



State of New York
Court of Appeals

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Notice to the Bar
Amicus Curiae Participation

On January 14, 2025, the Court granted leave to appeal in *Matter of Russell v Town of Mount Pleasant, New York* (APL-2025-00017). This appeal is proceeding in the normal course of full briefing and oral argument.

Petitioner submitted a request pursuant to the Freedom of Information Law (*see* Public Officers Law art 6) to respondent Town of Mount Pleasant seeking a list of names and email addresses of all residents who subscribe to receive email updates regarding items posted on the Town's website. Respondent denied the request. Petitioner thereafter commenced this CPLR article 78 proceeding seeking to compel production of the requested documents. Supreme Court, Westchester County, granted that portion of the petition seeking to direct respondent to disclose the records, and the Appellate Division, Second Department, affirmed, holding that respondent failed to demonstrate that the disclosure was exempted under Public Officers Law § 89 (2) (b) or that the privacy interests of the residents outweighed the public interest in the disclosure (*see* 227 AD3d 1083, 1084).

The Court invites amicus curiae participation from those qualified and interested. Amicus motions must comply with section 500.23 of the Court's Rules of Practice. Docket information, the briefing schedule, filings and the oral argument date for this appeal are or will be available through the Court's Public Access and Search System (Court-PASS).

Questions may be directed to the Clerk's Office at (518) 455-7705.

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