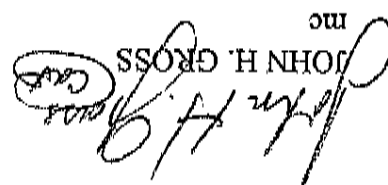


Very truly yours,

 JOHN H. GROSS
 me

Thank you for your attention to this matter and please feel free to contact me directly with any further questions or concerns.

For the reasons set forth hereinabove, the Board has reluctantly decided, based upon the advice of counsel, that it may not release the requested documents and hereby denies your appeal.

I have advised the Board that the substantial risk of litigation if the requested employment records were released warrants and, indeed, demands the Board's judicious application of the exemption from record release permitted by Public Officers Law §§ 87(2)(b); 89(2)(b)(i), to insure the non-disclosure of the above-referenced documents. Although it has been and continues to be the Board's commitment to conduct its business in an open and transparent manner, it is required to do so in consonant with the protection of important individual rights and interests of its employees, consistent with the advice of its attorneys.

Re: FOIL APPEAL

John Roche
 The Record-Review