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FROM: Robert A. Sternbach, Esq.

April 7, 2009 (4:11PM)

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| Hon. Barbara Gunther Zambelli, J.S.C. | Sup. Ct., Westchester Co. | 914.995.8653 |
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April 7, 2009

By facsimile 914.995.8653 and regular mail

Honorable Barbara Gunther Zambelli, J.S.C.
Supreme Court, Westchester County
111 Dr. Martin Luther King, Jr., Blvd.
White Plains, New York 10601

Re: Santomero v. Board of Educ. of Bedford Central School District, et al.
Index No. 25405-2008

Dear Justice Zambelli:

This firm represents Petitioner in this matter. We respond to the letter to the Court, dated April 2, 2009, from Respondents' counsel, which "confirm[s] that the Board of Education has additional documents that are responsive to Petitioner's FOIL request as interpreted in the Court's recent Decision and Order...."

Petitioner's FOIL request sought "any and all records relating to the 'certain dispute' between the Bedford Central Board of Education and Superintendent of Schools Dr. Debra Jackson that resulted in her termination agreement (emphasis added)." We submit that such a request could not legitimately have been "interpreted" by Respondents as referring solely to one document — draft disciplinary charges — when other responsive documents existed.

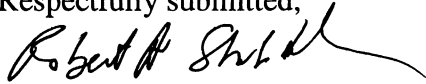
Only one conclusion can reasonably be drawn from Respondents' belated disclosure that additional responsive documents exist — that Respondents' previous submissions to the Court were disingenuous, at best. Under these circumstances, we believe Respondents should be directed to identify, in advance of the conference scheduled for April 14, 2009, all responsive documents (as described in the Court's Decision and Order at p. 6). As to any documents that are claimed to be exempt from disclosure, Respondents should be required to supplement their previous opposition to the Petition to articulate legal grounds for the claimed exemption and Petitioner should be afforded the opportunity to submit written opposition. Lastly, if and to the extent that the Court finds that any documents were withheld that should have been produced, it is respectfully submitted that the Court should reconsider its denial of Petitioner's request for

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attorneys' fees, which was predicated on a finding that denial of access was warranted (Decision and Order, p. 8, fn. 2).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert A. Sternbach", with a long, sweeping horizontal flourish extending to the right.

Robert A. Sternbach

Cc: Edward J. Phillips, Esq., Keane & Beane (by facsimile 914.946-6868)