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April 11, 2008

Via US Mail
Via Facsimile 212-788-8769
Via E-Mail jmulligan@dcas.nyc.gov

Jeff Mulligan
Executive Director
NYC Board of Standards and Appeals
40 Rector Street 9th Floor
New York, NY 10006-1705

Re: Freedom of Information Law Request -FOIL
Shearith Israel Project at 8,10, 12 West 70th Street, New York, New York

Dear Mr. Mulligan:

On behalf of myself, Nizam Peter Kettaneh, and other residents of West 70th St., I hereby make this formal FOIL request.

In this request, please exclude copies of any documents sent by me, Landmark West, or David Rosenberg to the BSA. Also, please exclude the application and drawings packages filed by the Congregation on or about April 2, 2007, September 2, 2007, October 27, 2007, December 28, 2008, March 11, 2008, and April 1, 2008. Please also exclude the transcripts of the two public meetings.

For purpose of definition, Congregation or CSI herein shall mean Congregation Shearith Israel and any of its attorneys, consultants and architects acting for or on behalf of Congregation Shearith Israel, and any members or trustees or honorary trustees of Congregation Shearith Israel.

For this request, the BSA shall mean the Commissioners, counsel, and staff of the BSA.

Pursuant to FOIL, please provide the following documents (including of course e-mails, notes of meeting and telephone calls) that in any way relate to the above application.

1. All documents concerning on-site visits at Shearith Israel by Commissioners or anyone else at the BSA including documents showing the names of representatives of CSI present at the site visits and the date or dates of said site visits.

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2. All documents including notes of meeting whereby the BSA referred to, waived, modified, varied or clarified the application and other information requests or requirements of BSA including without limitation BSA's "Detailed Instructions for Completing BZ Application" and without limitation those reflected in objection letters, letters provided by BSA, BSA regulations, statutes, or requests by BSA to CSI at transcribed hearings, or in or by any other documents.

3. All documents reflecting communications between BSA and DOB concerning this application including references to the issues raised by David Rosenberg in the litigation with DOB related to CSI and the letters from David Rosenberg to BSA.

3. All other communications including e-mails, correspondence and notes of communications, between CSI and BSA not previously supplied by BSA in response to a FOIL from me and not excluded above.

It is our position that in an Article 78 proceeding appealing any action on the variance application, the City and the BSA cannot use any documents or information not disclosed to us pursuant to this and other FOIL requests. Nor can the BSA itself in making its findings rely upon or refer to documents and information not so disclosed.

I you feel that I should still pay the \$8.50 which you billed me for previously for documents including documents I generated. I will do so when the new documents are available or will pay now if you so advise. This is the second time I have stated this.

Sincerely,

A handwritten signature in cursive script that reads "Alan D. Sugarman".

Alan D. Sugarman