

2014 school year, and a list of teachers who have taken 20 or more days off (the “First Request”).

4. Attached to the Verified Petition and Complaint as **Exhibit 2** is a true and correct copy of the September 30, 2014 letter from Central Records Access Officer & Agency Attorney, Joseph A. Baranello to Mr. Short acknowledging receipt of the First Request.

5. Attached to the Verified Petition and Complaint as **Exhibit 3** are true and correct copies of the fourteen (14) Form Delay Letters sent by Mr. Baranello to Mr. Short over the succeeding months related to the First Request.

6. Attached to the Verified Petition and Complaint as **Exhibit 4** is a true and correct copy of the DOE’s June 17, 2016 response to the First Request, granting it in part by providing a single excel spreadsheet with the name of every teacher redacted.

7. Attached to the Verified Petition and Complaint as **Exhibit 5** is a true and correct copy of Petitioner Aaron Short’s November 20, 2014 FOIL Request for a list or spreadsheet of arrests of DOE employees and the type of crime or non-criminal incident for which they were charged from January 1, 2010 to November 20, 2014 (the “Second Request”).

8. Attached to the Verified Petition and Complaint as **Exhibit 6** is a true and correct copy of the December 1, 2014 letter from Mr. Baranello to Mr. Short acknowledging receipt of the Second Request.

9. Attached to the Verified Petition and Complaint as **Exhibit 7** are true and correct copies of the fifteen (15) Form Delay Letters sent by Mr. Baranello to Mr. Short over the succeeding months related to the Second Request.

10. Attached to the Verified Petition and Complaint as **Exhibit 8** is a true and correct copy of Petitioner Yoav Gonen's March 4, 2015 FOIL Request for a copy of all e-mails sent and received by DOE Press Secretary Devora Kaye on March 3, 2015 (the "Third Request").

11. Attached to the Verified Petition and Complaint as **Exhibit 9** is a true and correct copy of Petitioner Yoav Gonen's March 6, 2015 FOIL Request for a copy of all e-mails sent and received by DOE Press Secretary Devora Kaye on March 2, 2015 (the "Fourth Request").

12. Attached to the Verified Petition and Complaint as **Exhibit 10** is a true and correct copy of the March 11, 2015 letter from Mr. Baranello to Mr. Gonen acknowledging receipt of the Third and Fourth Requests.

13. Attached to the Verified Petition and Complaint as **Exhibit 11** are true and correct copies of the sixteen (16) Form Delay Letters sent by Mr. Baranello to Mr. Gonen over the succeeding months related to the Third and Fourth Requests.

14. Attached to the Verified Petition and Complaint as **Exhibit 12** is a true and correct copy of Petitioner Yoav Gonen's March 17, 2015 FOIL Request for a breakdown of the reason for/method of departure for each of the 291 educators/staffers in the ATR ("Absent Teacher Reserve") pool that Mayor de Blasio has said repeatedly have been "moved" out of the schools system since April 2014, including the teacher's name, location of last teaching assignment, and reason for/method of departure, as well as copies of any related stipulations of settlement or expedited 3020-A hearing reports (the "Fifth Request").

15. Attached to the Verified Petition and Complaint as **Exhibit 13** is a true and correct copy of the March 13, 2016 to March 17, 2016 e-mail chain between Mr. Gonen and Jason Fink of the DOE Press Office asking for information pertinent to the Fifth Request.

16. Attached to the Verified Petition and Complaint as **Exhibit 14** is a true and correct copy of the March 20, 2016 e-mail from Mr. Fink to Mr. Gonen containing a chart of the ATR exits with minimal detail in response to Mr. Gonen's earlier email to the Press Office. This information was provided completely independent of the FOIL process.

17. Attached to the Verified Petition and Complaint as **Exhibit 15** is a true and correct copy of the March 24, 2015 letter from Mr. Baranello to Mr. Gonen acknowledging receipt of the Fifth Request.

18. Attached to the Verified Petition and Complaint as **Exhibit 18** are true and correct copies of the fifteen (15) Form Delay Letters sent by Mr. Baranello to Mr. Gonen over the succeeding months related to the Fifth Request.

19. Attached to the Verified Petition and Complaint as **Exhibit 17** is a true and correct copy of Petitioner Susan Edelman's July 6, 2015 FOIL Request for records on the re-scoring of the Regents exams in New York City schools including all records of requests by New York City superintendents and other personnel to re-score the January 2015 Regents exams (the "Sixth Request").

20. Attached to the Verified Petition and Complaint as **Exhibit 18** is a true and correct copy of the July 13, 2015 letter from Mr. Baranello to Ms. Edelman acknowledging receipt of the Sixth Request.

21. Attached to the Verified Petition and Complaint as **Exhibit 19** are true and correct copies of the seven (7) Form Delay Letters sent by Mr. Baranello to Ms. Edelman over the succeeding months related to the Sixth Request.

22. Attached to the Verified Petition and Complaint as **Exhibit 20** is a true and correct copy of the DOE's May 27, 2016 response to the Sixth Request, granting it in part by providing a single excel spreadsheet with three columns of the spreadsheet redacted in full.

23. Attached to the Verified Petition and Complaint as **Exhibit 21** is a true and correct copy of Petitioner Susan Edelman's August 12, 2015 FOIL Request for copies of reports completed or finalized since January 1, 2014 by the Office of Special Investigation (OSI), which investigates allegations of improper and unlawful behavior, including corporal punishment and verbal abuse against students (the "Seventh Request").

24. Attached to the Verified Petition and Complaint as **Exhibit 22** is a true and correct copy of the August 19, 2015 letter from Mr. Baranello to Ms. Edelman acknowledging receipt of the Seventh Request.

25. Attached to the Verified Petition and Complaint as **Exhibit 23** are true and correct copies of the twelve (12) Form Delay Letters sent by Mr. Baranello to Ms. Edelman over the succeeding months related to the Seventh Request.

26. Attached to the Verified Petition and Complaint as **Exhibit 24** is a true and correct copy of Petitioner Aaron Short's October 2, 2015 FOIL Request for payroll records for Renewal School Superintendent Amy Horowitz and all staff who work with Ms. Horowitz on the Renewal School initiative for 2015, or for the 2014-2015 school year (the "Eighth Request").

27. Attached to the Verified Petition and Complaint as **Exhibit 25** is a true and correct copy of the October 9, 2015 letter from Mr. Baranello to Mr. Short acknowledging receipt of the Eighth Request.

28. Attached to the Verified Petition and Complaint as **Exhibit 26** are true and correct copies of the seven (7) Form Delay Letters sent by Mr. Baranello to Mr. Short over the succeeding months related to the Eighth Request.

29. Attached to the Verified Petition and Complaint as **Exhibit 27** is a true and correct copy of Petitioner Susan Edelman's December 2, 2015 FOIL Request for records of disciplinary action involving school bus drivers and "matrons" or other such aides since December 1, 2014 (the "Ninth Request").

30. Attached to the Verified Petition and Complaint as **Exhibit 28** is a true and correct copy of the December 8, 2015 letter from Mr. Baranello to Ms. Edelman acknowledging receipt of the Ninth Request.

31. Attached to the Verified Petition and Complaint as **Exhibit 29** are true and correct copies of the ten (10) Form Delay Letters sent by Mr. Baranello to Ms. Edelman over the succeeding months related to the Ninth Request.

32. Attached to the Verified Petition and Complaint as **Exhibit 30** is a true and correct copy of Petitioner Susan Edelman's December 2, 2015 FOIL Request for records detailing weapons found or confiscated in city schools in the 2013-2014 school year, the 2014-2015 school year, and the current school year (the "Tenth Request").

33. Attached to the Verified Petition and Complaint as **Exhibit 31** is a true and correct copy of the DOE's March 14, 2012 response to a nearly identical but unrelated request for records submitted by Ms. Edelman concerning confiscated weapons in city schools during the 2009-2010 and 2010-2011 school years. Ms. Edelman provided this response and the complete excel spreadsheet to DOE along with the Tenth Request to expedite processing of the request.

34. Attached to the Verified Petition and Complaint as **Exhibit 32** is a true and correct copy of the December 8, 2015 letter from Mr. Baranello to Ms. Edelman acknowledging receipt of the Tenth Request.

35. Attached to the Verified Petition and Complaint as **Exhibit 33** are true and correct copies of the ten (10) Form Delay Letters sent by Mr. Baranello to Ms. Edelman over the succeeding months related to the Tenth Request.

36. Attached to the Verified Petition and Complaint as **Exhibit 34** is a true and correct copy of Petitioner Aaron Short's December 16, 2015 FOIL Request for attendance records for all DOE principals in the 2013-2014 school year, 2014-2015 school year, and in 2015 between September 9, 2015 and December 15, 2015 (the "Eleventh Request").

37. Attached to the Verified Petition and Complaint as **Exhibit 35** is a true and correct copy of the December 22, 2015 letter from Mr. Baranello to Mr. Short acknowledging receipt of the Eleventh Request.

38. Attached to the Verified Petition and Complaint as **Exhibit 36** are true and correct copies of the five (5) Form Delay Letters sent by Mr. Baranello to Mr. Short over the succeeding months related to the Eleventh Request.

39. Attached to the Verified Petition and Complaint as **Exhibit 37** is a true and correct copy of Petitioner Susan Edelman's January 25, 2016 FOIL Request for records of all procurement card (P-card) expenses by DOE personnel since August 21, 2014 (the "Twelfth Request").

40. Attached to the Verified Petition and Complaint as **Exhibit 38** is a true and correct copy of the DOE's March 9, 2015 response to a nearly identical unrelated request for P-card expenses during the 2013-2014 school years submitted by Ms. Edelman. As a printout of

the single excel spreadsheet provided by DOE would contain over 1500 pages, Exhibit 38 contains only the first page of that print-out for brevity's sake. Ms. Edelman provided this response and the complete excel spreadsheet to DOE along with the Twelfth Request to expedite processing of the request.

41. Attached to the Verified Petition and Complaint as **Exhibit 39** is a true and correct copy of the January 28, 2016 letter from Mr. Baranello to Ms. Edelman acknowledging receipt of the Twelfth Request.

42. Attached to the Verified Petition and Complaint as **Exhibit 40** are true and correct copies of the nine (9) Form Delay Letters sent by Mr. Baranello to Ms. Edelman over the succeeding months related to the Twelfth Request.

43. Attached to the Verified Petition and Complaint as **Exhibit 41** is a true and correct copy of Ms. Edelman's November 17, 2015 e-mail to Mr. Baranello and Ms. Courtenaye Jackson-Chase of the DOE regarding DOE's dilatory tactics.

44. Attached to the Verified Petition and Complaint as **Exhibit 42** is a true and correct copy of a March 31, 2016 letter from Petitioners' counsel Laura R. Handman to Mr. Baranello requesting that the DOE respond to Petitioners' requests and to inform him that the DOE's pattern and practice of delays was unreasonable and contrary to law.

45. Attached to the Verified Petition and Complaint as **Exhibit 43** is a true and correct copy of an April 14, 2016 letter from Petitioners' counsel Laura R. Handman to Mr. Baranello requesting that the DOE respond to Petitioners' requests and to inform him that the DOE's pattern and practice of delays was unreasonable and contrary to law.

46. Attached to the Verified Petition and Complaint as **Exhibit 44** is a true and correct copy of Mr. Short's and Ms. Edelman's May 18, 2016 administrative appeal letter of the

constructive denials of each of the First, Second, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, and Twelfth Requests.

47. Attached to the Verified Petition and Complaint as **Exhibit 45** is a true and correct copy of DOE First Deputy General Counsel Judy Nathan's June 6, 2016 letter denying Mr. Short's and Ms. Edelman's administrative appeal.

48. Attached to the Verified Petition and Complaint as **Exhibit 46** is a true and correct copy of Mr. Gonen's May 24, 2016 administrative appeal letter of the constructive denials of the Third and Fourth Requests.

49. Attached to the Verified Petition and Complaint as **Exhibit 47** is a true and correct copy of Mr. Gonen's May 24, 2016 administrative appeal letter of the constructive denial of the Fifth Request.

50. Attached to the Verified Petition and Complaint as **Exhibit 48** is a true and correct copy of DOE First Deputy General Counsel Judy Nathan's June 8, 2016 letter denying Mr. Gonen's May 24, 2016 administrative appeals.

51. Attached to the Verified Petition and Complaint as **Exhibit 49** is a true and correct copy of the July 19, 2016 Advisory Opinion by Assistant Director of the Committee on Open Government, Kristin O'Neill, regarding Petitioners' requests and whether the Chancellor's Regulation purporting to authorize numerous unilateral extension letters is consistent with FOIL.

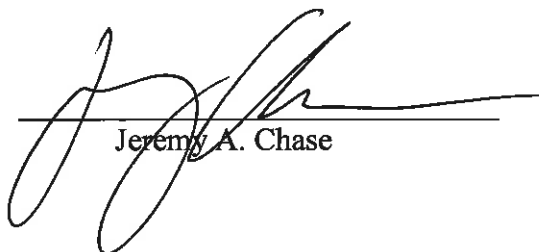
52. Attached to the Verified Petition and Complaint as **Exhibit 50** is a true and correct copy of the January 13, 2016 Advisory Opinion by Ms. O'Neill at the request of Nairobi Vives, Esq. regarding excessive unilateral delays taken by Empire State Development.

53. Attached to the Verified Petition and Complaint as **Exhibit 51** is a true and correct copy of the April 2013 report issued by the then-Public Advocate For the City of New

York, Mayor Bill de Blasio, titled "Breaking Through Bureaucracy: Evaluating Government Responsiveness to Information Requests in New York City."

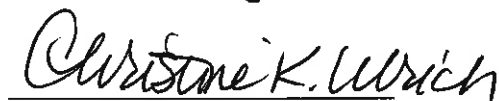
54. Attached to the Verified Petition and Complaint as **Exhibit 52** is a true and correct copy of *New York Post* reporter Carl Campanile's July 28, 2015 FOIL Request for copies of reports completed by the DOE OSI that substantiated claims of test or grade tampering/inflation or other cheating in public schools for the 2013-2014 and 2014-2015 school year, the August 4, 2015 letter from Mr. Baranello to Mr. Campanile acknowledging receipt of the request, and the eleven (11) Form Delay Letters sent by Mr. Baranello to Mr. Campanile over the succeeding months related to the request.

Dated: August 9, 2016
New York, New York



Jeremy A. Chase

Sworn to before me this
9th day of August, 2016



Christine K. Ulrich
Notary Public

CHRISTINE K. ULRICH
NOTARY PUBLIC, State of New York
No. 01UL4656700
Qualified in Dutchess County
Commission Expires January 31, ~~2016~~ 2018