



CC-LEG-HAR 20'25 R 12:05

ERIE COUNTY LEGISLATURE REPUBLICAN CAUCUS

March 20, 2025

Jeremy Toth, Esq.
Erie County Attorney
FOIL Officer for the Erie County Executive and Erie County Attorney's Office
95 Franklin Street, Room 1634
Buffalo, NY 14202

RE: FREEDOM OF INFORMATION LAW REQUEST

County Attorney Toth,

Under the provisions of the New York Freedom of Information Law (Public Officers Law, Article 6, Sections 84-90), we hereby request copies of the following records:

- The engagement letter, retainer agreement, and/or contract between Erie County and Gerstein Harrow LLP regarding case no. 1:25-cv-00783 in the U.S. District Court for the District of Columbia against the Corporation for National and Community Service ("AmeriCorps").
- All invoices, billing statements, and/or payment records related to services provided by Gerstein Harrow LLP for the referenced lawsuit.
- Any Documents and/or written materials containing any cost estimates and or projections prepared by or provided to Erie County regarding the anticipated total cost of litigation in this matter.
- Documents showing the source of funding being used to pay for these legal services.
- Any written justification, memorandum, and/or approval documents prepared for or by county officials authorizing the retention of the Washington D.C.-based law firm Gerstein Harrow LLP for this matter rather than using in-house counsel or local firms.

The time period for this request is from January 1, 2025, to the present.

We request a waiver of all fees as the disclosure of the requested information is in the public interest and will contribute to the understanding of how taxpayer dollars are being spent on litigation that may cost more than the grant at issue.

As required by law, please respond to this request within five (5) business days. If access to the records we are requesting will take longer than this amount of time, please contact us with information about when we might expect copies of the requested records.

If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify us of the appeal procedures available.

Thank you in advance.

Sincerely,


Legislator John J. Mills


Legislator Christopher Greene


Legislator Frank J. Todaro


Legislator Lindsay R. Lofigo