

From: Persampieri, Nick
Sent: Wednesday, December 16, 2020 4:06 PM
To: ncornettlaw@gmail.com
Subject: Vermont Public Records Request

Attorney Cornett,

Please see the attached letter and accompanying document. Thank you.

Nick

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December 16, 2020

Neal Cornett
Attorney at Law

By e-mail to: ncornettlaw@gmail.com

Re: Vermont Public Records Act Request

Dear Attorney Cornett:

I write in response to your Vermont Access to Public Records Act request dated December 11, 2020. In that request, on behalf of Energy Policy Advocates, you sought:

all electronic correspondence, and any accompanying information . . . including also any attachments, a) sent to or from or which copies (whether as cc: or bcc:) Nick Persampieri, that b) includes, *anywhere*, whether in an email address, in the sent, to, from, cc, bcc fields, or the subject fields or body of an email or email "thread", including also in any attachments, i) "The Secondary GHG NAAQS Pathway", and/or ii) "Secondary NAAQS for GHGs", and c) is dated from February 1, 2020 through the date you process this request, inclusive.

Record Nos. 9-13, which we provided to you with our November 23, 2020 response to your request for public records dated November 5, 2020 are responsive to this request. As is described in our November 23, 2020 response, we redacted access information regarding telephone and Zoom conferences from Record Nos. 12 and 13 because it is exempt from disclosure pursuant to 1 V.S.A. § 317(c)(4) and/or 1 V.S.A. § 317(c)(7).

We are providing to you with this letter one additional document, which is responsive to this request. This document was forwarded as part of two separate email chains, both of which email chains we are withholding because they are exempt from disclosure pursuant to 1 V.S.A. § 317(c)(4). One email chain is between the Vermont Attorney General's office and an agency of the State of Vermont, and was generated in connection with anticipated litigation and for the purpose of facilitating the rendition of legal services to the State of Vermont. The second email chain is between the Vermont Attorney General's Office and the Attorney General's Office of another state, pertains to an issue of common interest, and was generated in connection with anticipated litigation and for the purpose of facilitating the rendition of legal services to the respective states.

Additionally, we are withholding internal Vermont Attorney General's office communications generated in connection with responding to this public request, your public records request dated November 5, 2020, and your November 30, 2020 appeal of that public records request because they are exempt from disclosure pursuant to 1 V.S.A. § 317(c)(4).

We do not have any additional records responsive to your request.

If you feel any information or records have been withheld in error, you may appeal to Deputy Attorney General Joshua Diamond at the following email address: Joshua.Diamond@vermont.gov.

Sincerely,

/s/Nicholas F. Persampieri

Nicholas F. Persampieri
Assistant Attorney General

From: climate_change@lists.4cleanair.org <climate_change@lists.4cleanair.org> **On Behalf Of** Miles Keogh

Sent: Tuesday, October 6, 2020 12:48 PM

To: climate_change@lists.4cleanair.org

Subject: an interesting webcast

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

NACAA Climate Change Committee friends,

I wanted to make you aware of an upcoming webcast being hosted by Michael Quirke, a attorney from Texas who has recently been shopping around the idea of establishing a secondary NAAQS for GHGs as a pathway forward that should survive litigation before a conservative SCOTUS, either in the event that legislation proves impossible, or as an insurance policy in case that effort gets turned back. He recently wrote about it in the Villanova Law Review (<https://digitalcommons.law.villanova.edu/elj/vol31/iss1/1/>) and he's running a webcast to run through the concept next Tuesday, October 13 (the day before our Committee Call). It'll happen on Zoom from 4pm-4:40pm Eastern (so starting 3 pm Central, 2 pm Mountain, 1 pm Pacific, noon Alaska and 11 am Hawaii time). I'm going to RSVP to participate and see what I think of the idea, and he said it was okay to forward this info to the Committee.

To RSVP and get the zoom link, email mquirke@quirkelawfirm.com. Anyway, FYI, I hope this is of interest.

Wishing you well, Miles

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