

1 SUPREME COURT OF THE STATE OF NEW YORK
2 COUNTY OF RICHMOND - CIVIL TERM - PART DCM 6

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4 In the Matter of RONALD CASTORINA, JR. And
5 NICOLE MALIOTAKIS,

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Petitioners/Plaintiffs,

Index
#80258/16

-against-

BILL DE BLASIO, in his official official
capacity as MAYOR OF THE CITY OF NEW YORK, THE
OFFICE OF THE MAYOR OF THE CITY OF NEW YORK,
MELISSA MARK-VIVERITO, in her official
capacity as the SPEAKER OF THE NEW YORK CITY
COUNCIL, STEVEN BANKS, COMMISSIONER OF THE NEW
YORK CITY HUMAN RESOURCES
ADMINISTRATION/DEPARTMENT OF SOCIAL SERVICES,
in his official capacity, MATTHEW BRUNE, CHIEF
OPERATING OFFICER OF THE NEW YORK CITY HUMAN
RESOURCES ADMINISTRATION/DEPARTMENT OF SOCIAL
SERVICES, in his official capacity, and
RICARDO BROWNE, EXECUTIVE DEPUTY COMMISSIONER,
MANAGEMENT INFORMATION SYSTEMS, HUMAN
RESOURCES ADMINISTRATION/DEPARTMENT OF SOCIAL
SERVICES, in his official capacity,

Respondents/Defendants,

For a Judgment Pursuant to Article 78 of the
Civil Practice Law and Rules.

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26 Central Avenue
Staten Island, New York 10301
December 21, 2016

B E F O R E:

HONORABLE PHILIP G. MINARDO, Justice.

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FRANCESCA BUSH
SENIOR COURT REPORTER

Proceedings

1 information from government agencies that are subject to
2 FOIL?

3 I mean, is this -- does this fit into the same
4 category as that?

5 MR. ALFANO: Yes, your Honor. I mean, I could
6 file --

7 THE COURT: It's not a government document these
8 -- these documents that are presented for the purpose of
9 obtaining the ID, are they?

10 MR. ALFANO: Yes. They are subject to FOIL, your
11 Honor. I could send a FOIL request into the New York State
12 Department of Motor Vehicles, request application materials
13 be sent to me.

14 If it had not been destroyed within five years,
15 they would present it in redacted form.

16 If I may approach, your Honor.

17 THE COURT: But you got to have -- no, you have
18 to have a legal purpose.

19 MR. ALFANO: Not for FOIL, your Honor. FOIL --

20 THE COURT: For any reason whatsoever?

21 MR. ALFANO: For any reason. They are valid
22 government IDs, valid government programs. They're
23 government documents.

24 THE COURT: Go ahead. In redacted form.

25 MR. ALFANO: Exactly. Your Honor, this is my

Proceedings

1 driver's license. This is what it would like redacted --

2 THE COURT: Okay. No. No. No. I can see that.

3 MR. ALFANO: This would satisfy -- this would
4 satisfy us --

5 (Handing to counsel.)

6 MR. ALFANO: -- in a FOIL request.

7 As you indicated, Mr. Castorina, in his
8 individual capacity is an attorney, and he knows that this
9 is going to come out redacted.

10 If the documents that are being held are
11 redacted, it would say where the document came from, the
12 issuing agency.

13 It would say whether the person is a male or a
14 female, the expiration date of the document, the date of --
15 not the full date of birth, the last four digits of the date
16 of birth, and the date it was issued.

17 THE COURT: Do the members of -- the petitioners
18 here, who happen to be members of the assembly, do they have
19 a current need to obtain any information or background
20 information that led to the issuance of an ID card?

21 MR. ALFANO: What they are --

22 THE COURT: Do they have a -- do they have a need
23 at this time or is this merely: I may at some point in the
24 future wanted to FOIL this type of information.

25 MR. ALFANO: Your Honor, the session goes into