

Dr. Richard Cordero, Esq.

Ph.D., University of Cambridge, England
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D.E.A., La Sorbonne, Paris

59 Crescent Street, Brooklyn, NY 11208
Dr.Richard.Cordero.Esq@gmail.com
tel. (718) 827-9521

June 10, 2009

Att.: Special Litigation Bureau
Ms. Mary E. Matuszak
Director of Library Services
NY County District Attorney's Office
1 Hogan Place
New York, NY 10013

emailed to: matuszakm@dany.nyc.gov
tel. (212)335-4292; fax (212)335-4266

Dear Ms. Matuszak,

Thank you for the information that you sent to Ms. Christine Bruzzese concerning my request for information. I would be indebted if you would consider this a FOIL request and submit it to the Special Litigation Bureau, though I hardly think that public information concerning the salary of public officers paid 30 years ago constitutes a matter that must be handled by that Bureau. Indeed, the information that I am seeking is the following:

1. What were the entry level and successive annual salaries paid to an assistant district attorney in D.A. Morgenthau's Office who began working in 1979 and ended in 1984?
2. How did such salaries compare with the salaries paid during those years to former Assistant District Attorney Sonia Sotomayor?
3. What were the federal, state, and city taxes withheld from such salaries that determined the final amount of the take-home paychecks?

Given the currency of the subject matter, I would be most indebted to you if you could process my request at your earliest convenience so that the requested information can contribute to the important public debate over the confirmation for life "during good Behaviour" (U.S. Const. Art. III, Sec. 1) of a new Justice of the Supreme Court. Should you need any further information, please let me know.

I thank you in advance for your understanding and efforts on my behalf.

Sincerely, *Dr. Richard Cordero, Esq.*

DISTRICT ATTORNEY

OF THE
COUNTY OF NEW YORK
ONE HOGAN PLACE
New York, N. Y. 10013
(212) 335-9000



ROBERT M. MORGENTHAU
DISTRICT ATTORNEY

June 19, 2009

Dr. Richard Cordero, Esq.
59 Crescent Street
Brooklyn, New York 11208

Re: Freedom of Information Law ("FOIL") Request

Dear Mr. Cordero:

I write to partially determine your FOIL request by letter dated June 10, 2009.

We are in the process of searching for records which may be responsive to item 1 of your request. I will write to determine this part of your request after that search is completed.

Item 2 of your request is denied because it would require my office to conduct a quantitative and qualitative analysis of certain salaries. FOIL does not require us to perform such analyses.

Item 3 of your request is denied, pursuant to Public Officers Law § 87(2)(b), on the ground that disclosure of records containing the federal, state, and local tax withheld from salaries would constitute an unwarranted invasion of personal privacy.

The FOIL Appeals Officer is Assistant District Attorney Patricia J. Bailey, Chief of the Special Litigation Bureau, at the above address.

Very truly yours,

A handwritten signature in black ink, appearing to read "Charles E. King, III".

Charles E. King, III
Assistant District Attorney
Records Access Officer

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June 10, 2009

Att.: Ms. Millie Gomez
Ms. Neilia Brooks
Department of Human Resources
NY County District Attorney's Office
1 Hogen Place, Room 749
New York, NY 10013

emailed to: gomezm@dany.nyc.gov

Dear Ms. Brooks,

I am an attorney and a researcher-writer presently writing an article for which I need some public information of an archival nature. I have been advised by your colleague, Ms. Millie Gomez, to put my request in writing and address it to you. The search for that information is prompted by the following quotation, which appeared in "As IP Boutique Litigator, Former Partners Say Sotomayor Was a Quick Study, Hard Worker", by Karen Sloan, May 29, 2009, The New York Law Journal:

Judge Sotomayor worked at the firm between 1984 to 1992, following a five-year stint as an assistant district attorney. Manhattan District Attorney Robert M. Morgenthau said that she left his office because she had to repay large student loans and needed a bigger income.
<http://www.law.com/jsp/nylj/PubArticleNY.jsp?id=1202431044230&slreturn=1>

The information sought for is the following:

1. What were the successive annual salaries paid to an assistant district attorney in D.A. Morgenthau's Office who began working in 1979 and ended in 1984?
2. How did such salaries compare with the salaries paid during those years to former Assistant District Attorney Sonia Sotomayor?
3. What were the federal, state, and city taxes withheld from such salaries that determined the final amount of the take-home paychecks?

Given the currency of the subject matter, I would be most indebted to you if you could process my request at your earliest convenience. Should you need any further information, please let me know.

I thank you in advance for your understanding and efforts on my behalf.

Sincerely, *Dr. Richard Cordero, Esq.*

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June 10, 2009

Ms. Mary Faughnan
Personnel Office
NY County District Attorney's Office
1 Hogan Place
New York, NY 10013

tel. (212)335-9193
emailed to faughnanm@dany.nyc.gov

Dear Ms. Faughnan,

Thank you for taking my call a few minutes ago and your willingness to assist.

I would like to obtain the following public information about salaries paid to public officers by a government agency:

1. What were the entry level and successive annual salaries paid to an assistant district attorney who began working in 1979 and ended in 1984 in District Attorney Morgenthau's Office in Manhattan?
2. How did such salaries compare with the ones paid during those years to former Assistant District Attorney Sonia Sotomayor?
3. What were the federal, state, and city taxes withheld from such salaries that determined the final amount of the take-home paychecks?

The search for that information has been prompted by the following statement, which appeared in "As IP [intellectual property] Boutique Litigator, Former Partners Say Sotomayor Was a Quick Study, Hard Worker", by Karen Sloan, May 29, 2009, The New York Law Journal:

Judge Sotomayor worked at the firm between 1984 to 1992, following a five-year stint as an assistant district attorney. Manhattan District Attorney Robert M. Morgenthau said that she left his office because she had to repay large student loans and needed a bigger income.
<http://www.law.com/jsp/nylj/PubArticleNY.jsp?id=1202431044230&slret urn=1>

However, it was reported in Media Matters for America that Judge Sotomayor studied on scholarships; <http://mediamatters.org/research/200905060019>.

Given the currency of the subject matter and the journalistic purpose in obtaining the requested information in a timely fashion, your prompt assistance can contribute to the important public debate over the confirmation for life "during good Behaviour" (U.S. Const. Art. III, Sec. 1) of a new Justice of the Supreme Court. Should you need any further information, please let me know.

I thank you in advance for your understanding and efforts on my behalf.

Sincerely,
Dr. Richard Cordero, Esq.

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June 10, 2009

Att.: Special Litigation Bureau
Ms. Mary E. Matuszak
Director of Library Services
NY County District Attorney's Office
1 Hogan Place
New York, NY 10013

emailed to: matuszakm@dany.nyc.gov
tel. (212)335-4292; fax (212)335-4266

Dear Ms. Matuszak,

Thank you for the information that you sent to Ms. Christine Bruzzese concerning my request for information. I would be indebted if you would consider this a FOIL request and submit it to the Special Litigation Bureau, though I hardly think that public information concerning the salary of public officers paid 30 years ago constitutes a matter that must be handled by that Bureau. Indeed, the information that I am seeking is the following:

1. What were the entry level and successive annual salaries paid to an assistant district attorney in D.A. Morgenthau's Office who began working in 1979 and ended in 1984?
2. How did such salaries compare with the salaries paid during those years to former Assistant District Attorney Sonia Sotomayor?
3. What were the federal, state, and city taxes withheld from such salaries that determined the final amount of the take-home paychecks?

Given the currency of the subject matter, I would be most indebted to you if you could process my request at your earliest convenience so that the requested information can contribute to the important public debate over the confirmation for life "during good Behaviour" (U.S. Const. Art. III, Sec. 1) of a new Justice of the Supreme Court. Should you need any further information, please let me know.

I thank you in advance for your understanding and efforts on my behalf.

Sincerely, *Dr. Richard Cordero, Esq.*

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ROBERT M. MORGENTHAU
DISTRICT ATTORNEY

June 19, 2009

Dr. Richard Cordero, Esq.
59 Crescent Street
Brooklyn, New York 11208

Re: Freedom of Information Law ("FOIL") Request

Dear Mr. Cordero:

I write to partially determine your FOIL request by letter dated June 10, 2009.

We are in the process of searching for records which may be responsive to item 1 of your request. I will write to determine this part of your request after that search is completed.

Item 2 of your request is denied because it would require my office to conduct a quantitative and qualitative analysis of certain salaries. FOIL does not require us to perform such analyses.

Item 3 of your request is denied, pursuant to Public Officers Law § 87(2)(b), on the ground that disclosure of records containing the federal, state, and local tax withheld from salaries would constitute an unwarranted invasion of personal privacy.

The FOIL Appeals Officer is Assistant District Attorney Patricia J. Bailey, Chief of the Special Litigation Bureau, at the above address.

Very truly yours,

A handwritten signature in black ink, appearing to read "Charles E. King, III".

Charles E. King, III
Assistant District Attorney
Records Access Officer

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October 6, 2009

Mr. Charles E. King, III
Assistant District Attorney
Records Access Officer
Special Litigation Bureau
District Attorney of the County of NY
One Hogan Place
New York, NY 10013

faxed to (212)335-4390; tel. (212)335-4370

Dear Mr. King,

In response to my FOIL request in my letter of last June 10, you stated in your letter to me of June 19 that "We are in the process of searching for records which may be responsive to item 1 of your request. I will write to determine this part of your request after that search is completed". Item 1 requested the following:

1. What were the entry level and successive annual salaries paid to an assistant district attorney in D.A. Morgenthau's Office who began working in 1979 and ended in 1984?

To date, I have not received any statement from you with such determination, let alone any records. More than the statutorily allowed time has gone by for you to have made that determination.

Therefore, I respectfully request that you send me the records requested in item 1 of my FOIL request of June 10.

In addition and without prejudice to the above stated, I hereby make a new FOIL request and ask that you comply with the provisions of NY Consolidated Laws, PBO – Public Officers, article 6, (FOIL), section 89, subdivision 3, which requires you to respond "within five business days of the receipt of a written request for a record reasonably described":

1. What were the entry level and successive annual salaries paid to an assistant district attorney in D.A. Morgenthau's Office who began working in 1979 and ended in 1984?
2. The records of the entry level and successive annual salaries and any entry, performance, or exit bonus, or additional compensation or reimbursement, however it may have been described, paid to Assistant District Attorney Sonia Sotomayor or on her behalf from the start of the negotiations for her to join the District Attorney's Office to the last of such salary, bonus, compensation, or reimbursement. This request is in harmony with FOIL, which provides thus: "§ 87. Access to records:...3. Each agency shall maintain: ... (b) a record setting forth the name, public office address, title and salary of every officer or employee of the agency".

Sincerely, *Dr. Richard Cordero, Esq.*

DISTRICT ATTORNEY

OF THE

COUNTY OF NEW YORK

ONE HOGAN PLACE

New York, N. Y. 10013

(212) 335-9000



ROBERT M. MORGENTHAU
DISTRICT ATTORNEY

October 6, 2009

Dr. Richard Cordero, Esq.
59 Crescent Street
Brooklyn, New York 11208

Re: Freedom of Information Law ("FOIL") Request

Dear Mr. Cordero:

This is in response to your FOIL request by letter dated October 6, 2009, requesting the records described in item 1 of your June 10 request, and making a new request for additional records. We are in the process of searching for records which may be responsive to your requests. I will write to determine your requests when that search is completed.

Very truly yours,

A handwritten signature in black ink, appearing to read "Charles E. King, III".

Charles E. King, III
Assistant District Attorney
Records Access Officer