

Exhibit 1



DEPARTMENT OF RECORDS & INFORMATION SERVICES

31 Chambers Street, Room 304

New York, NY 10007 (212) 341-6036 Fax (212) 788-8625

Lisa M. Velasquez, Agency Attorney

lvelasquez@records.nyc.gov

June 21, 2023

Via E-mail

David B. Rankin
Beldock Levine & Hoffman LLP
99 Park Avenue, PH /26th Fl.
New York, NY 10016
(212) 277-5825
DRankin@blhny.com

Dear Mr. Rankin:

This letter is in further response to your client's FOIL request (designated FOIL-2020-860-00296) seeking "Every single digital image you have, and any text metadata that goes with them." This FOIL request for digital copies of historical records that were already available for viewing and download on the Municipal Archives website was also the subject of an Article 78 proceeding in New York Supreme Court, Index No. 151337/2022. And now you have written to the court requesting that it be reopened.

Please be advised that since the filing of the original FOIL request dated October 29, 2020, the New York City Department of Records and Information Services (DORIS) has completely fulfilled FOIL-2020-860-00296. DORIS substantially fulfilled the request on April 8, 2022 when it identified the location of the requested records and metadata for those records already published online at the time of October 2020 request. After that partial fulfillment, the only additional records responsive to your request were records already digitized but not yet published online at the time of your request. Since that April 8, 2022 partial fulfillment, DORIS published online the rest of the responsive records digitized but not yet online on the date of the request-**and** records digitized during the course of the litigation in this case and the appellate litigation in *Reclaim the Records v. The City of New York* 2021-03493. More than 11.3 million responsive records have been published online since the October 29, 2020 FOIL request.

Additional information regarding specific collections responsive to your request are explained and detailed below.¹

The following requested collections were already published and accessible online as part of the Luna Collections as of November 2020: ADB: Mayor Abraham D Beame, Almshouse Ledger Collection, ART: Design Commission, Bodies in Transit registers, BOE: Board of Education, Books and Manuscripts, BPB: Borough President Brooklyn, BPM: Borough President Manhattan, BPQ: Borough President Queens, BPS: Bridges/Plant & Structures, DCP: Department of City Planning, DEG: DeGregario Collection, DEP: Board of Water Supply, DND: Mayor David N Dinkins, DOB: Architectural plans and drawings, DOF: Bronx 1940s Tax Photos, DOF: Bronx 1980s Tax Photos, DOF: Brooklyn 1940s Tax Photos, DOF: Brooklyn 1980s Tax Photos, DOF: Manhattan 1940s Tax Photos, DOF: Manhattan 1980s Tax Photos, DOF: Queens 1940s Tax Photos, DOF: Queens 1980s Tax Photos, DOF: Staten Island 1940s Tax Photos, DOF: Staten Island 1980s Tax Photos, DOS: Sanitation & Street Cleaning, DPC: Public Charities & Hospitals, DPR: Parks & Recreation Photographs, DPW: Department of Public Works, Early Mayors, William Strong, 1895-1897, EIK: Mayor Edward I Koch, FDNY: Fire Department New York, FHL: Mayor Fiorello H LaGuardia, HPD: Housing Preservation and Development, JVL: Mayor John V Lindsay, MAC: Municipal Archives Collection, Malcolm X assassination case file records, Manhattan and Brooklyn liquor licenses, Maps and Atlases, Mayor Robert Van Wyck, Mayor Seth Low, MRC: Mayors Reception Committee, New Amsterdam Records, New York County Jury Census, NYPD & Criminal Prosecution, , Old Town Kings County Microfilm, Parks and parkways drawings and plans, Paul Moss Scrapbook, Ports & Terminals, Prints Posters & Drawings, RFW: Mayor Robert F Wagner, RWG: Mayor Rudolph W Giuliani, VRI: Mayor Vincent R Impellitteri, WOD: Mayor William O'Dwyer, WPA Federal Writers Project.

In addition to the above records that were already available to the public and your client at the time of this request, the following records collections have been digitized and published online as of the following dates: Dept. of Health, Maritime birth, death and marriage registrations: November 2021; Old Town – Bronx: January 2023; Old Town- Brooklyn: January 2023; Old Town- Manhattan: January 2023; Old Town- Staten Island: January 2023; and Old Town- Queens: February 2023.

All records from the requested collections detailed above can be downloaded by your client at no cost at: <https://nycma.lunaimaging.com/> and the associated metadata can be found here: <https://a860-collectionguides.nyc.gov/> and here [Results matching of Department of Records and Information Services \(DORIS\) | Page 1 of 1 | NYC Open Data \(cityofnewyork.us\)](#). And your client

¹ The original FOIL request for “Every single digital image you have, and any text metadata that goes with them” is 3-pages long and includes several full paragraphs describing the records your client *doesn't want* despite their language asking for “every single digital image.” It was difficult for DORIS staff to ascertain exactly what your client wanted. This letter details all collections DORIS believes are responsive and that it has digitized and made accessible online along with the corresponding metadata.

can search for any additional metadata associated with DORIS's digitized collections available now or added in the future by navigating to the Open Data homepage here [NYC Open Data - \(cityofnewyork.us\)](https://cityofnewyork.us) and scrolling down to the bottom of the page and clicking on "Datasets by Agency." That should bring your client here: [NYC Open Data - Data \(cityofnewyork.us\)](https://cityofnewyork.us), they can then scroll down to "Department of Records and Information Services" and click on the hyperlink, which will bring them here [Results matching of Department of Records and Information Services \(DORIS\) | Page 1 of 1 | NYC Open Data \(cityofnewyork.us\)](https://cityofnewyork.us), where there are currently 8 data sets posted for our agency. These data sets include: New York City Historical Vital Records - Digitized Certificates; New York City Municipal Archives Data Collection: Digital Objects; New York City Municipal Archives Data Collection: Resources and Instances List; and the New York City Municipal Archives Data Collection: Acquisitions / Accessions List.

In addition to the records noted above, and as communicated on April 8, 2022, DORIS substantially fulfilled FOIL-2020-860-00296 when it published 9.3 million historical vital records on its website including historical birth, death, and marriage records on March 16, 2022. These records can be downloaded at no cost here: <https://a860-historicalvitalrecords.nyc.gov/>. The associated metadata for these records was published online in October 2022 and can be downloaded at no cost from the City's Open Data website, here: <https://data.cityofnewyork.us/City-Government/New-York-City-Historical-Vital-Records-Digitized-C/xdc2-zgy3>.

As previously communicated, FOIL-2020-860-00296 is partially duplicative of your client's earlier request, FOIL2018-860-00156. DORIS has already provided access to all those previously requested records both through its website and through production of the digitized microfilm collection.

In conclusion, all responsive records have been made available and accessible to your client online. Although we are aware your client has had both knowledge of the availability of these records and online access to them, we have also specifically provided links to the records and their metadata above in this letter and in our previous letters. This FOIL request has been completely fulfilled and we have even provided access to additional records digitized and made available up through today. Many of these records could never have been included in the original request because they were not yet digitized at the time of the request. Our agency has gone over and above the requirements of FOIL to provide broad access to the public and fulfill this request. Again, this FOIL request has been fulfilled in whole and the request is closed.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa Velasquez", with a stylized, flowing script.

Lisa Velasquez

