

DATE

AGENCY CONTACT
ADDRESS

Re: Request Under Freedom of Information Law

Dear FOIL Officer:

I submit this request for records pursuant to the Freedom of Information Law, Article 6 of the New York State Public Officers Law § 84 *et seq.*

Background Information [Optional]

Request

I hereby request the following records:

Time Period: I request records for the period from _____ to the date that this Request is actually filled. **[It's good practice to specify the time period, if applicable, for your request]**

Search: I respectfully request that you conduct searches of all electronic and paper/manual indices, filing systems, and physical locations for all records relating to the subject of the request. **[If you can specify with more detail where you want to have the agency search, do so.]**

Metadata: With respect to any records stored electronically, I request disclosure of all accompanying metadata. *See Irwin v. Onondaga*, 72 A.D. 314 (4th Dep't 2010) (metadata is subject to disclosure under FOIL). **[Optional: sometimes this makes sense, sometimes not]**

Form of production: I request that you provide records to me via e-mail, although I would also accept a flash drive, CD-ROM, or a cloud storage link. With respect to the form of production, I request that responsive electronic records be provided electronically in their native file formats wherever possible. *See N.Y. Pub. Off. Law § 87(5)(a)*. If disclosure of some or all records in native file formats is impossible—or of if the native file formats cannot be opened using commercial software available to the public—then I request that the records be provided electronically in PDF format, in the best image quality in the agency's possession. **[Tweak as you see fit.]**

Fees: I understand that there may be a fee for duplication of the records requested. However, this request is a matter of public concern and is not being made for a commercial purpose. As such, I request that any fees associated with providing requested records be waived in the public interest. As already noted, I also request that documents be provided in electronic format if at all possible. Doing so would eliminate the need to copy the materials and provides another basis for a fee waiver. If, however, such a waiver is denied, I would be grateful if you would inform me of the total charges in advance of fulfilling my request.

Response time: FOIL requires a response to this request within five (5) business days and requires disclosure of any responsive, non-exempt records at that time, or within a reasonable period thereafter. *See N.Y. Pub. Off. Law § 89(3)(a)*.

Redacted documents: If a record contains material deemed exempt pursuant to a FOIL exemption, please redact only the exempt portions and release all non-exempt portions, as required by FOIL. *See Xerox Corp. v. Tn. of Webster*, 65 N.Y.2d 131, 133 (1985) (non-exempt material “should be redacted and made available”).

Explanation for withholdings: If the Request is denied in whole or in part, please justify all deletions by reference to specific FOIL exceptions and provide detailed explanations for why such exemptions apply. *See N.Y. Pub. Off. Law § 87(2); Gould v. N.Y.C. Police Dep't*, 89 N.Y.2d 267, 275 (1996) (“[T]o invoke one of the exemptions of section 87(2), the agency must articulate particularized and specific justification for not disclosing requested documents.”) (internal quotation omitted).

Please furnish the applicable records to:

INSERT YOUR NAME, ADDRESS, PHONE AND EMAIL

I would be glad to discuss this request should you have any questions or concerns. You can reach me at the phone number and email address above.

Many thanks for your time and consideration; I am very grateful for it.

Sincerely,

YOUR NAME