

# Law Office of Linda Kenney Baden

---

15 West 53<sup>rd</sup> Street, Suite 18B  
New York, New York 10019

Linda Kenney Baden, Esq.  
Admitted New Jersey, US Sup. Ct., D.C. Cir.  
And New York

Telephone: (732) 219-7770  
Facsimile: (212) 397-2754  
E-mail: [kenneybaden@msn.com](mailto:kenneybaden@msn.com)

April 1, 2010

Via e-mail [scarlett@binghamton.edu](mailto:scarlett@binghamton.edu) and  
via facsimile (607) 777-6453

Ms. Barbara Westbrook Scarlett  
Administration, Office of the Vice President  
Post Office Box 6000  
Binghamton, New York 13902-6000

*Re: Coach Kevin Broadus FOIL REQUEST records re: James R. Van Voorst, Vice President  
for Administration and all records concerning Employee Prohibition about Speaking to the Media*

Dear Ms. Scarlett:

Please accept this request as a FOIL request on behalf of Coach Kevin Broadus through his attorney;

1) a) including all phone records for his government/school issued cell phone, device, or pda, or any other mobile device and all texts messages sent and received , of the above named person from such from September 1, 2009 through present.

b) in the form of emails, documents communications, letters, memos, by, between or among the James Van Voorst, the Chancellor or the Chancellor's Office from September 1, 2009 through present that name, mention, delineate, relate to, touch upon, or involve the position of head basketball or coach Kevin Broadus. If these emails only reference Kevin Broadus by name or pertain solely to Kevin Broadus, since he is the requesting party, there should be no issue of any claim to privacy under. FOIL ( A email is being sent directly from Kevin Broadus confirming his permission in writing.)If there are identifying details of another party in the record in that the release would be an invasion of privacy **under a specific exemption of FOIL**, those indentifying details may be redacted pursuant to law.

2) a) Any and all records in any format, kept, filed, possessed, compiled, received, reproduced, received, retained, authorized, used or in the possession in any physical form of this particular SUNY institution: of any and all policies, rules, regulations, orders, requirements, whether formally adopted or informally used, prohibiting employees' from communicating to the media.

b) ) Any and all records in any format, kept, filed, possessed, compiled, received, reproduced, received, retained, authorized, used or in the possession in any physical form of this particular SUNY institution; documenting communications by any employee(s) to the media.

3) Please advise me of the appropriate time during normal business hours for inspecting the following records prior to obtaining copies.

4) Please inform me of the cost of providing either electronic or paper copies of the requested records.

5) If all the requested records cannot be e-mailed to me, please inform me by e-mail of the portions that can be e-mailed and advise me of the cost for reproducing the remainder of the records requested.

6) If the requested records cannot be e-mailed to me due to the quantity of records identified in response to my request, please advise me of the actual cost of copying all records onto a CD or floppy disk.

7) If my request is too broad or does not reasonably describe the records, please contact me via e-mail so that I may clarify my request, and when appropriate inform me of the manner in which records are filed, retrieved or generated.

8) If for any reason any portion of my request is denied, please inform me of the reasons for the denial in writing and provide the name, address and e-mail address of the person or entity to whom an appeal should be directed.

9) If this request is denied in whole or in part, I hereby request that you make reference at each deletion to the specific statutory section of FOIL you rely on for the claimed justification. If any record can be separated to release non-exempted portions, please accept this as a request to release all otherwise exempt material in line with the intent of the law to ensure transparency in government. The right to appeal and litigate any decision to withhold any information is further reserved.

Please also contact me by email at [kenneybaden@msn.com](mailto:kenneybaden@msn.com) when the documents are available if they cannot be emailed. I will arrange to have to either have them picked up or supply you with my Fed-ex number for overnight delivery.

My complete contact information is as above.

Yours very truly,

LAW OFFICE OF LINDA KENNEY BADEN

A handwritten signature in black ink, appearing to read "Linda Kenney Baden". The signature is written in a cursive style with a large initial "L".

Linda Kenney Baden, Esq.

LKB:ph

cc: Don Jackson, Esq.

Coach Kevin Broadus