

Christine Anderson/NYEC
07/25/2007 07:09 PM

To Fred Dicker
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Subject Baum answers

7/25/07

To: Richard Baum, Secretary to Gov. Eliot Spitzer
From: Fredric Dicker, State Editor, New York Post
Re: Questions

Dear Mr. Baum,

It has now been revealed that you refused to answer under oath questions from Attorney General Andrew Cuomo regarding the biggest political scandal in modern New York history. As a result, I'd like to ask you the following questions from a report I'm preparing for the Post.

1- Why did you refuse to answer questions that Attorney General Cuomo's investigators wanted to pose to you regarding a major political scandal?

I offered a sworn statement in lieu of testimony. I gave the AG a sworn statement to make clear I did not direct anyone, including the State Police, to do surveillance on Senator Bruno. Beyond that, I wouldn't have had much to offer, since my knowledge of this matter was simply that we were responding to legitimate press inquiries in a proper way. I was unaware of the inappropriate actions taken with respect to the State Police.

2- Was your decision not to testify based on the advice of counsel? If so, who is your attorney?

I have not retained outside counsel.

3- Did you tell Gov. Spitzer in advance of your decision not to testify to Attorney General Cuomo's investigators and, if so, what was his response?

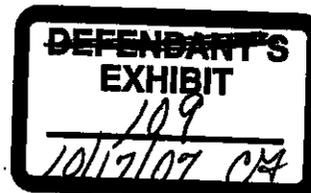
I understand that the Governor was aware that Counsel's office had offered my sworn statement in lieu of an interviews, but I did not tell him personally.

4- When did you first learn that a plan was underway involving the State Police and the Executive Chamber to "leak" information on Sen. Bruno in order to damage him politically? Did you initially approve of the plan? When you first learned of the plan, did you notify the governor? If not, at what point did you tell the governor?

It was my understanding that Darren Dopp was being asked by the press about alleged misuse of state aircraft. I was told that there had been a request for documents. From the report, I now know that a written FOIL request was not made until June 27th.

5- What if any action did you take on July 5 after The Post revealed that the Spitzer Administration had engaged in an unprecedented State Police monitoring program that led to allegations that Sen Bruno had improperly used state aircraft? I ask the question because the governor publicly denied after the report that any such effort was underway. We now know, of course, that it was.

The report concluded that no surveillance occurred. We asked the Inspector General to investigate, and the Attorney General's Office launched its investigation. We gathered materials and voluntarily provided them. As to my comments, both the Governor and I had received incorrect information.



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6- Will you agree to testify before a legislative committee about the circumstances surrounding the scandal if called to do so?

No one has asked anyone to appear before any legislative committee. Our office issued a statement on this issue and I refer you to it.

Yours truly,

Fredric U. Di