



cc. Michael

# Vermont State Employees' Association

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January 5, 2012

Jeb Spaulding, Secretary  
Vermont Agency of Administration  
109 State Street  
Montpelier, VT 05609-0201

Dear Jeb,

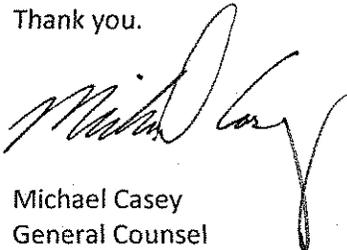
I am in receipt of Deputy Secretary of Administration Clasen's response to my public records request of December 8, 2011. Please consider this letter an appeal of that response.

First and foremost, it is incredible that numerous private entities throughout the State have been housing former Vermont State Hospital patients since August 28, 2011, without any agreements in place regarding the provision of services to be provided, or remuneration for providing them. It is troubling that more than four months after Tropical Storm Irene struck there exists no written agreements defining the standards of care to be provided the former VSH patients, or the extent of taxpayer money being used to pay for those services.

Be that as it may, Mr. Clasen asserts that documents other than the few produced exist, but are exempt from disclosure to the public under 1 V.S.A. §317(c)(15) as they relate to "contract negotiations," or because they are protected from disclosure by the "executive, attorney-client and work product privileges". Contrary to §318(a)(2) the Public Records Act, Mr. Clasen does not identify the records being withheld, or the basis for each record's withholding. As such, it is impossible to assess the validity of the claimed exemptions.

I am requesting that all documents that are responsive to my December 8, 2011 request be produced for inspection. For those that are withheld, I request that you provide a list identifying the authors and recipients of all documents, a description of the content of the document, the document's date, and basis for withholding the document in accordance with 1 V.S.A. 318(a)(2) and 318(e).

Thank you.



Michael Casey  
General Counsel

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