



CANNABIS CONTROL BOARD

89 Main Street Montpelier, VT 05602 | ccb.vermont.gov

February 14, 2023

Dear Mr. Teske:

By email of February 9, 2023, you made the following request under the Vermont Public Records Act:

I'd like to see James Peppers emails from the week leading up to the Holland recall. Maybe you could provide those records without raping me in the ass. Thanks!

The CCB has identified 680 records that are potentially responsive to your request. Information contained in these records may be exempt from disclosure or require redactions for the following or other reasons: certain records are confidential as a matter of law, 1 VSA § 317(c)(1); disclosure would reveal personal documents related to an individual, 1 VSA § 317(c)(7); and/or records contain exempt communications under 1 VSA § 317(c)(4), “that, if made public pursuant to this subchapter, would cause the custodian to violate any statutory or common law privilege other than the common law deliberative process privilege as it applies to the General Assembly and the Executive Branch agencies of the state of Vermont.” See *Killington, Ltd. V. Lash*, 153 Vt. 628, 641-48 (1990) (discussing the existence of attorney work-product privilege in Vermont prior to the adoption of rules of procedure).

To review and determine the applicability of exemptions for the 680 identified records, I estimate that approximately 1,360 minutes (two minutes per page) of senior-level staff time will be necessary. The rate is currently set at \$0.57 per minute. (See *Uniform Schedule of Public Records Charges for State Agencies*, Vermont Secretary of State, available at <https://sos.vermont.gov/vsara/manage/information-governance/compliance/uniform-charges-schedule/>.) The Board estimates that the total cost of complying with your request would be \$775.20.

We ask that you confirm your willingness to pay the above costs before we proceed further with processing your request. Alternatively, you may narrow your request.

Nothing in this letter should be construed as a waiver of any privileges or protections concerning CCB records. If you would like to appeal this decision, please submit the appeal to CCB Executive Director Brynn Hare at brynn.hare@vermont.gov.

Sincerely,

/s/Gabriel M. Gilman

Gabriel M. Gilman

General Counsel

Cannabis Control Board

