

EXHIBIT 9

Holohan, Bridget (CPI)

From: Karl J. Sleight [ksleight@██████████]
Sent: Wednesday, January 06, 2010 10:07 PM
To: Holohan, Bridget (CPI)
Cc: Shea, Robert (CPI)
Subject: RE: Privileged and Confidential: RE: Letter response on behalf of Mr. O'Connor

Bridget,

Thank you for your communication.

I will accept your attached letter on behalf of President O'Connor, which appears to have conceded the Commission's lack of jurisdiction. The Commission's revised letter, however, also appears to contain certain legal deficiencies. I will respond to those in the future.

If you have any other reason to communicate with the President in the future, please continue to work through me.

Best regards,
Karl

-----Original Message-----

From: Holohan, Bridget (CPI) [mailto:Bridget.Holohan@nyintegrity.org]
Sent: Wednesday, January 06, 2010 5:25 PM
To: Karl J. Sleight
Cc: Shea, Robert (CPI)
Subject: RE: Privileged and Confidential: RE: Letter response on behalf of Mr. O'Connor

Karl,

Please see the attached letter, which resolves any alleged jurisdictional issues. If you object to accepting service of the letter on behalf of your client, John O'Connor, via email, please so indicate by reply email. Mr. O'Connor is, of course, welcome to submit a response to the attached letter.

Finally, please inform me if the documents requested in my December 29, 2009 email will be provided by close of business January 29, 2009.

Thank you.

Bridget Holohan
Associate Counsel
Commission on Public Integrity
540 Broadway
Albany, NY 12207
(518) ██████████ (direct)

From: Karl J. Sleight [mailto:ksleight@██████████]
Sent: Tuesday, January 05, 2010 11:09 AM
To: Holohan, Bridget (CPI)
Subject: Re: Privileged and Confidential: RE: Letter response on behalf of Mr. O'Connor

Bridget,

Thank you for the e-mail. I am currently out of the office and will provide a more comprehensive response when I return.

However, for the record I do not concede that the Commission has any jurisdiction over the matter or President O'Connor as alleged.

As requested in my April, 2009, I would appreciate the Commission citing any authority supporting what is an unprecedented ex post facto application of the Public Officers Law.

Again, I believe it would be helpful to meet with you and Barry to discuss the issue. I remain available to do so.

Best regards,
Karl

From: Holohan, Bridget (CPI) <Bridget.Holohan@nyintegrity.org>
To: Karl J. Sleight
Sent: Tue Jan 05 10:47:20 2010
Subject: RE: Privileged and Confidential: RE: Letter response on behalf of Mr. O'Connor
Karl,

While Mr. O'Connor may not have been subject to the Public Officers Law ("POL") at the time of Ms. Bruno's hiring, you concede Mr. O'Connor and Ms. Bruno became subject to the POL as of March 2007 and Ms. Bruno continued working for the Research Foundation for approximately 2 years after becoming subject to the POL. Therefore, the Commission on Public Integrity has jurisdiction to conduct an investigation.

The document request email to you on December 29, 2009, seeks to verify factual assertions set forth by you in your letter dated April 10, 2009. Please inform me as to when documents, if any, can be provided.

Thank you.

Bridget Holohan
Associate Counsel
Commission on Public Integrity
540 Broadway
Albany, NY 12207
(518) [REDACTED] (direct)

From: Karl J. Sleight [mailto:ksleight@[REDACTED]]
Sent: Monday, January 04, 2010 4:55 PM
To: Holohan, Bridget (CPI)
Cc: Ginsberg, Barry (CPI)
Subject: Privileged and Confidential: RE: Letter response on behalf of Mr. O'Connor

Bridget,

Thank you for your e-mail and welcome back.

As a threshold question, you may recall that Mr. Teitelbaum's correspondence was a "15 day letter" pursuant to Executive Law section 94(12), thereby making Mr. O'Connor technically a formal subject of a Commission inquiry. I previously raised the jurisdictional issue in my response letter (which Mr. Teitelbaum may have been unaware of) that the Commission did not have jurisdiction over the Research Foundation until after passage of PEERA in

March, 2007 and therefore Mr. Teitelbaum's allegations of violations of section 74 from 2003 cannot stand. Both letters are attached for your convenience.

Although my correspondence does provide significant insight into the factual issues that Mr. Teitelbaum focused upon, if the Commission intends to pursue the allegation I would appreciate the opportunity to meet and discuss these threshold legal issues with you and Mr. Ginsberg at your earliest convenience.

Please advise whether you and Mr. Ginsberg are amenable to a meeting to discuss this issue in the immediate future.

Thank you for your time and consideration of this matter.

Best regards,
Karl

-----Original Message-----

From: Holohan, Bridget (CPI) [mailto:Bridget.Holohan@nyintegrity.org]

Sent: Tuesday, December 29, 2009 5:41 PM

To: Karl J. Sleight

Subject: RE: Letter response on behalf of Mr. O'Connor

Karl,

I apologize for the long delay in getting back to you regarding your client, Mr. O'Connor, but I only recently returned from maternity leave and have come to this matter on my long "to do" list.

Could your client provide any records of the following: (1) contemporaneous documentation setting forth Mr. O'Connor's reasoning for permitting Ms. Bruno to work from home and its benefit to the Foundation; (2) documentation explaining to Ms. Bruno her requirements while working from home; (3) any internal control mechanisms put in place to insure Ms. Bruno was performing duties in a timely fashion; (4) evaluations; and (5) examples of her work product. In sum, please provide any documentation you or your client feels substantiates the assertion that the telecommuting arrangement granted Ms. Bruno in May 2006 and continued until she left employment with the Foundation was a managerial decision. If there are no responsive documents, please indicate in writing.

Thank you and Happy New Years.

Bridget Holohan
Associate Counsel
Commission on Public Integrity
540 Broadway
Albany, NY 12207
(518) [REDACTED] direct)

From: Karl J. Sleight [mailto:ksleight@[REDACTED]]
Sent: Friday, April 10, 2009 3:12 PM
To: Holohan, Bridget (CPI)
Subject: Letter response on behalf of Mr. O'Connor

Bridget,

Please see attached the response to the Commission's letter sent to Mr. John O'Connor, President of the Research Foundation.

Thank you for your courtesies regarding this matter to date. I look forward to discussing this matter with you in the near future.

Best regards,
Karl Sleight

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ksleight [REDACTED]



HARRIS BEACH 
ATTORNEYS AT LAW

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