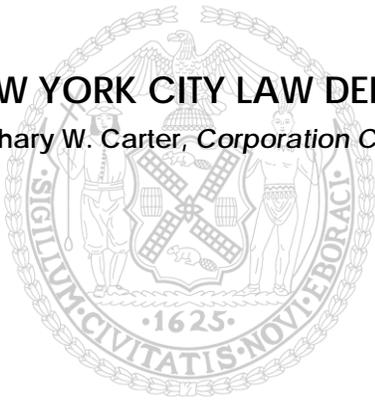


NEW YORK CITY LAW DEPARTMENT

Zachary W. Carter, Corporation Counsel



www.nyc.gov/law

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Contact: Nick Paolucci
pressoffice@law.nyc.gov
212-356-4000

LAW DEPARTMENT RESPONSE TO DOI CLAIMS CONCERNING THE CITY'S COOPERATION WITH THE RIVINGTON INVESTIGATION

Public statements by the Department of Investigation claiming that two specific documents referred to in its letter were withheld by the Law Department and obtained by DOI from “other sources” are false. The Law Department informed DOI of this inaccuracy from the moment it was first made on Friday, July 22nd. In the case of the first document, its existence was flagged to the attention of DOI on April 11, 2016 which explicitly described the document as a “Draft memorandum regarding possible uses of Rivington House property.” It was produced to DOI immediately upon a request made on April 12, 2016. In fact, DOI included this very document in their own report (Appendix D). In the case of the second document, DOI acknowledged to the Law Department on July 26th that this document was in fact produced to DOI by the Law Department on May 3, 2016.

In its July 21st letter, after having been provided over 17,000 pages of documents, DOI renewed its request for unprecedented access to computers to allow for the review of any subject, not just Rivington, far beyond what would be necessary to locate any documents relevant to their investigation of the Rivington transaction. Ultimately, DOI agreed to adhere to the standard practice used for searching large databases for a narrow category of relevant documents: the use of search terms reasonably calculated to separate out all documents relevant to the Rivington transaction. The Law Department provided DOI with the search terms it used to search for Rivington-related documents and agreed that DOI could supplement those terms in running its search on the relevant computer databases.

Finally, in a further gesture of cooperation, the Law Department provided to DOI last Friday *un-redacted* versions of all documents previously produced so that DOI could independently verify that none of the passages labeled “non-responsive” contained any Rivington-related writings or other communications. As of mid-day yesterday, DOI acknowledged that it had not completed its review of these 5,000 un-redacted documents, provided to it four days earlier. We fully expect that the review of the un-redacted documents will clearly establish that the Law Department followed all standard legal procedures -- indeed the same process DOI itself uses.

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