: ICE report mentioning Montpelier

Hi Natalie,

I'm hoping to catch TJ or somebody else with the AG's office to talk about a report from ICE this week that lists Montpelier as a jurisdiction that has policies that limit cooperation with ICE. The mention is on page 23 here: https://www.ice.gov/doclib/ddor/ddor2017_01-28to02-03.pdf

The policy in question seems to be the city's fair and impartial policing policy adopted in July 2016, rather than the "sanctuary status" the city adopted later last year. My understanding is that the city has a FIP policy similar to the statewide model policy adopted by the CJTC.

I'm wondering if anybody in the AG's office is aware of this list and can speak about the implications of Montpelier's inclusion, and whether this report has any implications for the statewide FIP policy.

My deadline is end of day.

Thanks,
Elizabeth

--

Elizabeth Hewitt
Reporter, VTDigger.org
802.917.3870

--

Elizabeth Hewitt
Reporter, VTDigger.org
802.917.3870

--

Elizabeth Hewitt
Reporter, VTDigger.org
802.917.3870

Silver, Natalie

From: Matthews, Deborah
Sent: Monday, March 20, 2017 10:57 AM
To: Silver, Natalie
Cc: Diamond, Joshua
Subject: PRESS CALL - Katie Jickling - Seven Days - (802) 565-1824

Importance: High

RE: Would like to speak to TJ regarding the arrest of the two Migrant Justice workers.

DEADLINE: 3pm today (or by end of day)

Call rec'd 3-20-17 at 10:49am

Deb Matthews

Administrative Secretary

Office of the Attorney General | GCAL

109 State Street, 3rd Floor

Montpelier, VT 05609

Phone | 802-828-3689

E-Mail | deborah.matthews@vermont.gov (please note my new email address)

Silver, Natalie

From: John Walters <johnwalters@sevendaysvt.com>
Sent: Sunday, March 19, 2017 10:33 PM
To: Silver, Natalie
Subject: TJ available?

Natalie:

I'd like to talk with TJ sometime Monday if possible. This is about the detention of the three migrant workers, including one who's on TJ's task force.

Available all day at the number below. Thanks.

John Walters
Political columnist, Seven Days
603-496-1280 (c)

Donovan, Thomas

From: Anne Galloway <agalloway@vtdigger.org>
Sent: Wednesday, March 29, 2017 7:29 PM
To: Treadwell, John
Cc: Dan Schwartz; Diamond, Joshua; Donovan, Thomas
Subject: Re: Denial of Cynthia Diaz records to VTDigger

John,

We shouldn't need to appeal in order to get the description of the redactions of public documents.

Please refer to:

1 V.S.A. § 318

(e) A public agency shall not withhold any record in its entirety on the basis that it contains some exempt content if the record is otherwise subject to disclosure; instead, the public agency shall redact the information it considers to be exempt and produce the record accompanied by an explanation of the basis for denial of the redacted information.

Please comply with the law.

Happy to meet with Josh Diamond to discuss the ongoing lack of transparency under TJ Donovan.

Anne

On Wed, Mar 29, 2017 at 4:35 PM, Treadwell, John <john.treadwell@vermont.gov> wrote:

Dear Anne,

I have received your voice mail and this email correspondence. As noted below the March 6, 2017, letter from AAG Zachary Chen provides the information required under 1 V.S.A. § 318(a)(2) regarding an appeal and to whom such an appeal should be directed. The letter states:

To the extent that you consider that this response constitutes a denial of your request, you may appeal to the Deputy Attorney General. Any appeal should be in writing and addressed to:

Joshua Diamond, Esq.

Deputy Attorney General

109 State Street

Montpelier, VT 05609-1001

To the extent that you seek to appeal the response in the March 6, 2017, letter that appeal should be directed to Deputy AG Diamond.

John

From: Anne Galloway [mailto:agalloway@vtdigger.org]
Sent: Wednesday, March 29, 2017 4:11 PM
To: Treadwell, John <john.treadwell@vermont.gov>
Cc: Dan Schwartz <daniel.james.schwartz@gmail.com>; Diamond, Joshua <Joshua.Diamond@vermont.gov>; Donovan, Thomas <Thomas.Donovan@vermont.gov>
Subject: Denial of Cynthia Diaz records to VTDigger

Dear John Treadwell:

Please review the attached.

How can the VAG claim an invasion of personal privacy, disclosure of a witness (who was identified as Mike Marcotte in a Jan. 2009 affidavit provided by the VAG), information from tax returns and information related to personal finances?

The document in question is a deposition in a court case in which Cynthia Diaz was convicted of two misdemeanors.

Whole pages have been deleted. Several are missing.

How are you fulfilling your legal obligation under the Vermont Public Records Act?

Anne

On Tue, Mar 28, 2017 at 12:00 PM, Treadwell, John <john.treadwell@vermont.gov> wrote:

Anne and Dan,

AAG Zachary Chen's March 6, 2017, response to your February 21, 2017, clearly indicates that if you consider the response a denial of your request for public records you may appeal that decision. The letter provides the information required under 1 V.S.A. § 318(a)(2) regarding such an appeal and to whom such an appeal should be directed.

John

From: Anne Galloway [mailto:agalloway@vtdigger.org]

Sent: Monday, March 27, 2017 4:33 PM

To: Treadwell, John

Cc: Dan Schwartz

Subject: Re: VTDigger: requesting Vaughn Index

Hi John,

Under the Vermont Public Records Act, you are required to provide a description of what was withheld.

Please do so.

Thanks,

Anne Galloway

On Mon, Mar 27, 2017 at 4:30 PM, Treadwell, John <john.treadwell@vermont.gov> wrote:

Hi Dan,

I have reviewed the PRA response that was sent to you by AAG Zachary Chen on March 6, 2017. 1 V.S.A. § 318(a)(2) does not require a Vaughn Index. I respectfully decline to prepare and provide one to you.

John

John Treadwell

Assistant Attorney General

Vermont Attorney General's Office

109 State Street

Montpelier, VT 05609

tel: 802-828-5512

fax: 802-828-2154

e-mail: john.treadwell@vermont.gov

Please note my new email address.

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From: Dan Schwartz [mailto:daniel.james.schwartz@gmail.com]

Sent: Friday, March 24, 2017 12:17 PM

To: Treadwell, John <john.treadwell@vermont.gov>

Cc: Anne Galloway <AGALLOWAY@vtdigger.org>

Subject: VTDigger: requesting Vaughn Index

Hi, John.

On March 7, your office delivered documents to The Vermont Digger in response to a public records request that I had emailed you on Feb. 21 regarding Cynthia Diaz.

The documents, however, are substantially redacted. Please provide me a Vaughn Index, citing a reason for each and every redaction contained within the 66-page stack of public documents.

Should you have any questions, feel free to call me on my cell phone: 774-644-2207.

Thank you.

- Dan Schwartz

VTDigger, freelance reporter

774-644-2207

--

Anne Galloway

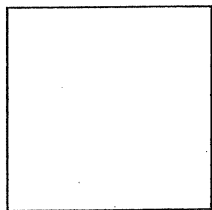
Editor, VTDigger.org
Executive Director, Vermont Journalism Trust

97 State St., Montpelier, VT 05602

cell 802-595-9159

@GallowayVTD

http://vtdigger.org



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--
Anne Galloway

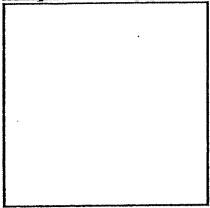
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Donovan, Thomas

From: Anne Galloway <agalloway@vtdigger.org>
Sent: Wednesday, March 29, 2017 4:11 PM
To: Treadwell, John
Cc: Dan Schwartz; Diamond, Joshua; Donovan, Thomas
Subject: Denial of Cynthia Diaz records to VTDigger
Attachments: CCF07032017_2.pdf; CCF07032017_3.pdf

Dear John Treadwell:

Please review the attached.

How can the VAG claim an invasion of personal privacy, disclosure of a witness (who was identified as Mike Marcotte in a Jan. 2009 affidavit provided by the VAG), information from tax returns and information related to personal finances?

The document in question is a deposition in a court case in which Cynthia Diaz was convicted of two misdemeanors.

Whole pages have been deleted. Several are missing.

How are you fulfilling your legal obligation under the Vermont Public Records Act?

Anne

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Anne and Dan,

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John

From: Anne Galloway [<mailto:agalloway@vtdigger.org>]
Sent: Monday, March 27, 2017 4:33 PM
To: Treadwell, John
Cc: Dan Schwartz
Subject: Re: VTDigger: requesting Vaughn Index

Hi John,

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Thanks,

Anne Galloway

On Mon, Mar 27, 2017 at 4:30 PM, Treadwell, John <john.treadwell@vermont.gov> wrote:

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John

John Treadwell

Assistant Attorney General

Vermont Attorney General's Office

109 State Street

Montpelier, VT 05609

tel: [802-828-5512](tel:802-828-5512)

fax: [802-828-2154](tel:802-828-2154)

e-mail: john.treadwell@vermont.gov

Please note my new email address.

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Sent: Friday, March 24, 2017 12:17 PM
To: Treadwell, John <john.treadwell@vermont.gov>
Cc: Anne Galloway <AGALLOWAY@vtdigger.org>
Subject: VTDigger: requesting Vaughn Index

Hi, John.

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The documents, however, are substantially redacted. Please provide me a Vaughn Index, citing a reason for each and every redaction contained within the 66-page stack of public documents.

Should you have any questions, feel free to call me on my cell phone: 774-644-2207.

Thank you.

- Dan Schwartz

VTDigger, freelance reporter

774-644-2207

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Anne Galloway

Editor, VTDigger.org
Executive Director, Vermont Journalism Trust

97 State St., Montpelier, VT 05602

cell 802-595-9159

@GallowayVTD

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Donovan, Thomas

From: Anne Galloway <agalloway@vtdigger.org>
Sent: Monday, April 03, 2017 7:33 PM
To: Diamond, Joshua
Cc: Donovan, Thomas
Subject: Re: Redacted Cynthia Diaz records

Hi Josh,
Yes, that would be helpful. I could meet late Thursday or Friday afternoon.
Anne

On Mon, Apr 3, 2017 at 7:30 PM, Diamond, Joshua <Joshua.Diamond@vermont.gov> wrote:

Anne,

Do you have time later this week to discuss?

Late Thursday or Friday afternoon should work on my end...please let me know.

Best, Josh

Joshua R. Diamond, Deputy Attorney General

Vermont Attorney General's Office

109 State Street

Montpelier, Vermont 05609

802-828-3175

joshua.diamond@vermont.gov

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From: Anne Galloway [mailto:agalloway@vtdigger.org]
Sent: Thursday, March 30, 2017 8:47 AM
To: Donovan, Thomas <Thomas.Donovan@vermont.gov>
Cc: Diamond, Joshua <Joshua.Diamond@vermont.gov>
Subject: Redacted Cynthia Diaz records

Dear Vermont Attorney General TJ Donovan:

Thank you for reviewing the attached records.

The VAG investigated Cynthia Diaz some years ago. She was charged with two misdemeanor offenses. The case is closed. So I don't understand why the deposition (attached) has been redacted.

I look forward to your response.

Best,

Anne

--

Anne Galloway

Editor, VTDigger.org
Executive Director, Vermont Journalism Trust

97 State St., Montpelier, VT 05602

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Donovan, Thomas

From: Diamond, Joshua
Sent: Monday, April 03, 2017 7:31 PM
To: Anne Galloway; Donovan, Thomas
Subject: RE: Redacted Cynthia Diaz records

Anne,

Do you have time later this week to discuss?

Late Thursday or Friday afternoon should work on my end...please let me know.

Best, Josh

Joshua R. Diamond, Deputy Attorney General
Vermont Attorney General's Office
109 State Street
Montpelier, Vermont 05609
802-828-3175
joshua.diamond@vermont.gov

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Donovan, Thomas

From: Anne Galloway <agalloway@vtdigger.org>
Sent: Thursday, March 30, 2017 8:47 AM
To: Donovan, Thomas
Cc: Diamond, Joshua
Subject: Redacted Cynthia Diaz records
Attachments: CCF07032017_2.pdf; CCF07032017_3.pdf

Dear Vermont Attorney General TJ Donovan:

Thank you for reviewing the attached records.

The VAG investigated Cynthia Diaz some years ago. She was charged with two misdemeanor offenses. The case is closed. So I don't understand why the deposition (attached) has been redacted.

I look forward to your response.

Best,
Anne

--

Anne Galloway
Editor, VTDigger.org
Executive Director, Vermont Journalism Trust
97 State St., Montpelier, VT 05602
cell 802-595-9159
@GallowayVTD
<http://vtdigger.org>



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Donovan, Thomas

From: Anne Galloway <agalloway@vtdigger.org>
Sent: Wednesday, March 29, 2017 7:29 PM
To: Treadwell, John
Cc: Dan Schwartz; Diamond, Joshua; Donovan, Thomas
Subject: Re: Denial of Cynthia Diaz records to VTDigger

John,

We shouldn't need to appeal in order to get the description of the redactions of public documents.

Please refer to:

1 V.S.A. § 318

(e) A public agency shall not withhold any record in its entirety on the basis that it contains some exempt content if the record is otherwise subject to disclosure; instead, the public agency shall redact the information it considers to be exempt and produce the record accompanied by an explanation of the basis for denial of the redacted information.

Please comply with the law.

Happy to meet with Josh Diamond to discuss the ongoing lack of transparency under TJ Donovan.

Anne

On Wed, Mar 29, 2017 at 4:35 PM, Treadwell, John <john.treadwell@vermont.gov> wrote:

Dear Anne,

I have received your voice mail and this email correspondence. As noted below the March 6, 2017, letter from AAG Zachary Chen provides the information required under 1 V.S.A. § 318(a)(2) regarding an appeal and to whom such an appeal should be directed. The letter states:

To the extent that you consider that this response constitutes a denial of your request, you may appeal to the Deputy Attorney General. Any appeal should be in writing and addressed to:

Joshua Diamond, Esq.

Deputy Attorney General

109 State Street

Montpelier, VT 05609-1001

To the extent that you seek to appeal the response in the March 6, 2017, letter that appeal should be directed to Deputy AG Diamond.

John

From: Anne Galloway [mailto:agalloway@vtdigger.org]
Sent: Wednesday, March 29, 2017 4:11 PM
To: Treadwell, John <john.treadwell@vermont.gov>
Cc: Dan Schwartz <daniel.james.schwartz@gmail.com>; Diamond, Joshua <Joshua.Diamond@vermont.gov>; Donovan, Thomas <Thomas.Donovan@vermont.gov>
Subject: Denial of Cynthia Diaz records to VTDigger

Dear John Treadwell:

Please review the attached.

How can the VAG claim an invasion of personal privacy, disclosure of a witness (who was identified as Mike Marcotte in a Jan. 2009 affidavit provided by the VAG), information from tax returns and information related to personal finances?

The document in question is a deposition in a court case in which Cynthia Diaz was convicted of two misdemeanors.

Whole pages have been deleted. Several are missing.

How are you fulfilling your legal obligation under the Vermont Public Records Act?

Anne

On Tue, Mar 28, 2017 at 12:00 PM, Treadwell, John <john.treadwell@vermont.gov> wrote:

Anne and Dan,

AAG Zachary Chen's March 6, 2017, response to your February 21, 2017, clearly indicates that if you consider the response a denial of your request for public records you may appeal that decision. The letter provides the information required under 1 V.S.A. § 318(a)(2) regarding such an appeal and to whom such an appeal should be directed.

John

From: Anne Galloway [mailto:agalloway@vtdigger.org]
Sent: Monday, March 27, 2017 4:33 PM
To: Treadwell, John
Cc: Dan Schwartz
Subject: Re: VTDigger: requesting Vaughn Index

Hi John,

Under the Vermont Public Records Act, you are required to provide a description of what was withheld.

Please do so.

Thanks,

Anne Galloway

On Mon, Mar 27, 2017 at 4:30 PM, Treadwell, John <john.treadwell@vermont.gov> wrote:

Hi Dan,

I have reviewed the PRA response that was sent to you by AAG Zachary Chen on March 6, 2017. 1 V.S.A. § 318(a)(2) does not require a Vaughn Index. I respectfully decline to prepare and provide one to you.

John

John Treadwell

Assistant Attorney General

Vermont Attorney General's Office

109 State Street

Montpelier, VT 05609

tel: 802-828-5512

fax: 802-828-2154

e-mail: john.treadwell@vermont.gov

Please note my new email address.

PRIVILEGED & CONFIDENTIAL COMMUNICATION: This E-mail may contain sensitive law enforcement and/or privileged information. DO NOT read, copy or disseminate this communication unless you are the intended addressee. This communication may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient (or have received this E-mail in error) please notify the sender immediately and destroy this E-mail. Any unauthorized copying, disclosure or distribution of the material or taking of any action in reliance on the contents of the electronically transmitted materials is prohibited. If you have received this communication in error, please call us (collect) immediately at (802) 828-5512 and ask to speak to the sender of the communication. Also, please notify immediately via e-mail the sender that you have received the communication in error.

From: Dan Schwartz [mailto:daniel.james.schwartz@gmail.com]

Sent: Friday, March 24, 2017 12:17 PM

To: Treadwell, John <john.treadwell@vermont.gov>

Cc: Anne Galloway <AGALLOWAY@vtdigger.org>

Subject: VTDigger: requesting Vaughn Index

Hi, John.

On March 7, your office delivered documents to The Vermont Digger in response to a public records request that I had emailed you on Feb. 21 regarding Cynthia Diaz.

The documents, however, are substantially redacted. Please provide me a Vaughn Index, citing a reason for each and every redaction contained within the 66-page stack of public documents.

Should you have any questions, feel free to call me on my cell phone: 774-644-2207.

Thank you.

- Dan Schwartz

VTDigger, freelance reporter

774-644-2207

--

Anne Galloway

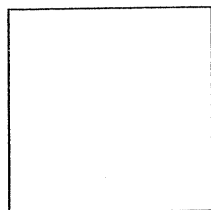
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Anne Galloway

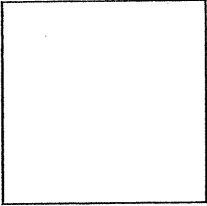
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John Treadwell

Assistant Attorney General

Vermont Attorney General's Office

109 State Street

Montpelier, VT 05609

tel: [802-828-5512](tel:802-828-5512)

fax: [802-828-2154](tel:802-828-2154)

e-mail: john.treadwell@vermont.gov

Please note my new email address.

PRIVILEGED & CONFIDENTIAL COMMUNICATION: This E-mail may contain sensitive law enforcement and/or privileged information. DO NOT read, copy or disseminate this communication unless you are the intended addressee. This communication may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient (or have received this E-mail in error) please notify the sender immediately and destroy this E-mail. Any unauthorized copying, disclosure or distribution of the material or taking of any action in reliance on the contents of the electronically transmitted materials is prohibited. If you have received this communication in error, please call us (collect) immediately at (802) 828-5512 and ask to speak to the sender of the communication. Also, please notify immediately via e-mail the sender that you have received the communication in error.

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Should you have any questions, feel free to call me on my cell phone: 774-644-2207.

Thank you.

- Dan Schwartz

VTDigger, freelance reporter

774-644-2207

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Donovan, Thomas

From: McLean, Daniel (Sanders) <Daniel_McLean@sanders.senate.gov>
Sent: Monday, March 27, 2017 11:20 AM
To: Carle, David (Leahy); Weinstein, David (Sanders); Donovan, Thomas; Gibbs, Jason; josephtisbert
Cc: George Twigg; Tracy, John (Leahy); Fiermonte, Phil (Sanders); Briggs, Michael (Sanders); kirsten.hartman@mail.house.gov
Subject: RE: ICE letter/ press request. Re: Draft joint statement on ICE's actions --

This has been sent. They should be all set.

From: Carle, David (Leahy)
Sent: Monday, March 27, 2017 11:06 AM
To: Weinstein, David (Sanders) <David_Weinstein@sanders.senate.gov>; Thomas. Donovan <Thomas.Donovan@vermont.gov>; Jason Gibbs <Jason.Gibbs@vermont.gov>; josephtisbert <josephtisbert@gmail.com>
Cc: George Twigg <george.twigg@mail.house.gov>; Tracy, John (Leahy) <John_Tracy@leahy.senate.gov>; Fiermonte, Phil (Sanders) <Phil_Fiermonte@Sanders.senate.gov>; Briggs, Michael (Sanders) <Michael_Briggs@sanders.senate.gov>; McLean, Daniel (Sanders) <Daniel_McLean@sanders.senate.gov>; kirsten.hartman@mail.house.gov
Subject: RE: ICE letter/ press request. Re: Draft joint statement on ICE's actions --

Hi David. Just heard from Anne Galloway, asking for the ICE letter (asking for the meeting with the Delegation). I was under the impression you all were sending it to her on Saturday. Can you send it to her now? thanks

From: Weinstein, David (Sanders)
Sent: Saturday, March 25, 2017 3:59 PM
To: Thomas. Donovan <Thomas.Donovan@vermont.gov>; Jason Gibbs <Jason.Gibbs@vermont.gov>; josephtisbert <josephtisbert@gmail.com>
Cc: George Twigg <george.twigg@mail.house.gov>; Tracy, John (Leahy) <John_Tracy@leahy.senate.gov>; Fiermonte, Phil (Sanders) <Phil_Fiermonte@Sanders.senate.gov>; Briggs, Michael (Sanders) <Michael_Briggs@sanders.senate.gov>; McLean, Daniel (Sanders) <Daniel_McLean@sanders.senate.gov>; Carle, David (Leahy) <David_Carle@leahy.senate.gov>; kirsten.hartman@mail.house.gov
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Just a head's up that the letter to ICE was mentioned at today's joint congressional town meeting. It is being released to media outlets that ask for it. You may get questions...

David Weinstein
Office of US Senator Bernie Sanders

Sent from my mobile phone.

Begin forwarded message:

From: "Weinstein, David (Sanders)" <David_Weinstein@sanders.senate.gov>
Date: March 25, 2017 at 3:49:58 PM EDT
To: "Carle, David (Leahy)" <David_Carle@leahy.senate.gov>
Cc: "Twigg, George" <George.Twigg@mail.house.gov>, "McLean, Daniel (Sanders)" <Daniel_McLean@sanders.senate.gov>, "Hartman, Kirsten" <Kirsten.Hartman@mail.house.gov>,

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OK. I'll let Gov and TJ know.

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Office of US Senator Bernie Sanders

Sent from my mobile phone.

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OK with us in the Leahy shop too.

----- Original message -----

From: "Twigg, George" <George.Twigg@mail.house.gov>
Date: 3/25/17 3:18 PM (GMT-05:00)
To: "Weinstein, David (Sanders)" <David_Weinstein@sanders.senate.gov>
Cc: "McLean, Daniel (Sanders)" <Daniel_McLean@sanders.senate.gov>, "Carle, David (Leahy)" <David_Carle@leahy.senate.gov>, "Hartman, Kirsten" <Kirsten.Hartman@mail.house.gov>, "Fiermonte, Phil (Sanders)" <Phil_Fiermonte@Sanders.senate.gov>, "Tilton, Jay (Appropriations)" <Jay_Tilton@appro.senate.gov>, "Miller-Lewis, Josh (Sanders)" <Josh_Miller-Lewis@sanders.senate.gov>, "Compton, Caryn (Sanders)" <Caryn_Compton@sanders.senate.gov>, "Crowell, Michaelleen (Sanders)" <Michaelleen_Crowell@sanders.senate.gov>, "Goulette, Kelley (Sanders)" <Kelley_Goulette@sanders.senate.gov>, "Tracy, John (Leahy)" <John_Tracy@leahy.senate.gov>, "Briggs, Michael (Sanders)" <Michael_Briggs@sanders.senate.gov>
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The latter. Ok with us. Should maybe give heads up to the others on the letter?

Sent from my iPhone

On Mar 25, 2017, at 3:13 PM, Weinstein, David (Sanders) <David_Weinstein@sanders.senate.gov> wrote:

To be clear, there are two letters. One is casework, specific to the arrested farmworkers. The other requests a meeting with ICE to discuss the impact of the agency's policies on the rural agricultural economy. Which one was mentioned?

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Cc: "McLean, Daniel (Sanders)" <Daniel_McLean@sanders.senate.gov>, "Carle, David (Leahy)" <David_Carle@leahy.senate.gov>, "Hartman, Kirsten"

<Kirsten.Hartman@mail.house.gov>, "Fiermonte, Phil (Sanders)"

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Sent: Thursday, March 30, 2017 9:12 AM
To: Anne Galloway
Cc: Diamond, Joshua
Subject: Re: Redacted Cynthia Diaz records

Thanks
We'll be in touch
Tjd

[Get Outlook for iOS](#)

From: Anne Galloway <agalloway@vtdigger.org>
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Donovan, Thomas

From: Silver, Natalie
Sent: Friday, April 07, 2017 1:23 PM
To: Diamond, Joshua; Griffin, Bill; Donovan, Thomas
Subject: Here it is

<http://www.sevendaysvt.com/OffMessage/archives/2017/04/07/suit-challenges-what-vermonts-ag-can-keep-confidential>

Natalie Silver
Executive Assistant to the Attorney General
Vermont Attorney General's Office
109 State St, Montpelier VT
Office: 802 828 3173
Cell: 802 595 8679

Donovan, Thomas

From: Derby, Diane (Leahy) <Diane_Derby@leahy.senate.gov>
Sent: Thursday, March 30, 2017 9:25 PM
To: Donovan, Thomas
Subject: FYI - Answers to Seven Days Qs regarding ICE meet
Attachments: Vermont ltr to ICE re rural economy.pdf

from our press shop – responding to Paul Heintz questions on yesterday’s meeting:

From: Carle, David (Leahy)
Sent: Thursday, March 30, 2017 4:08 PM
To: Paul Heintz (paul@sevendaysvt.com) <paul@sevendaysvt.com>
Cc: Briggs, Michael (Sanders) <Michael_Briggs@sanders.senate.gov>; 'Hartman, Kirsten' <Kirsten.Hartman@mail.house.gov>; McLean, Daniel (Sanders) <Daniel_McLean@sanders.senate.gov>
Subject: Paul -- here are our answers (from the three of us, all three offices) to your questions about the ICE meeting --

And ATTACHED is our letter (also signed by the Governor, TJ, etc.) requesting this meeting, for context.

Answers are IN CAPS –

Can you please respond to some or all of the following questions?

Where and when did the meeting take place? Who took part in it? The members of Congress themselves -- or just staff? Who from ICE was present?

IT WAS HELD BY TELECONFERENCE. SENATOR LEAHY, SENATOR SANDERS AND CONGRESSMAN WELCH (AND THEIR STAFF) WERE ON CAPITOL HILL, IN SENATOR SANDERS’ OFFICE. AT THE OTHER END OF THE TELECONFERENCE, GATHERED IN SENATOR SANDERS’ OFFICE IN BURLINGTON, WERE ADDITIONAL DELEGATION STAFF MEMBERS, VERMONT ATTORNEY GENERAL T.J. DONOVAN, A REPRESENTATIVE FROM THE GOVERNOR’S STAFF, AND A REPRESENTATIVE FROM THE VERMONT FARM BUREAU. FROM ICE, ALSO GATHERED IN THE BURLINGTON OFFICE, WERE THE DIRECTOR OF ICE’S BOSTON FIELD OFFICE, AND OTHER ICE STAFF.

Did ICE explain their enforcement procedures and priorities? Did they outline how those have changed since the start of the Trump administration?

ICE OFFICIALS SAID THEY ARE CONTINUING TO GET NEW GUIDANCE FROM THE AGENCY.

Did ICE provide any details of their recent detentions in Vermont? Did they explain why these particular non-citizens were targeted? Did they say whether the detained individuals' activism was a factor? Did they say whether Migrant Justice has been targeted? Did they provide numbers of how many Vermont residents have been detained since the start of this administration?

AS BEFORE, THEY SAID THEY ARE NOT TARGETING PARTICULAR INDIVIDUALS OR GROUPS. RESPECTING PRIVACY RIGHTS, BY MUTUAL AGREEMENT THERE WAS NO DETAILED DISCUSSION OF INDIVIDUAL CASES, INCLUDING RECENT DETENTIONS.

What exactly did the delegation tell ICE? How tough a message did they send? What, specifically, did they request? Did ICE make any commitments?

THE QUESTIONING BY THE DELEGATION WAS TOUGH AND ASSERTIVE. THEY MADE CLEAR THEIR INSISTANCE THAT ICE OPERATIONS NOT HARM VERMONT AGRICULTURE AND ITS LABOR FORCE. THEY EXPRESSED THEIR RESPECT FOR ICE'S HISTORIC MISSION AND THE CHALLENGES INHERENT IN THEIR DAY-TO-DAY WORK. THE DELEGATION MEMBERS OUTLINED THEIR SERIOUS CONCERNS RELATED TO RECENT ICE ACTIVITIES IN VERMONT. THEY WILL CONTINUE THESE DISCUSSIONS GOING FORWARD, AND PARTICULARLY IF AND WHEN EVENTS WARRANT FURTHER INQUIRIES.

Donovan, Thomas

From: Diamond, Joshua
Sent: Wednesday, March 29, 2017 9:26 PM
To: Silver, Natalie
Cc: Donovan, Thomas
Subject: FW: TJ Interview

Natalie,

Please set up a call for TJ on Friday morning.

Thanks. Josh

Joshua R. Diamond, Deputy Attorney General
Vermont Attorney General's Office
109 State Street
Montpelier, Vermont 05609
802-828-3175
joshua.diamond@vermont.gov

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From: Alicia Freese [mailto:alicia@sevendaysvt.com]
Sent: Wednesday, March 29, 2017 9:02 PM
To: Diamond, Joshua <Joshua.Diamond@vermont.gov>
Subject: Re: TJ Interview

Thanks for getting back to me. Friday is indeed after my editor-imposed deadline but it's still before we go to print, and I'd really like his perspective in the story, so I'll take you up on that. If we can set something up for Friday morning, that would be great.

Sent from my iPhone

On Mar 29, 2017, at 8:42 PM, Diamond, Joshua <Joshua.Diamond@vermont.gov> wrote:

Alicia,

TJ is going to be traveling tomorrow for a legal conference and does not have availability. He'll be back on Friday and we can make some time then. I suspect this may be after the deadline, but wanted to reach out.

Best, Josh

Joshua R. Diamond, Deputy Attorney General
Vermont Attorney General's Office
109 State Street
Montpelier, Vermont 05609
802-828-3175
joshua.diamond@vermont.gov

PRIVILEGED & CONFIDENTIAL COMMUNICATION: This communication may contain information that is privileged, confidential, and exempt from disclosure under applicable law. DO NOT read, copy or disseminate this communication unless you are the intended addressee. If you are not the intended recipient (or have received this E-mail in error) please notify the sender immediately and destroy this E-mail. Please consider the environment before printing this e-mail.

Donovan, Thomas

From: Curtis, Christopher
Sent: Friday, April 07, 2017 1:08 PM
To: Diamond, Joshua
Cc: Donovan, Thomas
Subject: Fwd: Week in Review

Ha ha... I have to laugh at myself sometimes... I meant Jill and AJ continue to work on phone fingers and Fridays with kids just don't mix!!

CC

Sent from my iPhone

On Apr 7, 2017, at 12:56 PM, Curtis, Christopher <Christopher.Curtis@vermont.gov> wrote:

Hi All,

I just wanted to thank everyone for last Friday's CPU/AT/CAP retreat. It was nice to have T.J. spend some quality time with us in the morning outlining his vision for the office and thanking everyone for their good work. And, I've heard several people remark positively on the presentation by Jeff Amestoy over the lunch hour. I hope to bring more special guests to team meetings/retreats/etc. in the future to inspire us with their words and wisdom. At BBB Monday we picked up the conversation about priorities and best practices and we'll continue to move that discussion. Please be sure to submit your parking expenses and mileage for reimbursement. We will be putting together a CRU retreat as well in the near future.

In the meantime, it's been a busy week with much accomplished:

* The Attorney General, Tax Commissioner Kaj Samsom, and Capstone Community Action Director Dan Hoxworth - along with a courageous woman who experienced the telephone scam and who was willing to share her story - were all featured in several publications sounding the alarm about the IRS Tax Scam:

<https://vtdigger.org/2017/04/03/donovan-goes-tax-scammers/>

<http://www.sevendaysvt.com/OffMessage/archives/2017/04/03/its-tax-refund-scam-season-warns-vermont-ag-donovan>

<http://www.mynbc5.com/article/state-officials-warn-of-tax-scams-during-filing-season/9226398>

<http://digital.vpr.net/post/vermont-attorney-general-donovan-irs-phone-scams-are-rise>

<http://www.wcax.com/story/35059063/vt-officials-issue-warning-on-tax-phone-scams>

* AG Donovan also brought our consumer and environmental divisions together announcing Vermont's share of settlement of the environmental portion of the case (\$4.2 million for Vermont). Environmental Division Chief Rob MacDougall and AAGs Nick Persampieri and Merideth (in absentia) were featured (along with our partners at ANR) at the news conference:

<http://wamc.org/post/vermont-ag-announces-state-s-share-volkswagen-environmental-settlement>

* Ryan was featured on VPR talking about the proposed data broker legislation - and generating a lot of interest in the topic and the bill: <http://digital.vpr.net/post/bill-would-make-vermont-first-state-monitor-collection-sale-personal-data>. And, he may have found us an intern!

[REDACTED]

* Merideth was away at a conference to present at a training and to collect information that could lead to new efforts to assist Vermont Veterans, an issue that AJ is also very passionate about and would like to see new attention directed to.

* AJ and Jill continue their good [REDACTED]

* Rose is digging into records relating to [REDACTED]

* [REDACTED]

* [REDACTED]

* I had some really interesting conversations with Julio, Abbie, and Jonathan (and others) about the possibility of establishing a "Poverty Council" if the existing poverty council is not reauthorized. There are great opportunities there for cross-

collaboration (criminal and civil divisions, AHS, and CPU/CRU all could lend expertise).

* Following up on our retreat, Justin has volunteered to be first up visiting CAP - hopefully next week at some point.

* It's been all hands on deck for Rowan and My-Lanh balancing filings, correspondence, public records requests, and assisting me and others with materials for use at the legislature.

* Speaking of legislation: There is a long way to go before adjournment, but we are making progress on some very interesting consumer protection legislation, including: a home improvement contractors sunrise review (to be conducted by OPR); the data broker legislation; a consumer protection bill that includes new requirements for home improvement contracts, fair credit card debt collection practices (and other elements), a private right of action in the civil courts for vulnerable adults who are financially exploited.

* Mike Powers circulated this profile of my friend and former colleague, Jean Murray, who - along with Wendy Morgan and Legal Aid are leading the charge on the debt collection bill: <http://www.sevendaysvt.com/vermont/vermont-lawyer-jean-murray-takes-on-the-debt-collection-industry/Content?oid=4953647>

* CAP continues its outreach and has plans to launch a newly designed website very soon. Ted, Jason, and Whytnee provided a nice overview and powerpoint presentation at the retreat.

* Helen and I met with DLC to figure out if there is a better way to communicate with tobacco licensees. This may result in a data project for an intern this summer.

Everyone is working hard and doing a great job. These weekly updates are only a partial overview. And, I don't mean to leave anyone out. On the other hand, please consider these illustrative - not exhaustive - of the good work of the division. Please email me with other successes, project updates, or other progress you wish to note for future weekly division updates.

Have a wonderful weekend, everyone!

Best, Christopher

Donovan, Thomas

From: Tiffany Bluemle | Change The Story <tbluemle@changethestoryvt.org>
Sent: Wednesday, April 05, 2017 5:43 PM
To: Donovan, Thomas
Subject: Our *NEW* status report! Vermont Women and Leadership

Having trouble viewing this email? [Click here](#)

Hi, just a reminder that you're receiving this email because you have expressed an interest in Change The Story. Don't forget to add tbluemle@changethestoryvt.org to your address book so we'll be sure to land in your inbox!

You may [unsubscribe](#) if you no longer wish to receive our emails.



Change The Story Vermont (CTS) is a multi-year strategy to align program, policy, and philanthropy to significantly improve women's economic status in Vermont.

JUST RELEASED!

**2017 Status Report:
VERMONT WOMEN AND LEADERSHIP**



"We've done well in some areas but in so many spheres women are still significantly underrepresented. And we need to ask ourselves why. We are used to cheering when we have achieved 30% but that is nowhere near gender parity."

Tiffany Bluemle, Change The Story VT

Vermont Women and Leadership is the fourth in a series of briefs published by Change The Story on topics related to women's economic status in Vermont.

This report reveals new data about participation of women in various leadership roles in Vermont, including federal, state and municipal government, Abenaki Nations, academia, law enforcement, and the corporate and non-profit sectors.

Much of this data is not regularly collected or published. All of it is specific to Vermont, and all is critical - not just in what it reflects about women, but in its implications for our economy.

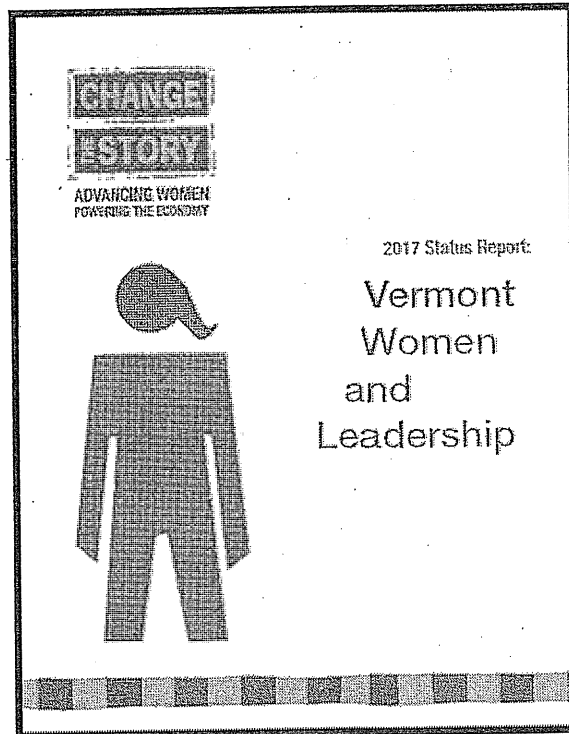
Read the full report.

Among our findings:

By some measures Vermont is a national pacesetter in its share of women in public leadership.

* Women are 39.4% of those serving in Vermont's General Assembly, 60% of the state's Supreme Court Justices, 43% of Executive Cabinet members and 50% of its public university and college presidents.

However, Vermont's progress in achieving gender parity in leadership arenas has been uneven, slow-going or in some cases nonexistent.



* Just one of Vermont's six statewide officials is a woman, trailing the national average by 7 percentage points. Indeed, of the 296 individuals ever elected to statewide office, only 11 have been women.

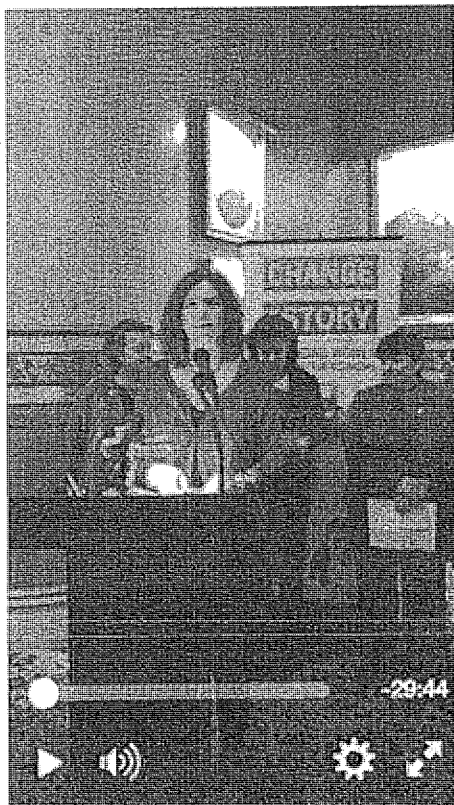
* Vermont and Mississippi are the only two states that have never sent a woman to Congress.

* While women's participation in Vermont's General Assembly is the second highest in the country, the pace of change has essentially leveled off since 1993; in 24 years, women's share of legislative seats has increased by just four percentage points.

When only 8% of Vermont's highest grossing companies and 2 of its 15 hospitals are led by women, we can be certain that we are not making full use of all our state's talent.

[Read the press release.](#)

Missed the press event? You can watch it on [VCW's Facebook](#).



Vermont Commission on Women was live on Equal Pay Day Press Conference at the State House's Timeline. on Tuesday · 🌐

Streaming the #EqualPayDay press conference live from the #VT State House - where Change The Story VT will release their fourth and latest report!

252 Views

👍 Like 💬 Comment ➦ Share

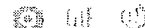
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Other press:

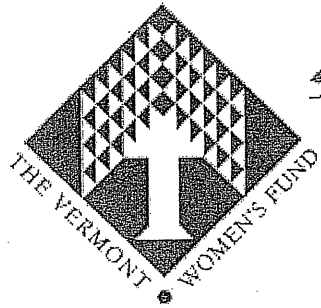
[AgendaVT: \\$3.8 Billion Reasons to Accelerate Women Business Ownership in VT \(4.4.17\)](#)

[WTPZ Channel 5: Dozens rally at State House on Equal Pay Day \(4.4.17\)](#)

[VTDigger: Gender Pay Gap Hurts Vermont's Economy, Advocates Say \(4.5.17\)](#)



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Donovan, Thomas

From: Curtis, Christopher
Sent: Tuesday, April 04, 2017 5:14 PM
To: Diamond, Joshua
Cc: Donovan, Thomas; Silver, Natalie
Subject: Digger story on consumer protection bill


<https://vtdigger.org/2017/04/04/senate-passes-bill-protect-consumers-home-improvement-fraud/>

CC

Christopher J. Curtis
State of Vermont
Office of the Attorney General
Chief, Public Protection Division
802-828-5586
christopher.curtis@vermont.gov

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Donovan, Thomas

From: mjohnson@vtdigger.org
Sent: Tuesday, April 04, 2017 10:26 AM
To: Donovan, Thomas
Subject: Corren case

1. May I get a comment from you on the latest decision in the Corren federal case?
2. Are you still interested in settling the case?

Thanks.

Mark Johnson

Donovan, Thomas

From: VAMHAR <patty@friendsofrecoveryvt.ccsend.com> on behalf of VAMHAR <info@pear-vt.org>
Sent: Tuesday, April 04, 2017 7:58 AM
To: Donovan, Thomas
Subject: VAMHAR Legislative Advocacy Updates

View this email in your web browser. [Click here](#)

PEAR Vermont Advocacy Update

Mental Health and Substance Use and Misuse Priorities

2017 Legislative Session

Up in Smoke Yet Again

Legalization of even small amounts of marijuana appears to be in big trouble in the House. Last week the bill was supposed to be ready for consideration on the House floor, but the leadership sent the proposal to the Human Services Committee for further consideration. Roughly translated this means that they did not have the votes to pass the bill, and it will sit in Human Services until they do - if they do. The issue of legalization is one that has paralyzed the House for the last two years. Overshadowing the bill is the Governor's promise to veto any legalization effort that fails to address the roadside test issue. A separate bill that claims to accomplish that is in the House, but Governor Scott has already said that in its present form - an effort based on trained assessment by law enforcement - the bill fails to reach an acceptable standard.

VPR: [Marijuana Legalization Bill Hits A Wall In Montpelier](#)

To Nosh or Not to Nosh

A few weeks ago, we reported on the passage of a bill in the Senate - S.45 - that allows doctors and other providers to eat and snack at conferences funded by pharmaceutical companies. The bill left other gift bans in place, but the bill has hit heavy weather in the House. S.45 states that the food must be offered to many people at a large conference and must in no way advertise a particular product; however, these strictures are not enough for some advocates.

The gift ban passed in 2009 was considered a groundbreaking piece of legislation. But the Senate bill claims that it has made Vermont doctors a target. Advocates of the bill say that Vermont doctors and providers are regularly excluded from sessions at

conferences where food or coffee may be served at the back of the room, but those opposed to the bill see a slippery slope.

The opposition is not all from advocates. A number of doctors, including Dr. Scott Waterman, emeritus at the University of Vermont College of Medicine and Dr. Sandra Steingard, a psychiatrist at the Howard Center, testified against the Senate bill. Steingard pointed out that OxyContin was a drug that had been promoted at conferences.

The Vermont Medical Society - supporters of the 2009 bill - has decided to support the current bill, seeing it as an adjustment rather than repeal. They feel that doctors and providers can see through the pitches of pharmaceutical companies. The bill is currently in the House Health Care Committee and testimony has been taken. Rumor has it changes are being considered.

VTDigger: Medical Community Split on Easing of Drug Company Gift Ban
S.45: An act relating to providing meals to health care providers at conferences.

S.133 and the "Big Bill"

In our last update we reported on S.133 - the Senate bill to study, revamp and more fully fund the current mental health system - and we also reported on the crisis funding for mental health in the Appropriations Committee budget in the House. Last week both passed in their respective chambers by massive margins. The House budget passed with a 143-1 vote followed by a voice vote on its second consideration. After a stop in Senate Appropriations, Health and Welfare's S.133 passed on a voice vote.

The House bill earmarked \$3.2 million to help address the emergency room mental health backlog - a backlog leaving patients in emergency rooms, sometimes for days, sometimes for weeks.

S.133 moves to address the problem, with a three-year plan to make mental health worker's pay more competitive with state and hospital salaries. It is this inequity, and resulting staff vacancies at the designated agencies, that drives much of the backlog in crisis services. S.133 calls for a minimum wage of \$14 per hour starting on July 1st as a first step. Senate Health & Welfare Committee Chair Claire Ayer is hopeful that this deadline can be met.

S.133: An act relating to examining mental health care and care coordination.

Change or Replace?

Last week Gov. Phil Scott said his administration is considering moves to change or replace Vermont Health Connect, the state's health insurance exchange. This comes in the wake of the U.S. House's failure to find a "repeal and replace" plan they could pass. Scott would not give - and there appeared not to be - any details. He did say he hopes to propose an alternative before the 2018 Legislative Session.

VTDigger: Scott: Vermont Health Connect Exit Plan Likely by Year's End

Other Legislative Notes

Mental Health Week: Vermont Public Radio broadcasted a weeklong series of 'Vermont Edition' programs related to mental health care from March 20th through the 24th.

[Listen to Series Here](#)

Kuligoski: S.3, the Kuligoski Bill designed to address the question of duty to warn for mental health professionals, passed the Senate easily. It is, however, facing some trouble from advocates in the House, advocates who feel the bill as proposed by the Senate does not do enough to protect providers from legal exposure.

S.3: [An act relating to mental health professionals' duty to warn.](#)

Mental Health Worker's Comp: Cost has been raised by Governor Scott as regards the PTSD worker's comp bill, H.197. Under discussion are new provisions that would raise the bar for mental health workers claiming comp coverage and also limit coverage to first responders. More to follow.

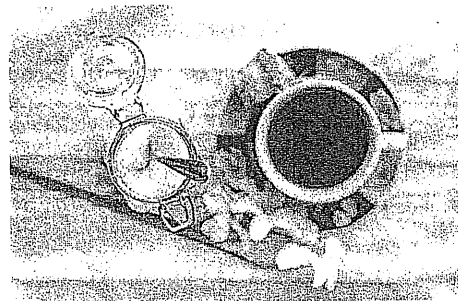
H.197: [An act relating to mental health parity for workers' compensation.](#)

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Next Tea and Scones:

Tuesday, April 11th, 8am - 9am
The PEAR Garden | 100 State Street, Suite 354
(3rd of the Capitol Plaza Hotel)
Tea, coffee and breakfast treats will be served.



Please email us at info@pear-vt.org if you are able to make it so we can ensure there are enough treats to go around. Can't make it but would like to be involved? Let us know!



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Donovan, Thomas

From: Mark Johnson <mjohnson@vtdigger.org>
Sent: Tuesday, March 28, 2017 4:06 PM
To: Donovan, Thomas
Subject: Story I was talking about

<https://www.nytimes.com/interactive/2016/09/02/us/sanctuary-cities.html>

Donovan, Thomas

From: VAMHAR <patty@friendsofrecoveryvt.ccsend.com> on behalf of VAMHAR <info@pear-vt.org>
Sent: Tuesday, March 28, 2017 8:00 AM
To: Donovan, Thomas
Subject: VAMHAR Legislative Advocacy Updates

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PEAR Vermont Advocacy Update

Mental Health and Substance Use and Misuse Priorities

2017 Legislative Session

Mental Health: Money and Goals

While the \$30 million suggested by the Senate Health and Welfare Committee, primarily designed to increase salaries in the community mental health system, was largely an initial pot-stirring proposal, it seems to have brought things to a boil. There is now some movement in terms of finding money - not enough, but some - along with some other positive goals.

Here is the story...

Both the House and Senate Appropriations Committees took action last week that will make a difference. In the House the budget bill received Committee approval on Friday. One of the final items under consideration by Appropriations was money designed to address the emergency room crisis, originally proposed to them by the House Health Care Committee and described in this space. Representative Anne Donahue, Vice Chair of the Health Care Committee, presented the numbers and arguments to the Appropriations Committee. The total requested was more than \$3 million, with \$2.45 million for crisis services and beds, \$300,000 for geropsychiatric nursing home beds, and \$400,000 for housing. This appropriation passed on a six-to-five vote. The funding will come from a 10% reduction in DSH payments for uncompensated care to hospitals.

Meanwhile on Friday afternoon, the Senate Appropriations Committee heard testimony from Senator Claire Ayer, Chair of the Senate Health and Welfare Committee. Senator Ayer responded positively to an Appropriations amendment to her Committee's bill (S.133) on mental health, a bill we have been following with interest. When the bill left Health and Welfare it had requested an appropriation of \$30 million to address the financial crisis in the designated and specialized service agencies. The Appropriations Committee offered an amendment without specific dollars, but definite financial goals. In

fiscal year 2018, it calls for raising hourly wages for workers in designated and specialized agencies to \$14 and "to increase the salaries for crisis response team personnel to be at least 85 percent of those salaries earned by equivalent State, health care, or school-based positions..." In fiscal year 2019, it raises those wages to \$15 and moves to increase the salaries for "clinical employees and other personnel in a manner that advances the goal of achieving competitive compensation..." In fiscal 2020, the amendment proposes that, "after the completion of a market rate analysis by the designated and specialized agencies, to further increase the salaries for clinical employees and personnel in a manner that advances the goal of achieving competitive compensation..."

So, while there is no miraculous immediate \$30 million infusion, there is from the House a commitment to short term goals and from the Senate a longer-term vision of how the mental health personnel crisis needs to be addressed, with substantial funding outlined to accomplish that. There are ongoing discussions with Governor Scott on these goals.

The House Appropriations Bill will be on the House floor this week, and the amended version of the Senate Health and Welfare bill will come to the Senate floor. More to follow.

VT Digger: Updated: House Panel Unanimously Backs Budget Proposal

S.133: An act relating to examining mental health care and care coordination.

Grenon Bill Passes the House

The Grenon Bill - named after the death of Phil Grenon during a confrontation with Burlington police - passed the House on the anniversary of Grenon's death. H.145 proposes to establish a Mental Health Crisis Response Commission for the purpose of reviewing fatalities and serious bodily injuries that occur during interactions between law enforcement and persons demonstrating symptoms of mental illness. The creation of the Commission has been supported by Attorney General T.J. Donovan and will operate out of his office.

In addition to reviewing cases, the Commission will be asked to identify where increased supports or investments within law enforcement, designated agencies, or other community service systems could improve outcomes; educate the public, service providers, and policymakers about strategies for intervention in and prevention of mental health crises; recommend policies, practices, and services that will encourage collaboration and increase successful interventions; and recommend training strategies for public safety, emergency, or other crisis response personnel that will increase successful interventions.

H.145: An act relating to establishing the Mental Health Crisis Response Commission.

Other Legislative Notes

Recovery Funding: Coming out of the House the money for recovery services - in particular the state's recovery centers - has remained level funded.

Bills, Acts and Resolutions Relating to Recovery.

Childhood Trauma: We reported a few weeks ago on Representative George Till's bill - H.281 - an act related to the effects of childhood trauma. At that point the House Committee on Human Services was taking up the bill. In a committee bill - H.508 - House Human Services has proposed a legislative working group to catalog and address many of the questions raised by the Till bill. It stops short of some of the action steps outlined in his bill and here.

H.281: An act relating to preventing adverse childhood experiences.

H.508: An act relating to building resilience for individuals experiencing adverse childhood experiences.

With Mental Health Employees In Short Supply, Vermont Lawmakers Look To Boost Wages

VPR, 3/22/17

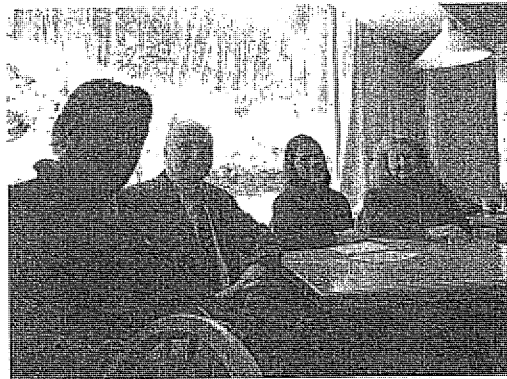
By Peter Hirschfeld

"Senate lawmakers say low pay for mental health workers has led to a bottleneck in crisis care, and they're trying to find funding to boost wages for more than 2,000 employees across the state.

Demand for mental health services in Vermont well exceeds capacity, and some patients languish for days in emergency rooms while they wait for space in open up in a psychiatric facility.

Lawmakers say a shortage of workers in the community mental health system is at the root of problem, and the officials who run the system say they have statistics to support that diagnosis."

[Listen to Full Story Here](#)



George Karabakakis, Dick Courcelle, Julie Tessler and Mary Moulton, from left, are seeking pay raises for workers at the community-based mental-health organizations they oversee.

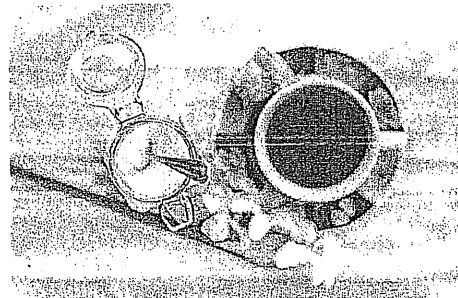
Photo: PETER HIRSCHFELD / VPR

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The PEAR Garden | 100 State Street, Suite 354



(3rd of the Capitol Plaza Hotel)
Tea, coffee and breakfast treats will be served.

Please email us at info@pear-vt.org if you are able to make it so we can ensure there are enough treats to go around. Can't make it but would like to be involved? Let us know!



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Donovan, Thomas

From: Birmingham, Matthew
Sent: Thursday, March 23, 2017 7:23 AM
To: Donovan, Thomas
Subject: Public defender suggests probe of ex-officer taking too long - VTDigger

<https://vtdigger.org/2017/03/22/public-defender-suggests-probe-ex-officer-taking-long/>

Donovan, Thomas

From: Silver, Natalie
Sent: Tuesday, March 21, 2017 11:08 AM
To: Diamond, Joshua; Donovan, Thomas
Subject: Fw: ICE report mentioning Montpelier

From: Elizabeth Hewitt <ehewitt@vtdigger.org>
Sent: Tuesday, March 21, 2017 10:49 AM
To: Silver, Natalie
Subject: ICE report mentioning Montpelier

Hi Natalie,

I'm hoping to catch TJ or somebody else with the AG's office to talk about a report from ICE this week that lists Montpelier as a jurisdiction that has policies that limit cooperation with ICE. The mention is on page 23 here: https://www.ice.gov/doclib/ddor/ddor2017_01-28to02-03.pdf

The policy in question seems to be the city's fair and impartial policing policy adopted in July 2016, rather than the "sanctuary status" the city adopted later last year. My understanding is that the city has a FIP policy similar to the statewide model policy adopted by the CJTC.

I'm wondering if anybody in the AG's office is aware of this list and can speak about the implications of Montpelier's inclusion, and whether this report has any implications for the statewide FIP policy.

My deadline is end of day.

Thanks,
Elizabeth

--

Elizabeth Hewitt
Reporter, VTDigger.org
802.917.3870

Donovan, Thomas

From: Thomas Joseph <thomas [REDACTED]>
Sent: Tuesday, March 21, 2017 8:54 AM
To: Donovan, Thomas
Cc: Turner, Jason; Gibbs, Jason
Subject: Windham County Democrats convene at Headquarters: The Brattleboro Retreat

TJ,

The news article on VTDigger relating to the Windham County delegation gathering at The Brattleboro Retreat is instructive. While there are many places around Brattleboro to hold forums, the democrats consistently prefer their bastion of support at the fraud-ridden hospital. No surprise, Rep. Mike Mrowicki is again championing the Retreat in his public comments, this is the same legislator who in 2015 was quoted in media as saying he was confident state funds the Retreat received over the years were going for their intended purpose(!). Of course, we know better now. Mrowicki is also a Shumlin crony from Putney who also was my leasing agent when he worked for Bast Investments (Larry Cassidy/Governor Shumlin's real estate entity) and to evidence what a creep Mr. Mrowicki is, he actually rented me an apartment on Western Avenue in Brattleboro knowing that the apartment across the hall was infested with bed bugs but he never shared the information with me. I found out from other tenants in the building who shared that Bast tried to suggest the exterminator folks were just doing their periodic spraying when they were actually there for an infestation of bed bugs so bad the entire apartment across the hall had to be completely gutted.

<https://vtdigger.org/2017/03/20/windham-county-lawmakers-fear-effects-of-federal-budget/>

Once again, the hospital will continue to be a political bastion and put the state in jeopardy as many folks still on the payroll including senior management and trustees of the hospital knew of the massive fraud but did absolutely nothing about it.

All the best,
Thomas

<http://www.brattlebororetreat.info/>

Twitter: relator_joseph

This e-mail and any files transmitted with it are confidential and are intended solely for the use of the individual or entity to whom they are addressed. This communication may contain material protected by the attorney-client privilege. If you are not the intended recipient or the person responsible for delivering the e-mail to the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited. If you have received this e-mail in error, please immediately notify me by telephone at (802) 490-0047.

London, Sarah

From: London, Sarah
Sent: Friday, April 07, 2017 1:20 PM
To: Farnsworth, Karen
Subject: FW: mail today
Attachments: ltr from J. Radochonski re records request 3.29.17.pdf

Karen, please log and can you prepare a letter with below response? Thanks very much.

Dear Mr. Radochonski,

I write in response to your public record act request dated March 29, 2017. You appear to be requesting the work email addresses of all state and county prosecutors. Please be aware the contact information for all state employees, including all State's Attorneys and Deputy State's Attorney, is available online at the link below.

<https://secure.vermont.gov/phonebook/individual.php?page=1&fn=&ln=&t1=&t2=&t3=&city=&email=&dept=State%27s+Attorneys>

(Go to <https://secure.vermont.gov/phonebook/index.php?pg=quick>, hit "Individual" tab, and click on relevant offices.)

Because the information you seek is publicly available, we are considering your request closed at this time. If you have additional questions, please let us know. Thank you,

Sarah London

Joseph M. Radochonski
1201 East Drachman St., Apt. 256, Tucson, AZ 85719

March 29, 2017

Office of the Attorney General
109 State Street
Montpelier, VT 05609-1001

Dear custodian of records:

Under the Vermont Public Records Law, §315 et seq., I am requesting an opportunity to inspect or obtain copies of public records that contain the work email addresses of all state and county prosecutors. Digital copies preferred in the form of CSV or PDF file.

If there are any fees for searching or copying these records, please inform me of the cost. However, I would also like to request a waiver of all fees in that the disclosure of the requested information is in the public interest and will contribute significantly to the public's understanding of prosecutorial conduct. I am a law student at the University of Arizona, James E. Rogers College of Law and I work for a number of professors who intend on creating a database on prosecutors nationwide. This information is not being sought for commercial purposes.

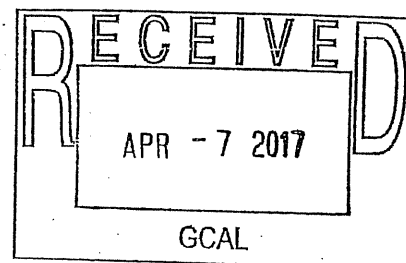
Please respond to this request in a reasonable time period. If access to the records I am requesting will take longer, please contact me with information about when I might expect copies or the ability to inspect the requested records.

If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law.

Thank you for considering my request.

Sincerely,

Joseph M. Radochonski
jradochonski@email.arizona.edu
(708) 822-2567



London, Sarah

From: London, Sarah
Sent: Friday, April 07, 2017 12:47 PM
To: Donovan, Thomas; Diamond, Joshua
Cc: Natalie Silver (Natalie.Silver@vermont.gov)
Subject: FW: AGO PRA data

Purely FYI.

From: London, Sarah
Sent: Friday, April 07, 2017 12:42 PM
To: 'Alicia Freese' <alicia@sevendaysvt.com>
Subject: RE: AGO PRA data

No problem. Our count of AGO pages produced in 2017 between January 1 and March 31 is approximately 2650.

From: Alicia Freese [mailto:alicia@sevendaysvt.com]
Sent: Friday, April 07, 2017 8:49 AM
To: London, Sarah <Sarah.London@vermont.gov>
Subject: Re: AGO PRA data

Interesting. Thanks for putting all this together.

On Thu, Apr 6, 2017 at 7:04 PM, London, Sarah <Sarah.London@vermont.gov> wrote:

Alicia, here's some info for now.

Link to public facing log of public record act requests across state government:

<https://data.vermont.gov/Government/Public-Record-Requests/fwxs-ckd2>

I've tried to look at AGO PRA data, comparing data from January 1 to March 31 across years. One challenge is, I now see that some of the productions of 2017 are very large and are occasionally logged by number of "files" produced on a CD, where an individual file can be a number of pages. I can tell the AGO has produced well over 1000 pages of AGO records in response to public record act requests from January 1 to March 31 of this year. Unfortunately, it is not necessarily easy to compare this to the number of pages produced in other years. However, based on the log at link above, it appears that in previous years, the AGO has sometimes produced fewer records on a yearly basis than what has been produced in this three month period of 2017.

Below reflects the volume of requests received by AGO across years for the period of Jan through March.

January 1 to March 31 across years

2017: 24 requests

2016: 23 requests

2015: 19 requests

2014: 9

2013: 9

2012: 7

2011: 8

I hope this is helpful for now. Happy to send any of our requests and productions as we discussed, or brainstorm other ways to try to produce aggregate data for context. Just let me know.

Sarah

Sarah London

Chief, General Counsel and Administrative Law Division

Vermont Attorney General's Office

--
// SEVEN DAYS //

:: Alicia Freese

:: Staff Writer

:: <http://sevendaysvt.com>

:: 802.343.8047

:: twitter: @aliciafreese

London, Sarah

From: London, Sarah
Sent: Friday, April 07, 2017 12:42 PM
To: 'Alicia Freese'
Subject: RE: AGO PRA data

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From: Alicia Freese [mailto:alicia@sevendaysvt.com]
Sent: Friday, April 07, 2017 8:49 AM
To: London, Sarah <Sarah.London@vermont.gov>
Subject: Re: AGO PRA data

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Sarah

Sarah London

Chief, General Counsel and Administrative Law Division

Vermont Attorney General's Office

--

// SEVEN DAYS //

:: Alicia Freese

:: Staff Writer

:: <http://sevendaysvt.com>

:: 802.343.8047

:: twitter: @aliciafreese

London, Sarah

From: London, Sarah
Sent: Thursday, April 06, 2017 9:34 PM
To: Amerin Aborjaily (amerin.aborjaily@vermont.gov)
Cc: Anderson, Michelle
Subject: FW: Public Records Request
Attachments: Application for Accommodation

Amerin, I will be contact regarding potentially responsive AGO records DHR has. Thanks very much,
Sarah

From: Aborjaily, Amerin
Sent: Thursday, April 06, 2017 4:27 PM
To: Boyce, Bonnie <bonnie.boyce@vermont.gov>
Cc: Diamond, Joshua <Joshua.Diamond@vermont.gov>
Subject: FW: Public Records Request

Hello Bonnie,
I wanted to let you know that DHR has received the attached public records request that seems to cover both DHR and AGO records. From what I've seen in our records so far, there will be email records that include correspondence to/from AGO employees. I am notifying the requester that a portion of the records [REDACTED] is seeking may be AGO records and extending DHR's response deadline to 10 days to give time for DHR/AGO consultation.

Please let me know if you have questions.

Best,
Amerin

Amerin Aborjaily
Staff Attorney / DHR Records Officer
Vermont Department of Human Resources
120 State Street, 5th Floor
Montpelier, VT 05620
(802) 522-4308
amerin.aborjaily@vermont.gov

From: Modica, Jane
Sent: Thursday, April 06, 2017 1:09 PM
To: DHR - Records Officer <DHR.RecordsOfficer@vermont.gov>
Subject: Public Records Request

Attached please find the public records request from [REDACTED], [REDACTED] employee [REDACTED] related to [REDACTED] request for a reasonable accommodation which was not approved by the RAC committee.

Thanks,

Ane

Ane Modica
Human Resources Administrator
802-249-4489
ane.modica@vermont.gov

London, Sarah

From: [REDACTED]
Sent: Thursday, April 06, 2017 12:55 PM
To: Modica, Jane
Cc: Diamond, Joshua
Subject: Application for Accommodation

Jane—

Would you please send me a copy of my application for accommodation to have [REDACTED], as approved by the Attorney General.

Also, please consider this to be a public records requests for all email or other correspondence in reference to this application, and all documents in reference thereto.

[REDACTED] (cell) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

PRIVILEGED & CONFIDENTIAL COMMUNICATION: This communication may contain information that is privileged, confidential, and exempt from disclosure under applicable law. DO NOT read, copy or disseminate this communication unless you are the intended addressee. If you are not the intended recipient (or have received this E-mail in error) please notify the sender immediately and destroy this E-mail. Please consider the environment before printing this e-mail.

London, Sarah

From: London, Sarah
Sent: Thursday, April 06, 2017 9:32 PM
To: Boyce, Bonnie
Subject: RE: Public Records Request

Thank you.

From: Boyce, Bonnie
Sent: Thursday, April 06, 2017 4:32 PM
To: London, Sarah
Subject: FW: Public Records Request

Sarah,

I think this is what you deal with.

Thanks

Bonnie Boyce
Legal Assistant
Criminal Division
Office of the Attorney General
109 State Street
Montpelier, VT 05609-1001
(802) 828-5512
www.ago.vermont.gov

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From: Aborjaily, Amerin
Sent: Thursday, April 06, 2017 4:27 PM
To: Boyce, Bonnie <bonnie.boyce@vermont.gov>
Cc: Diamond, Joshua <Joshua.Diamond@vermont.gov>
Subject: FW: Public Records Request

Hello Bonnie,

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to/from AGO employees. I am notifying the requester that a portion of the records [REDACTED] is seeking may be AGO records and extending DHR's response deadline to 10 days to give time for DHR/AGO consultation.

Please let me know if you have questions.

Best,
Amerin

Amerin Aborjaily
Staff Attorney / DHR Records Officer
Vermont Department of Human Resources
120 State Street, 5th Floor
Montpelier, VT 05620
(802) 522-4308
amerin.aborjaily@vermont.gov

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Sent: Thursday, April 06, 2017 1:09 PM
To: DHR - Records Officer <DHR.RecordsOfficer@vermont.gov>
Subject: Public Records Request

Attached please find the public records request from [REDACTED] [REDACTED] employee [REDACTED] related to [REDACTED] request for a reasonable accommodation which was not approved by the RAC committee.

Thanks,

Jane

Jane Modica
Human Resources Administrator
802-249-4489
jane.modica@vermont.gov

London, Sarah

From: London, Sarah
Sent: Thursday, April 06, 2017 7:06 PM
To: Donovan, Thomas; Diamond, Joshua; Natalie Silver (Natalie.Silver@vermont.gov)
Subject: FW: AGO PRA data

FYI

From: London, Sarah
Sent: Thursday, April 06, 2017 7:04 PM
To: 'alicia@sevendaysvt.com' <alicia@sevendaysvt.com>
Subject: AGO PRA data

Alicia, here's some info for now.

Link to public facing log of public record act requests across state government:
<https://data.vermont.gov/Government/Public-Record-Requests/fwx-s-ckd2>

I've tried to look at AGO PRA data, comparing data from January 1 to March 31 across years. One challenge is, I now see that some of the productions of 2017 are very large and are occasionally logged by number of "files" produced on a CD, where an individual file can be a number of pages. I can tell the AGO has produced well over 1000 pages of AGO records in response to public record act requests from January 1 to March 31 of this year. Unfortunately, it is not necessarily easy to compare this to the number of pages produced in other years. However, based on the log at link above, it appears that in previous years, the AGO has sometimes produced fewer records on a yearly basis than what has been produced in this three month period of 2017.

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I hope this is helpful for now. Happy to send any of our requests and productions as we discussed, or brainstorm other ways to try to produce aggregate data for context. Just let me know.

Sarah

Sarah London
Chief, General Counsel and Administrative Law Division
Vermont Attorney General's Office

London, Sarah

From: London, Sarah
Sent: Thursday, April 06, 2017 7:04 PM
To: 'alicia@sevendaysvt.com'
Subject: AGO PRA data

Alicia, here's some info for now.

Link to public facing log of public record act requests across state government:
<https://data.vermont.gov/Government/Public-Record-Requests/fwxs-ckd2>

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I hope this is helpful for now. Happy to send any of our requests and productions as we discussed, or brainstorm other ways to try to produce aggregate data for context. Just let me know.

Sarah

Sarah London
Chief, General Counsel and Administrative Law Division
Vermont Attorney General's Office

London, Sarah

From: London, Sarah
Sent: Thursday, April 06, 2017 11:14 AM
To: Matthews, Deborah
Cc: Schwartz, Thea
Subject: Re: Milk Residue FOIA

No AGO response required, thank you Deb.

Sent from my iPhone

On Apr 6, 2017, at 9:55 AM, Matthews, Deborah <Deborah.Matthews@vermont.gov> wrote:

Again, please let me know if I should copy anyone else on this

Deb Matthews

Administrative Secretary
Office of the Attorney General | GCAL
109 State Street, 3rd Floor
Montpelier, VT 05609
Phone | 802-828-3689
E-Mail | deborah.matthews@vermont.gov (please note my new email address)

From: Haas, Kristin
Sent: Thursday, April 06, 2017 7:40 AM
To: Michael Colby <mcolbyvt@vermont.gov>
Cc: Diego, Tucker <Tucker.Diego@vermont.gov>; Tebbetts, Anson <Anson.Tebbetts@vermont.gov>;
AGO - Info <AGO.Info@vermont.gov>
Subject: Re: Milk Residue FOIA

Mr. Colby,

Thank you for sharing your opinions with the Agency. I am always intrigued by the manner in which some insist on misrepresenting verbal communication in an email, but I suppose nothing should surprise me about our communications at this point. I have consulted with the AG's office on this matter, and are well within our rights to charge for the time necessary to compile the records you have requested. To state that we can't find them misrepresents the facts that exist at this time as we were waiting to hear back from you before starting to search for them. Now that we have, Tucker will start that process. We look forward to receiving your payment as required by law before releasing the records to you and will let you know once Tucker has completed his search of our archived files. Always a pleasure to communicate with you.

Kristin

Sincerely,
Kristin
Kristin M. Haas, DVM
Vermont State Veterinarian & Director of Food Safety and Consumer Protection

From: Michael Colby <mcolbyvt@vermont.gov>

Sent: Thursday, April 6, 2017 6:57 AM
Subject: Milk Residue FOIA
To: Haas, Kristin <kristin.haas@vermont.gov>
Cc: Diego, Tucker <tucker.diego@vermont.gov>, Tebbetts, Anson
<anson.tebbetts@vermont.gov>, AGO - Info <ago.info@vermont.gov>

Dear Dr. Haas,

The failure of the Agency of Agriculture to locate these animal and public health records is very disturbing to us. As you reported to me in our phone conversation, "the Agency misfiled the records" and, as a result, they could not be located.

While avoiding the use of your initial characterization of the records being "misfiled" in your written correspondence to me, you declare that the records "may be located in the archived files." May?

The fact that these records cannot be located by you or the staff should be of serious concern to the Agency. But to propose that we should be charged for the time it "may" take for the Agency to correct its own mishandling of these records seems contrary to both fairness and the public's interest.

However, because this data is essential to our current research and public educational efforts, we are going to agree to pay for your search for the records. But we do so under objection and with the intent of appealing your decision to charge us for the time it takes to correct the Agency's administrative failures.

Sincerely,

Michael Colby

Regeneration Vermont

cc: T.J. Donovan, Attorney General

Anson Tebbetts, Secretary, Agency of Agriculture

On Apr 5, 2017, at 8:33 AM, Haas, Kristin <Kristin.Haas@vermont.gov> wrote:

Hello,

The Agency has completed its initial consultation with the Attorney General's office on this matter, and I am contacting you to discuss next steps in the process. Based on

schedules and workload, in order to provide the second set of records to you by the end of the 10 day extension, Tucker will need to begin compiling the records no later than Thursday, 4/6. As such, ~~please reply all to this email no later than 7:45AM on Thursday 4/6~~ to confirm that you would like us to move forward based on the following *additional* estimate:

Estimate to compile *additional* records (the lab and follow-up inspection documents pertaining to positive tests for antibiotic residues found in tanker loads of milk within the State of Vermont in the calendar years 2012 and 2013)

10 hours with first 30 minutes free at \$0.33 per minute: \$188.10

150 pages of records at \$0.09 per double-sided page: \$13.50

Total estimate: \$201.60

A final estimate will be provided to you once the compilation is complete.

Kristin

Kristin M. Haas, DVM

State Veterinarian; Director of Food Safety & Consumer Protection

Vermont Agency of Agriculture, Food and Markets

116 State Street

Montpelier, VT 05620

(802)828-2426

Kristin.haas@vermont.gov

www.agriculture.vermont.gov

From: Michael Colby [<mailto:mcolbyvt>]

Sent: Tuesday, April 4, 2017 4:55 PM

To: Haas, Kristin <Kristin.Haas@vermont.gov>

Cc: Diego, Tucker <Tucker.Diego@vermont.gov>

Subject: Re: follow up

Kristin,

Thanks for the response. I agree to the terms and await word about picking them up.

Moreover, our team is in the final stages of analyzing the records we obtained in our first request. Once completed, I look forward to talking to you about the testing program.

Sincerely,

Michael

On Apr 4, 2017, at 4:39 PM, Haas, Kristin <Kristin.Haas@vermont.gov> wrote:

Mr. Colby,

I am emailing in response to your public record act request dated March 29, 2017 and as follow-up to our phone call earlier today. The estimate for compiling the 2012 and 2013 cover letters and the 2011/2014 cover letters, lab documents and follow-up inspection documents pertinent to your request is the following:

Estimate for current records

4 hours with first 30 minutes free at \$0.33 per minute: \$69.30

100 pages of records at \$0.09 per double-sided page: \$9.00

Total estimate: \$78.30

As per your request, I notified you of this estimate on the phone today, and you stated that you wish to obtain the records despite the fact that the charge for compiling them exceeds the \$50.00 cap that you referenced in your initial request. I anticipate that these records will be ready for you by the afternoon of 4/5 or the morning of 4/6. Please reply-all to this email to make arrangements to pay the invoice and obtain these records in a mutually agreeable manner. A final invoice will be provided to you once the records are compiled.

The remainder of the records pertinent to your request may be located in archived files maintained at the Agency. These records include the lab and follow-up inspection documents pertaining to positive tests for antibiotic residues found in tanker loads of milk within the State of Vermont in the calendar years 2012 and 2013. Due to the need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request and the need for consultation with legal counsel, pursuant to 1 VSA 318(a)(5), the Agency of Agriculture will need to invoke its right to additional time to respond to your request. The Agency will further respond to you on or before 4/6/17 as allowed by law.

Sincerely,

Kristin

Kristin M. Haas, DVM

State Veterinarian; Director of Food Safety & Consumer Protection

Vermont Agency of Agriculture, Food and Markets

116 State Street

Montpelier, VT 05620

(802)828-2426

Kristin.haas@vermont.gov

www.agriculture.vermont.gov

London, Sarah

From: London, Sarah
Sent: Wednesday, April 05, 2017 9:48 AM
To: Kehne, Melanie
Subject: RE: public records request ACCD-DFR

Thanks!

From: Kehne, Melanie
Sent: Wednesday, April 05, 2017 7:38 AM
To: London, Sarah <Sarah.London@vermont.gov>
Subject: FW: public records request ACCD-DFR

Just fyi. ACCD & DFR have it from here on out.

From: Niles, Hilary [mailto:h@nilesmedia.com]
Sent: Tuesday, April 04, 2017 11:47 AM
To: Kehne, Melanie <Melanie.Kehne@vermont.gov>
Cc: Schaft, Dale <Dale.Schaft@vermont.gov>; Pieciak, Michael <Michael.Pieciak@vermont.gov>; Schirling, Michael <Michael.Schirling@vermont.gov>; Kessler, John <John.Kessler@vermont.gov>; Azaria, Dale <Dale.Azaria@vermont.gov>
Subject: Re: public records request ACCD-DFR

Thank you, Melanie.

HN

Hilary A. Niles

Niles Media LLC
data | freelance | research
@nilesmedia on [Twitter](#) and [LinkedIn](#)
802-798-2535 mobile/Signal | [ProtonMail](#) | [PGP](#)
[www.nilesmedia.com](#)
[h@nilesmedia.com](#)

On Tue, Apr 4, 2017 at 11:46 AM, Kehne, Melanie <Melanie.Kehne@vermont.gov> wrote:

Thanks, Hilary. DFR and ACCD will respond to your request directly.

Melanie

From: Niles, Hilary [mailto:h@nilesmedia.com]
Sent: Monday, April 03, 2017 4:02 PM
To: Kehne, Melanie <Melanie.Kehne@vermont.gov>
Cc: Schaft, Dale <Dale.Schaft@vermont.gov>; Pieciak, Michael <Michael.Pieciak@vermont.gov>; Schirling, Michael <Michael.Schirling@vermont.gov>; Kessler, John <John.Kessler@vermont.gov>; Azaria, Dale <Dale.Azaria@vermont.gov>
Subject: Re: public records request ACCD-DFR

Hi Melanie,

Thanks so much for clarifying, and for reminding me about the search terms. Here are the search terms I would like to be used:

- EB-5
- EB5
- Regional Center
- RC
- Jay
- AnC
- Burke
- Seldon
- Stenger
- Quiros
- Hulme
- Rapid
- Form D
- SEC
- Raymond James

Also, I apologize for forgetting to include Pat Moulton in my list of ACCD personnel. To clarify, the individuals are:

- ACCD: James Candido, Brent Raymond, Lawrence Miller, Pat Moulton and/or John Kessler
- BISCHA/DFR: John Cronin, Michael Pieciak, Christopher Smith, Steve Kimbell, Susan Donegan and/or David Cassetty.

You are correct in the time frame of Jan. 1, 2012, through Dec. 31, 2014. You are also correct that I am not asking for intra-agency communications; only emails from any of the named people at one office to/from any of the named people at the other office.

Please get back to me with an estimate before starting on fulfillment.

Thank you,
Hilary

Hilary A. Niles

Niles Media LLC

data | freelance | research

@nilesmedia on [Twitter](#) and [LinkedIn](#)

802-798-2535 mobile/Signal | [ProtonMail](#) | [PGP](#)

www.nilesmedia.com

h@nilesmedia.com

On Thu, Mar 30, 2017 at 11:36 AM, Kehne, Melanie <Melanie.Kehne@vermont.gov> wrote:

Dear Hilary,

Thanks for narrowing the scope of your request. Please confirm that you are asking DFR and ACCD to provide email correspondence from 1/1/2012 – 12/31/2014, containing any of the following terms: EB5, EB-5, or “regional center,”

between the following current and former ACCD personnel and the following current and former DFR/BISHCA personnel:

ACCD: James Candido, Brent Raymond, Lawrence Miller and/or John Kessler

DFR/BISHCA: John Cronin, Michael Pieciak, Christopher Smith, Steve Kimbell, Susan Donegan and/or David Cassetty

Your request does not include intra-agency email correspondence.

After you confirm that this is correct, DFR and ACCD will respond to your request directly. Thanks again for clarifying and narrowing your request.

If you have any questions, please let me know.

Melanie

Melanie Kehne

Assistant Attorney General
Vermont Attorney General's Office | GCAL
109 State Street | Montpelier, VT 05609
(802) 828-5531 | melanie.kehne@vermont.gov

From: Niles, Hilary [<mailto:h@nilesmedia.com>]
Sent: Monday, March 27, 2017 5:26 PM
To: Kehne, Melanie <Melanie.Kehne@vermont.gov>
Subject: Fwd: public records request ACCD-DFR

Dear Melanie,

Thanks for speaking with me the other day about this request. As we discussed, I have narrowed the scope to a more limited time period, a single format, and specific individuals. The revised scope of my request is:

All email correspondence (from state and personal devices and accounts) in the time period Jan. 1, 2012, through Dec. 31, 2014, between or among the following employees of ACCD: James Candido, Brent Raymond, Lawrence Miller and/or John Kessler; and the following employees of BISCHA/DFR: John Cronin, Michael Pieciak, Christopher Smith, Steve Kimbell, Susan Donegan and/or David Cassetty.

To clarify the narrowness of this request, I am asking for correspondence between or among any of the named individuals at ACCD and any of the named individuals at DFR. I am not asking for all emails to/from the named individuals. Neither am I asking for emails exchanged solely within either office. Just the emails between the two offices.

Please let me know if you have any questions.

Thanks so much,
Hilary

Hilary A. Niles
Niles Media LLC
data | freelance | research
[@nilesmedia](#) on [Twitter](#) and [LinkedIn](#)
802-798-2535 mobile/Signal | [ProtonMail](#) | [PGP](#)
www.nilesmedia.com

h@nilesmedia.com

----- Forwarded message -----

From: **Niles, Hilary** <h@nilesmedia.com>

Date: Tue, Mar 14, 2017 at 11:24 AM

Subject: public records request ACCD-DFR

To: "Schaft, Dale" <Dale.Schaft@vermont.gov>, "Pieciak, Michael" <michael.pieciak@vermont.gov>, Mike Schirling <michael.schirling@vermont.gov>, "Kessler, John" <john.kessler@vermont.gov>, "Azaria, Dale" <Dale.Azaria@vermont.gov>

Dear Secretary Schirling and Commissioner Pieciak,

Pursuant to Vermont's public records laws, I am writing to request correspondence between the Agency of Commerce & Community Development (ACCD) and the Department of Financial Regulation (DFR) — including DFR's former incarnation as the Department of Banking, Insurance, Securities & Health Care Administration (BISHCA).

Specifically, I am requesting all correspondence (including but not limited to email, text and voicemail from state and personal devices and accounts, as well as letters, memos or other written correspondence) between any employees of ACCD and any employees of DFR/BISHCA regarding and/or referencing the EB-5 program within the time period Jan. 1, 1997, to the present. This includes but is not limited to communications between: ACCD secretaries, general counsel and EB-5 Regional Center directors Kevin Dorn, James Candido, Lawrence Miller, Brent Raymond, Pat Moulton, Eugene Fullam and John Kessler; and DFR/BISHCA commissioners, general counsel and securities and capital markets directors Steve Kimbell, Susan Donegan, Michael Pieciak, John Cronin, Christopher Smith and David Cassetty.

Because this request is in the public interest for journalistic purposes, I request that any fees for filling it be waived. If fees are to be assessed, please notify me before proceeding. If, after that conversation, fees are to be charged, please provide a detailed receipt explaining the purpose of each fee charged.

Please provide this information in its native electronic format. If some of this material will take longer to provide than other portions, please provide any segments of the requested information as soon as it is available.

Please let me know if you have any questions about this request. I would appreciate receiving those questions by the close of today, via email. I trust you will respond to my request for the records within the timeframe set out in the Public Records Act.

Should access to any of the records I am requesting be denied, please provide me with a list of those records ("Vaughn index") indicating the specific exemption that applies to each record or portion of the record being withheld. If a record has a portion that is exempt from disclosure, the law [1 VSA 318 (e)] requires that only the exempt portion be redacted, and that a copy of the rest of the document be released, together with a notation of the specific exemption that applies to the portion withheld and a brief statement of the reasons and supporting facts for denial. In that event, please also indicate the name and title of the person responsible for the denial and, as the law requires, please inform me of the appeal procedures available to me, and the name of the person to whom appeal may be made.

Thank you for your assistance.

Sincerely,
Hilary Niles

Hilary A. Niles

Niles Media LLC

data | freelance | research

@nilesmedia on [Twitter](#) and [LinkedIn](#)

802-798-2535 mobile/Signal | nilesmedia@protonmail.com | PGP

www.nilesmedia.com

h@nilesmedia.com

London, Sarah

From: Matthews, Deborah
Sent: Thursday, March 30, 2017 11:15 AM
To: Diamond, Joshua; London, Sarah
Cc: Farnsworth, Karen
Subject: PUBLIC RECORDS REQUEST 3-30-17
Attachments: PRR - Joshua Simonds re Gasoline Pricing.pdf

Importance: High

Attached please find a Public Records Request received today, 3-30-17. I have given the original request to Karen.

Deb Matthews

Administrative Secretary

Office of the Attorney General | GCAL

109 State Street, 3rd Floor

Montpelier, VT 05609

Phone | 802-828-3689

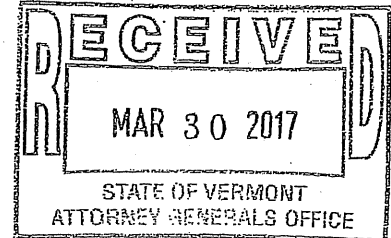
E-Mail | deborah.matthews@vermont.gov (please note my new email address)

JOSHUA L. SIMONDS, ESQ

Admitted in Vermont and Massachusetts
THE BURLINGTON LAW
PRACTICE, PLLC
jls@burlingtonlawpractice.com

March 29, 2017

Joshua Diamond, Deputy Attorney General
VT Attorney General's Office
109 State Street
Montpelier VT 05609-1001



Re: Public Records Request
Investigation of Gasoline Pricing

Dear Deputy Attorney General Diamond:

Under the Vermont Public Records Law, §315 et seq., I am requesting an opportunity to inspect or obtain copies of public records regarding any investigation into potential violations of law related to the pricing and sale of unleaded gasoline within Vermont.

If there are any fees for searching or copying these records, please inform me if the cost will exceed \$100. This information is not being sought for commercial purposes.

The law requires a response to this request promptly. If you expect a significant delay in fulfilling this request, please contact me with information about when I might expect copies or the ability to inspect the requested records.

If you deny any or this entire request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law.

Thank you for your attention to this request.

Very truly yours,


Joshua L. Simonds

JLS/jbb

London, Sarah

From: Treadwell, John
Sent: Wednesday, March 29, 2017 4:18 PM
To: London, Sarah
Subject: FW: Denial of Cynthia Diaz records to VTDigger
Attachments: CCF07032017_2.pdf; CCF07032017_3.pdf

FYI

From: Anne Galloway [mailto:agalloway@vtdigger.org]
Sent: Wednesday, March 29, 2017 4:11 PM
To: Treadwell, John <john.treadwell@vermont.gov>
Cc: Dan Schwartz <daniel.james.schwartz@gmail.com>; Diamond, Joshua <Joshua.Diamond@vermont.gov>; Donovan, Thomas <Thomas.Donovan@vermont.gov>
Subject: Denial of Cynthia Diaz records to VTDigger

Dear John Treadwell:

Please review the attached.

How can the VAG claim an invasion of personal privacy, disclosure of a witness (who was identified as Mike Marcotte in a Jan. 2009 affidavit provided by the VAG), information from tax returns and information related to personal finances?

The document in question is a deposition in a court case in which Cynthia Diaz was convicted of two misdemeanors.

Whole pages have been deleted. Several are missing.

How are you fulfilling your legal obligation under the Vermont Public Records Act?

Anne

On Tue, Mar 28, 2017 at 12:00 PM, Treadwell, John <john.treadwell@vermont.gov> wrote:

Anne and Dan,

AAG Zachary Chen's March 6, 2017, response to your February 21, 2017, clearly indicates that if you consider the response a denial of your request for public records you may appeal that decision. The letter provides the information required under 1 V.S.A. § 318(a)(2) regarding such an appeal and to whom such an appeal should be directed.

John

From: Anne Galloway [mailto:agalloway@vtdigger.org]
Sent: Monday, March 27, 2017 4:33 PM
To: Treadwell, John
Cc: Dan Schwartz
Subject: Re: VTDigger: requesting Vaughn Index

Hi John,

Under the Vermont Public Records Act, you are required to provide a description of what was withheld.

Please do so.

Thanks,

Anne Galloway

On Mon, Mar 27, 2017 at 4:30 PM, Treadwell, John <john.treadwell@vermont.gov> wrote:

Hi Dan,

I have reviewed the PRA response that was sent to you by AAG Zachary Chen on March 6, 2017. 1 V.S.A. § 318(a)(2) does not require a Vaughn Index. I respectfully decline to prepare and provide one to you.

John

John Treadwell

Assistant Attorney General

Vermont Attorney General's Office

109 State Street

Montpelier, VT 05609

tel: [802-828-5512](tel:802-828-5512)

fax: [802-828-2154](tel:802-828-2154)

e-mail: john.treadwell@vermont.gov

Please note my new email address.

PRIVILEGED & CONFIDENTIAL COMMUNICATION: This E-mail may contain sensitive law enforcement and/or privileged information. DO NOT read, copy or disseminate this communication unless you are the intended addressee. This communication may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient (or have received this E-mail in error) please notify the sender immediately and destroy this E-mail. Any unauthorized copying, disclosure or distribution of the material or taking of any action in reliance on the contents of the electronically transmitted materials is prohibited. If you have received this communication in error, please call us (collect) immediately at (802) 828-5512 and ask to speak to the sender of the communication. Also, please notify immediately via e-mail the sender that you have received the communication in error.

From: Dan Schwartz [mailto:daniel.james.schwartz@gmail.com]
Sent: Friday, March 24, 2017 12:17 PM
To: Treadwell, John <john.treadwell@vermont.gov>
Cc: Anne Galloway <AGALLOWAY@vtdigger.org>
Subject: VTDigger: requesting Vaughn Index

Hi, John.

On March 7, your office delivered documents to The Vermont Digger in response to a public records request that I had emailed you on Feb. 21 regarding Cynthia Diaz.

The documents, however, are substantially redacted. Please provide me a Vaughn Index, citing a reason for each and every redaction contained within the 66-page stack of public documents.

Should you have any questions, feel free to call me on my cell phone: 774-644-2207.

Thank you.

- Dan Schwartz

VTDigger, freelance reporter

774-644-2207

--
Anne Galloway

Editor, VTDigger.org
Executive Director, Vermont Journalism Trust

97 State St., Montpelier, VT 05602

cell 802-595-9159

@GallowayVTD

<http://vtdigger.org>



If you like our reporting, support our work with a donation.

--
Anne Galloway

Editor, VTDigger.org
Executive Director, Vermont Journalism Trust

97 State St., Montpelier, VT 05602

cell 802-595-9159

@GallowayVTD

<http://vtdigger.org>



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THOMAS J. DONOVAN, JR.
ATTORNEY GENERAL

JOSHUA R. DIAMOND
DEPUTY ATTORNEY GENERAL

WILLIAM E. GRIFFIN
CHIEF ASST. ATTORNEY
GENERAL



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

TEL: (802) 828-3171
FAX: (802) 828-3187
TTY: (802) 828-3665

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

March 6, 2017

Dan Schwartz
VTDigger
97 State Street
Montpelier, VT 05602

Re: Public Records Request

Dear Mr. Schwartz:

I am writing in response to your request for records that was received by the Vermont Attorney General's Office on February 21, 2017.

Request

Your request was for:

- all records pertaining to an offshore bank account in the Pribanco International LTD Bank in the Bahamas or any other bank account in the Bahamas kept by Cynthia Diaz, town clerk, treasurer and delinquent tax collector of Coventry, or kept by any of her associates;
- all records pertaining to wire transfers from Panama to Diaz;
- all records pertaining to Diaz's CPA, Randall Northrup, who prepared Diaz's tax returns for the periods 2003 to 2009;
- all records pertaining to an audit conducted in Coventry approximately between 2005 and 2007 by CFE Anne Marie Mooney and all records pertaining to all other audits of the town;
- all internal communications regarding the tax evasion case against Diaz that this office built approximately between 2008 and 2011;
- all communications between this office and William (or Bill) Davies, Coventry's attorney, regarding the aforementioned tax evasion case;

- all communications between this office and the IRS regarding said tax evasion case, and;
- all other records pertaining to the investigation into Diaz.

Response to Request

In response to your request, we have identified records that are responsive to your request. I have separated these records into two categories:

1. Records subject to inspection

The Vermont Attorney General's Office has identified 66 pages of records that are responsive to your request. The Attorney General's Office is producing and providing redacted versions of these records at no charge to you. Please find copies of these records enclosed with this letter.

Information within these records has been redacted for the following reasons: the information by law is designated confidential or by a similar term, 1 V.S.A. § 317(c)(1), 32 V.S.A. §§ 3102(b)(2), 3102(b)(3); disclosure would be of criminal investigation records that could reasonably be expected to constitute an unwarranted invasion of personal privacy, 1 V.S.A. § 317(c)(5)(A)(iii); disclosure would reveal the identity of a witness to a crime, *id.* § 317(c)(5)(D); the information consists of tax returns or related information, *id.* § 317(c)(6), 32 V.S.A. §§ 3102(b)(2), 3102(b)(3); or the information relates to personal finances, 1 V.S.A. § 317(c)(7). See also *id.* § 318(e). Where it is apparent that certain information is already known to you, it has not been redacted. Additionally, while federal courts interpreting the federal Freedom of Information Act have authorized the redaction of the names of investigating law enforcement officers and personnel employed by law enforcement agencies, we have not redacted those names in this instance.

This office has identified an audio recording that is responsive to your request. The audio recording contains information that is subject to redaction pursuant to 1 V.S.A. §§ 317(c)(6), 317(c)(7), and 318(e). See also 32 V.S.A. §§ 3102(b)(2), 3102(b)(3). A redacted version of the transcript of the recording is included in the documents that have been provided to you at no cost.

Producing a redacted version of the recording for your inspection will require senior-level staff time to fully review it and redact exempt information. We estimate that producing a redacted version will require 4 hours of senior-level staff time. We would charge you the rate determined by the Vermont Secretary of State pursuant to 1 V.S.A. § 316(d). See also 1 V.S.A. §§ 316(c)(2); 316(c)(3). That rate is currently \$.57 per minute. See "Uniform Schedule of Public Records Charges for State

Agencies, Vermont Secretary of State, available at <https://www.sec.state.vt.us/archives-records/certifications-fees/uniform-fee-schedule.aspx>. The Vermont Attorney General's Office estimates that the total cost of complying with your request would be \$136.80 for senior-level staff time, plus an additional \$.86 for the cost of a write-once compact disc and case. *Id.*

Given the resources required to produce a redacted copy of the audio recording, and the fact that the information is otherwise contained in the redacted transcript that is being provided to you, a redacted copy of the audio recording has not been included. The Vermont Attorney General's Office will require that you provide \$137.66 in advance, if you wish for the Office to proceed with producing a redacted version of the recording. In the event that complying with your request requires more than 4 hours of senior-level staff time and additional fees are required, we would notify you as soon as practicable before proceeding further and charging an additional amount. If less than 4 hours are required, an appropriate amount would be refunded.

2. *Records not subject to inspection*

The Attorney General's Office has identified additional records in its possession that may be responsive to your request, but are exempt from disclosure under the provisions of Vermont's Public Records Act discussed above. These documents include, for example, financial statements and documents consisting of similar information. Other records, such as this office's internal communications, are exempt pursuant to 1 V.S.A. § 317(c)(4), which exempts documents "which, if made public pursuant to this subchapter, would cause the custodian to violate any statutory or common law privilege other than the common law deliberative process privilege as it applies to the General Assembly and the Executive Branch agencies of the State of Vermont." See *Killington, Ltd. v. Lash*, 153 Vt. 628, 641-48, 572 A.2d 1368, 1376-80 (1990) (discussing existence of attorney work-product privilege in Vermont prior to adoption of rules of procedure).

Finally, regarding the portion of your request pertaining to "all other records pertaining to the investigation into Diaz," I have considered it to be substantially identical to the request that our office received from you on January 17, 2017 for "any and all documents related to active or inactive investigations or pending or non-pending charges involving Cynthia Diaz in her role as either Coventry town clerk, delinquent tax collector, treasurer or a citizen of Vermont." I refer you to our response which we sent on January 31, 2017.

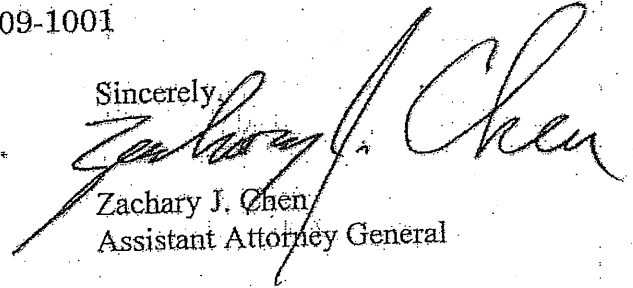
Right to Appeal

To the extent you consider that this response constitutes a denial of your request, you may appeal to the Deputy Attorney General. Any appeal should be in

writing and addressed to:

Joshua Diamond, Esq.
Deputy Attorney General
109 State Street
Montpelier, VT 05609-1001

Sincerely,

A handwritten signature in cursive script, appearing to read "Zachary J. Chen". The signature is written in black ink and is positioned above the printed name and title.

Zachary J. Chen
Assistant Attorney General

Enc.
cc: file

WILLIAM H. SORRELL
ATTORNEY GENERAL
JANET C. MURNANE
DEPUTY ATTORNEY GENERAL
WILLIAM E. GRIFFIN
CHIEF ASST. ATTORNEY
GENERAL



TEL: (802) 828-3171
FAX: (802) 828-2154
TTY: (802) 828-3665
CIVIL RIGHTS: (802) 828-3657
<http://www.atg.state.vt.us>

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

May 31, 2011

Randall Northrop
redacted

Re: State of Vermont v. Cynthia Diaz
Docket No's. 171-2-10 Wncr and 419-4-11 Wncr

Dear Mr. Northrop:

Enclosed please find your deposition which was taken on May 11, 2011, regarding the above-entitled matter. Please read it over, making any changes you may have on the enclosed Errata sheet as soon as conveniently possible. **DO NOT MARK ON THE TRANSCRIPT ITSELF.** After you have read your deposition and made corrections, please sign it before a Notary Public and return it to me in the enclosed self-addressed stamped envelope.

If you have any questions, please call. Thank you.

Sincerely,

Ultan Doyle /s/

Ultan Doyle
Assistant Attorney General

blb

Enc.

cc: Maggie Vincent, Esq. (w/out enclosure)

WILLIAM H. SORRELL
ATTORNEY GENERAL
JANET C. MURNANE
DEPUTY ATTORNEY GENERAL
WILLIAM E. GRIFFIN
CHIEF ASST. ATTORNEY
GENERAL



TEL: (802) 828-3171
FAX: (802) 828-2154
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<http://www.ig.state.vt.us>

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

May 13, 2011

Cindy Hall
Green Mountain Reporters & Captioners
335 Honan Road
Moretown, VT 05660

Re: State v. Cynthia Diaz
Docket No's. 171-2-10 Wncr and 419-4-11 Wncr

Dear Cindy:

Enclosed is a CD to be transcribed for Ultan Doyle. It is a deposition taken on May 11, 2011 at Corrette & Associates in St. Johnsbury. Present at the depo were: Ultan Doyle, Assistant Attorney General; Maggie Vincent, Attorney for Cynthia Diaz; and Randall Northrop, deponent. I am told it is just under two hours. We need this at your earliest convenience.

Feel free to call me at 828-5512 if you have any questions.

Thank you.

Sincerely,

Bonnie Boyce
Administrative Secretary

Enc.

Toll Free: (800)595-9873
Montpelier: (802)229-9873
Greater Burlington: (802)288-9578
P.O. Box 1311 • Montpelier, VT 05601



Fax: (802)229-6840
Email: gmrptrs@myfairpoint.net
www.gmrreporters.com

**Green Mountain
Reporters & Captioners**

May 25, 2011

Ms. Bonnie Boyce
Office of the Attorney General
109 State Street
Montpelier, VT 05609-1001

Re: State of Vermont vs. Diaz

Dear Bonnie:

Enclosed please find the original transcript from the recorded deposition of Randall Northrup. Also enclosed is the CD which we are returning to you. The transcript has been e-mailed to you.

Should you have any questions, please feel free to contact me.

Sincerely yours,


Kelly A. Gosselin
Office Manager

Encs.

AMERO

PROPERTY OF STATE

NO.

SAID ALTHO

RECORDS DEPARTMENT

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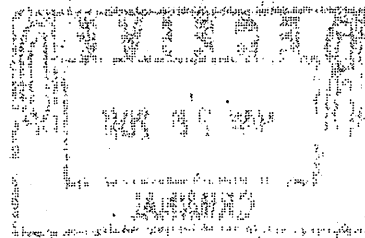
CYNTHIA DIAZ

RECORDED DEPOSITION

OF

RANDALL NORTHROP

May 11, 2011



1 (Beginning of CD)

2 MR. DOYLE: Okay. We are on the record in
3 the State of Vermont vs. Cynthia Diaz in Docket
4 Numbers 171-2-10 Wncr and Docket Number
5 419-4-11 Wncr. We are here today for the
6 deposition of Randall Northrop. Present is Mr.
7 Northrop; myself, Ultan Doyle, Assistant
8 Attorney General; and Maggie Vincent who is the
9 attorney for Cynthia Diaz. And, Maggie, if you
10 would, just (inaudible) Mr. Northrop in. Thank
11 you.

12 MS. VINCENT: Will you raise your right
13 hand?

14 MR. NORTHROP: Will you spell my name
15 correctly?

16 MS. VINCENT: Sure.

17 MR. NORTHROP: It's an R-O-P at the end.
18 Not that it matters too much to any people but
19 me.

20 MS. VINCENT: R-O-P. Actually, probably
21 the first thing (inaudible) be done would be --

22 MR. NORTHROP: Yes.

23 MS. VINCENT: -- the (inaudible) accurate
24 spelling of your name. But second thing
25 because first thing is we want your spelling of

1 your name under oath (inaudible) so if you
2 could raise your right hand. Do you swear to
3 tell the truth in the matters we are about to
4 discuss under penalty of perjury?

5 MR. NORTHROP: I do.

6 EXAMINATION BY MR. DOYLE:

7 Q Okay. And, Mr. Northrop, can you (inaudible)
8 please spell -- or, I'm sorry, state your first name
9 and spell your last name.

10 A Randall, N-O-R-T-H-R-O-P.

11 Q And your current address?
redacted

12 A *redacted*

13 Q And your occupation.

14 A I'm an accountant.

15 Q Okay. And before we start on the actual
16 questions of the deposition, there were just a few
17 things that I wanted just to run by you. The first
18 is, if you don't understand the question, can you
19 please let me know?

20 A (inaudible).

21 Q And I will -- I will rephrase it. The other is,
22 this is being recorded, we are on the record, and so
23 if you could just make sure that your answers are
24 clear, avoid things like uh-huh or those kind of
25 things just so it's clear if anybody reads the

1 transcript of this what was actually being said. Any
2 questions before we begin?

3 A No.

4 Q Okay. So I understand that in August of last
5 year you prepared some tax returns for Cynthia Diaz,
6 is that correct?

7 A That is correct.

8 Q And -- oh, I'm sorry. One other thing is
9 occasionally Maggie may object to some of my questions
10 as you -- I may ask a question, you may hear her raise
11 an objection. For the most part, even though she has
12 objected, you will still be required to answer the
13 question. There may be some exceptions that Maggie
14 and I will talk about if something was privilege or
15 something like that, but for the most part she's
16 objecting for the record, but you would still be
17 required, but that can (inaudible) disconcerting for
18 people, and we can talk about that if -- if it arises.

19 MS. VINCENT: Is part of the usual
20 stipulations that we didn't put on the record
21 any objections other than to privilege or
22 compound or confusing question are waived
23 during the process?

24 MR. DOYLE: Okay.

25 MS. VINCENT: There (inaudible).

1 MR. DOYLE: Okay. (inaudible).

2 Q So, again, I understand you were approached at
3 some point by Ms. Diaz to prepare some tax returns,
4 and this would have been last year, is that right?

5 A That's correct.

6 Q And how did -- how did Ms. Diaz end up contacting
7 you, do you remember?

8 A I audit the Town of Coventry as an independent
9 auditor and have for several years, and through this
10 process Cynthia called me here, I think it was July,
11 but I didn't keep record of that.

12 Q (inaudible)

13 A To ask me if I could help her by preparing her
14 returns *redacted*

15 *redacted*

16 Q Okay. And that would have been July of 2010?

17 A That's correct.

18 Q Okay. And so how long would you say you've known
19 Cynthia?

20 A About four years.

21 Q Okay. And is that in a professional capacity or
22 more as a friend or --

23 A I do not know her personally.

24 Q Okay. So it's just as a result of you being the
25 Town of Coventry independent auditor?

1 A I apologize. It is the town of Coventry's
2 school.

3 Q Town of Coventry's school. Okay.

4 A She is the town treasurer, but she has for the
5 several years managed the books for the school --

6 Q Okay.

7 A -- so through that capacity I know Cynthia.

8 Q I see. Okay. Had you ever done any -- provided
9 any kind of accounting assistance before last year?

10 A To Cynthia.

11 Q To Cynthia.

12 A -- in the role as the treasurer I have.

13 Q Okay. And (inaudible)

14 A Nothing personal.

15 Q Nothing in a personal capacity. Okay. And when
16 she contacted you in you think it was July of last
17 year, did you meet in person to discuss her taxes at
18 that time or did she send you in information?

19 A She brought in some information and we sat down
20 and reviewed it briefly here a few weeks before I
21 signed her returns.

22 *redacted*

23 *redacted*

24 *redacted*

25 *redacted*

1 yours as the exhibit.

2 MR. DOYLE: I could use mine as the
3 exhibit --

4 MS. VINCENT: Okay.

5 MR. DOYLE: -- and then just get copies.

6 MS. VINCENT: Okay.

7 MR. DOYLE: And then just get copies
8 afterwards.

9 A If you'll simply tell me which --

10 Q So what I'll -- I'll mark this as -- as -- we'll
11 start with 2003, and I'm going to mark this --

12 A (inaudible) excuse me. Didn't mean to interrupt
13 you all.

14 Q No, no. That's fine.

15 A (inaudible) 2003. *redacted*

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redacted

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A. Honestly, we have -- I meet with a lot of people here and I try to keep fairly clear records.

redacted

redacted

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A I do not usually review the tax returns with tax clients. what I do is when it's completed I have my office manager call them and ask if they want to pick it up or if they want it mailed to them --

15

Q Okay.

16

A -- then I ask them to review it.

17

Q Okay.

18

A And if they have questions, I'm available to review it with them. I do not as a practice review tax --

21

Q Okay.

22

A -- (inaudible) completed with clients.

23

redacted

24

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redacted

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Our work was subsequent to Cynthia's attention from the State of Vermont and that's public knowledge. I understand it was published in the front of the

1 paper. I saw it.

2 Q Yeah.

3 A And I think she and I discussed the publicity

4 these might receive and the need for them to be

5 accurate and her assertion that they were as accurate

6 as she could from the records she had.

7 Q Okay, so -- but it would be fair to say there

8 was some discussion about ensuring that she was -- to

9 the best of her recollection at least, providing you

10 with all of the income for the year 2003 that she

11 believed she -- she had received?

12 A I think so.

13 *redacted*

14
15
16
17 Q Okay. At this point I'd like to direct your

18 attention then to state's -- what I'll mark as State's

19 Exhibit 2. It is a package of information, again,

20 beginning with a cover letter that you sent to Ms.

21 Diaz dated August 2nd, and it includes Ms. Diaz's W-2

22 for that year, federal tax return.

23 MS. VINCENT: You didn't state the year.

24 THE WITNESS: what year?

25 MR. DOYLE: what's that?

1 we finished the returns.

2 Q Okay. How about -- same question I asked you for
3 the year 2003. Any discussion about any income she
4 would have received from either providing bookkeeping
5 or accounting services?

6 A (inaudible)

7 Q Okay.

8 A I wasn't aware she did that.

9 *redacted*

10 *redacted*

11 *redacted*

12 *redacted*

13 *redacted*

14 *redacted*

15 *redacted*

16 *redacted*

17 Q Did she share with you when she started working
18 for the Town of Coventry? She --

19 A She did not.

20 Q She did not okay.

21 *redacted*

22 *redacted*

23 *redacted*

24 *redacted*

25 *redacted*

redacted

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Q Okay. And your recollection is that there was no other discussion of income for that year?

A Not during the preparation of returns.

Q Okay. Anything else about the year 2004 that you believe would be pertinent for us to know?

A No.

redacted

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5 A I have no idea.

6 Q okay.

7 A Though I did call Cynthia and asked her if I
8 could have some additional information that would help
9 me help her. She had nothing available.

10 Q okay. Are we able to tell if this is -- this
11 *redacted*

11

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13 A (inaudible).

14 Q okay.

15 A I just don't know what (inaudible).
16 *redacted*

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23 Q (inaudible).

24 A (inaudible). I'm going to --

25 Q okay. okay.

redacted

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4 Q Was he not with you, Angela, that night?

5 A I'm not sure. I don't know.

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18 Q Did you ever discuss with Anthony what you

19 were doing in the house at that time?

20

21 Q Okay. Are there any other -- did she discuss

22 with you any other sources of income?

23 A No.

redacted

24

25 Q Did you ever discuss with Anthony what you

redacted

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A Yes.

4

Q Okay. And, again, any mention of any income she received as a result of providing bookkeeping or accounting services?

5

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A No.

redacted

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A Not that I recall.

18

Q Okay. Anything else about the year 2005 that we need to discuss that we haven't covered already?

19

redacted

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Q What was your -- what was your purpose of making

1 that phone call? Were you looking for additional
2 documentation?

redacted

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19 A I asked her if she had more and she indicated she
20 did not.

21 Q Okay. And did she discuss with you
redacted

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23 A We didn't talk --

24 Q Okay. And -- and so she wasn't able to provide
25 you with any additional information when you called

redacted

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Q Okay. Anything else for the year 2007 that we need to talk about?

A No.

Q Okay. And then finally for the year 2008, which I'll mark as State's Exhibit 6, I'm looking at a packet, again with a cover letter dated August 2nd, 2010 from you to Ms. Diaz.

redacted

redacted

1 I was actually in the area of the source

2 and asked if I could do some work for

3

4

5 and I was able to get some work done

6 and I was able to get some work done

7

8

9 Q Okay. And so after you received the source
10 documentation from the years 2003 to 2008 you went
11 ahead and prepared her taxes, is that correct?

12 A Yes, it is.

13 Q You mailed the taxes to her at some point and --
14 is that correct?

15 A Within a day or two (inaudible).

16 Q Okay. Within a day or two of August 3rd of 2010?

17 A That's correct.

18 Q Okay. And then your understanding, at that point
19 at least,

redacted

redacted

20

21

22

23 A Yes.

24 Q Okay. So at some point after that then were you
25 -- were you contacted by Ms. Diaz?

1 A I was. Actually, I think Attorney Maggie Vincent
2 called me and asked if I could do some additional work
3 *redacted*

4 *redacted* and contacted Cynthia to get her
5 permission to discuss it with the attorney and then
6 got a package from the attorney, Maggie Vincent, to
7 review with Cynthia *redacted*

8 *redacted*

9 Q And this was -- this -- these were -- just to be

10 clear while we're referencing, *redacted*

11 *redacted*

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A That's my understanding.

Q Okay. And so for the year 2003 can you tell me what source documentation you ended up reviewing?

A Well, not much. I received the package and asked Cynthia to come and meet with me.

redacted

redacted

redacted and Cynthia came in -- I don't remember now, I'd have to check my calendar, but it was several months ago certainly.

Q But -- but subsequent to let's say roughly the end of August or beginning of September last year?

A It might have -- might have been in January, February, but I have to check my calendar. But subsequent to that, sometime between November and (inaudible) last few months have been really (inaudible) for me so (inaudible).

Q Okay. And was that the first conversation you and she had had about her taxes?

redacted

redacted

A No, I don't think so. I -- I'm -- I'm fairly certain I pestered her a couple of times to bring me

redacted

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2 Q okay.

redacted

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10 Q okay.

11 A And I think I called her two or three times

12 asking for that information over a couple of

13 (inaudible).

14 Q okay. Any discussion of her

redacted

redacted

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16 A Not until I received this package and spent a day

17 reading it and then sat with her I believe it was in

18 February. It could have been January. I'm not sure

19 of the dates.

20 Q okay.

21 A But we sat down for about three hours and

redacted

22 reviewed these

redacted

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redacted

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Q You just looked at the --

A And had a discussion with Cynthia about them.

Q okay. did you also receive the -- the source

documentation as well

redacted

redacted

redacted

redacted

redacted

redacted

redacted

1 *redacted* is that correct?

2 A That's correct.

3 Q Okay.

4 A Requested her to provide me with either an
 5 explanation or supporting documentation that would
 6 help us determine *redacted* --

7 Q Okay.

8 A -- (inaudible).

9 *redacted*

10 *redacted*

11 *redacted*

12 *redacted*

13 *redacted* *redacted* Did

14 you and she have a discussion about that -- that --
 15 *redacted* and whether --

16 A we did.

17 Q And what -- what did she tell you?
 18 *redacted*

19

20

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1 Q okay. so just so I'm clear, she thought that her
2 -- and at that point was there a discussion of what
3 the nature of her employment was that would have
4 resulted in those -- *redacted* ?

5 A Yes.

6 Q what was the -- what did she tell you was the --
7 was the nature of her employment?

8 A She said she was self-employed and did this for
9 people to help them. And I explained to her that the
10 requirements are to include all the income and all the
11 expenses on a return *redacted*

12 *redacted* She said to me, I'll
13 see if I have any paperwork at home for that year and
14 I'll let you know. *redacted*

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19 A And that's correct! *redacted*

20 *redacted*
21
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redacted

3 Q Okay. Did she say what the name of her
4 ex-husband was?

5 A It's (inaudible).

6 Q She told you Enrique?

7 A I don't -- I think I saw it here and asked who
8 that was. And I think she said it was her ex-husband.

9 Q Okay. Enrique or -- Enrique Diaz?

10 A I speak a few languages, but (inaudible).

11 Q (inaudible) I'm not sure. But -- so she said

12 Enrique or Enrique so --

13 A She said her ex-husband.

redacted

16 A That's what I understood.

17 Q Okay.

18 A Again, we didn't come to any resolution and that
19 was simply a discussion because I was expecting her to
20 bring me supporting documentation that would support
21 her assertions and we didn't get to that point.

22 Q Okay. (inaudible).

23 A So (inaudible).

redacted

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redacted

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A We concluded our conversation that she needed to go find out what this was and let me know.

redacted

A I don't (inaudible).

Q Okay. But --

A Likely would have been me.

Q Okay. But the bottom line is you couldn't conclude after you spoke to her whether

redacted

redacted

A We never finished this.

Q Right.

A (inaudible) I think but --

Q Yeah, but based on --

A (inaudible).

redacted

redacted

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A It wasn't that we couldn't; we didn't.

Q Okay.

A We just didn't get to that point. When these came to me, I reviewed them and said, I need to know more (inaudible).

Q Yeah. Based on the information you couldn't conclude it -- that that had been -- had been provided to you from her you couldn't conclude.

A Yes.

Q Okay. And did she tell you where her ex-husband lived?

A I don't remember.

redacted

A I don't remember.

Q okay.

A She talked about a few different places, Panama and Hawaii and California, but these were fairly vague discussions and I'm not sure about the details.

redacted

A No.

Q Okay. So, again, just to be clear you said it was kind of -- you weren't clear, from what she was

redacted

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A I'm not sure we got to that.

5

Q Okay. Was it a very short conversation?

6

A It was kind of a rambling conversation. Most

7

often my focus here is -- is to -- is to focus and to

8

be as clear as possible and hopefully as brief as

9

possible.

10

Q Yeah.

11

A And these conversations were a lot more rambling

12

than I would normally prefer.

13

Q Okay. So your --

14

A And of course we didn't have any references --

15

Q Yeah.

16

A -- (inaudible) to look at.

17

redacted

18

19

redacted

20

Did you specifically request certain

21

information from her?

22

A I didn't. She didn't know what she had.

23

Q Okay.

24

A I asked her for any agreements between her and

25

her ex-husband. I asked her for any documentation

1 that would help us understand this.

redacted

2
3 and she seemed to be taking copious notes and
4 indicated she'd bring me some things.

5 Q Okay. But she never did?

6 A She never did.

redacted

7
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9 A Not that I'm aware of.

redacted

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17 A okay. I -- I don't do asset returns as you know.

redacted

18
19 Q Right.

20 A So I don't know what people have.

redacted

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1 A That's correct.

redacted

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10 Q Okay.

11 A And I asked her to see if she could figure that
12 out and let me know.

redacted

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19 Q Okay. So she was going to check on that and get
20 back to you as well?

21 A Yes.

redacted

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23

24 A Not that I recall.

25 Q Okay. All right. If we could move on to the

redacted

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11 Q Okay. Did you discuss if she was employed by
12 them for that year?

13 A Well, we didn't, but it seemed evident.

14 Q Okay.

redacted

15

16

17 Q Okay.

redacted

18

19

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21 Q Okay. What -- what did she do for Gray's Paving
22 and sealing, did she tell you?

23 A She worked for them.

24 Q Doing -- doing -- you don't know what she --

25 A I have no idea.

1 Q Okay.

2 A She could have --

3 Q Right. And so -- but her -- her position at

4 Teast to you, was that she just hadn't --

5 A She wasn't sure.

6 Q If --
redacted

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15 A That's what she said.

16 Q Okay.

17 A At least that's (inaudible).

18 Q (inaudible) but that was her recollection but

19 she didn't say to you,
redacted

20 *redacted*

21 A I think so.
redacted

22

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1 Q okay.

redacted

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5 Q okay. Anything else for 2004?

6 A No, I don't think so.

redacted

7

redacted

8

DO

9 you have that in front of you?

10 A I do.

redacted

11

12

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20 Q okay. so she thought she had actually --

21 A Stopped.

redacted

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24 A I think so.

25 Q okay. she didn't say that isn't from -- again,

redacted

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A I asked her to go look and let me know if she could find some paperwork, and she was going to do that.

redacted

1 A I did.

2 Q okay. And she told you that --

3 A she was going to go look.
redacted

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Q Yes.

A Nothing more than we talked about earlier.

Q Nothing more than you talked about earlier?

okay. And did you leave that that she was going to try, again, provide you with additional documentation?

redacted

redacted

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18 Q Okay. And anything else -- did -- was -- how
19 many times did you meet with her after you had
20 prepared the taxes?

21 A Once.

22 Q Once.

23 A To discuss this. I met with her a couple of
24 times on our audit of the school.

25 Q Yeah.

1 A -- but we didn't talk about (inaudible)

2 Q But as far as (inaudible).

3 A (inaudible) I asked her for stuff; you still owe

4 me

5 Q okay. And so after this discussion did she ever
6 send you any of the documentation you had requested?

7 A No.

8 Q Any further conversations with Cynthia after
9 this?

10 A well, again --

redacted

11

12

13 A Limited to me reminding her she owed information,
14 yes.

15 Q okay. And that was it?

16 A Yes.

redacted

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