

**From:** [Elizabeth Klein](#)  
**To:** [Bender, Robyn \(OAG\)](#); [Wilkins, Elizabeth \(OAG\)](#)  
**Subject:** Fwd: Sarah Kogel-Smucker  
**Date:** Wednesday, November 15, 2017 8:34:42 AM  
**Attachments:** [Cover letter - Sarah Kogel-Smucker.pdf](#)  
[Resume - Sarah Kogel-Smucker .pdf](#)

---

Good morning,  
We received the attached application from a candidate interested in the DC AG's office.  
Thanks  
Liz

----- Forwarded message -----

**From:** David J. Hayes <[djh466@nyu.edu](mailto:djh466@nyu.edu)>  
**Date:** Tue, Nov 14, 2017 at 10:54 PM  
**Subject:** Fwd: Sarah Kogel-Smucker  
**To:** Elizabeth Johnson Klein <[Elizabeth.Klein@nyu.edu](mailto:Elizabeth.Klein@nyu.edu)>


Sent from my iPhone

Begin forwarded message:

**From:** "Firger, Daniel" <[daniel@bloomberg.org](mailto:daniel@bloomberg.org)>  
**Date:** November 14, 2017 at 5:58:28 PM PST  
**To:** "[david.hayes@nyu.edu](mailto:david.hayes@nyu.edu)" <[david.hayes@nyu.edu](mailto:david.hayes@nyu.edu)>  
**Subject:** Sarah Kogel-Smucker

David,

See below and attached. I can't speak to Sarah's legal qualifications but she is wonderful.



I look forward to catching up soon.

Cheers,  
Dan

Sent from my iPhone

Begin forwarded message:

**From:** Sarah Kogel-Smucker <[kogelsmucker@gmail.com](mailto:kogelsmucker@gmail.com)>  
**Date:** November 14, 2017 at 8:37:43 PM EST  
**To:** [daniel@bloomberg.org](mailto:daniel@bloomberg.org)

**Subject: Special Assistant Attorney General Position**

Dan:

Hi, I'm attaching the resume and cover letter that I submitted earlier today to apply for the Special Assistant Attorney General (SAAG) position in Washington, DC. In my role as Senior Attorney in the New York City Law Department's Environmental Division, I work to advance NYC's sustainability agenda through complex federal and state litigation and agency counseling. Since Hurricane Sandy, I've become the Law Department's lead attorney for climate resiliency policies and projects. I'm excited about the SAAG position because it seems like a unique opportunity to build on my work for NYC to address the current federal inaction on climate change.

I'd be happy to speak further. I hope all is well and congrats on all of your work in Bonn.

Thanks,  
Sarah

Cell: [REDACTED]

Email: [REDACTED]

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--

Elizabeth Klein  
Deputy Director  
State Energy & Environmental Impact Center  
NYU School of Law  
ph 202-328-5186

**From:** [Elizabeth Klein](#)  
**To:** [Wilkins, Elizabeth \(OAG\)](#)  
**Cc:** [Bender, Robyn \(OAG\)](#)  
**Subject:** Re: FW: Application for District of Columbia Law Fellow/SAAG Position  
**Date:** Tuesday, January 9, 2018 10:43:37 AM

---

Thanks for the update! How's the interview process going?

On Tue, Jan 9, 2018 at 10:30 AM, Wilkins, Elizabeth (OAG) <[elizabeth.wilkins@dc.gov](mailto:elizabeth.wilkins@dc.gov)> wrote:

Thanks so much Liz. I also just wanted to let you know that we determined under our rules that we didn't have to advertise of the position, as we had already advertised for a locally funded environmental attorney, so we can consider those candidates and the ones you've sent us. Just wanted to clarify so that you didn't think we'd advertised without sending you the announcement.

Elizabeth Wilkins

Chief of Staff and Counsel

Office of the Attorney General for the District of Columbia

[441 4th Street N.W. Suite 1100S](#)

Washington, D.C. 20001

Work: [\(202\) 724-5568](tel:(202)724-5568)

Fax: [\(202\) 741-8800](tel:(202)741-8800)

[elizabeth.wilkins@dc.gov](mailto:elizabeth.wilkins@dc.gov)

**From:** Elizabeth Klein [mailto:[elizabeth.klein@nyu.edu](mailto:elizabeth.klein@nyu.edu)]

**Sent:** Friday, January 5, 2018 2:49 PM

**To:** Bender, Robyn (OAG) <[robyn.bender@dc.gov](mailto:robyn.bender@dc.gov)>; Wilkins, Elizabeth (OAG) <[elizabeth.wilkins@dc.gov](mailto:elizabeth.wilkins@dc.gov)>

**Subject:** Fwd: FW: Application for District of Columbia Law Fellow/SAAG Position

Here's another applicant interested in DC.

Thanks

Liz

----- Forwarded message -----

From: **State Impact Center** <[stateimpactcenter@nyu.edu](mailto:stateimpactcenter@nyu.edu)>  
Date: Fri, Jan 5, 2018 at 2:36 PM  
Subject: FW: Application for District of Columbia Law Fellow/SAAG Position  
To: "[elizabeth.klein@nyu.edu](mailto:elizabeth.klein@nyu.edu)" <[elizabeth.klein@nyu.edu](mailto:elizabeth.klein@nyu.edu)>  
Cc: "[brittany.whited@nyu.edu](mailto:brittany.whited@nyu.edu)" <[brittany.whited@nyu.edu](mailto:brittany.whited@nyu.edu)>

Liz,  
Another application for DC.

---

From: [REDACTED]  
Sent: Friday, January 05, 2018 11:47 AM  
To: State Impact Center  
Subject: Application for District of Columbia Law Fellow/SAAG Position

Dear Hiring Committee,

I'm applying for a position as a special assistant attorney general in Washington, D.C. through NYU's State Impact Center. Please find my cover letter and resume attached.

Thank you for your consideration, and I hope to speak with you regarding this opportunity.

Sincerely,

[REDACTED]

--

Elizabeth Klein  
Deputy Director  
State Energy & Environmental Impact Center  
NYU School of Law  
ph [202-328-5186](tel:202-328-5186)

--

Elizabeth Klein  
Deputy Director

State Energy & Environmental Impact Center  
NYU School of Law  
ph 202-328-5186

**From:** [Elizabeth Klein](#)  
**To:** [Greene, Maisha \(OAG\)](#); [Wilkins, Elizabeth \(OAG\)](#); [Brittany Whited](#)  
**Cc:** [Wilburn, Nadine \(OAG\)](#)  
**Subject:** Re: FW: Selection of NYU Fellow  
**Date:** Monday, March 5, 2018 9:52:52 AM

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Good morning all,

When you have confirmation from Sarah that she has accepted your offer, will you let us know? When you've settled on a start date, we can begin the onboarding process, which includes preparing an appointment letter and getting her connected to the NYU HR office.

Thanks

Liz

On Thu, Feb 22, 2018 at 3:35 PM, Greene, Maisha (OAG) <[maisha.greene@dc.gov](mailto:maisha.greene@dc.gov)> wrote:

Thanks for letting me know. I will call Sarah now.

Maisha Greene

Assistant Attorney General

Personnel, Labor & Employment Division

Office of the Attorney General for the District of Columbia

441 4<sup>th</sup> Street N.W., Suite 1100S

Washington, D.C. 20001

Phone: [202-724-1526](tel:202-724-1526)

Fax: [202-741-5917](tel:202-741-5917)

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**From:** Elizabeth Klein [mailto:[elizabeth.klein@nyu.edu](mailto:elizabeth.klein@nyu.edu)]

**Sent:** Thursday, February 22, 2018 3:33 PM

**To:** Greene, Maisha (OAG)  
**Cc:** Wilburn, Nadine (OAG)  
**Subject:** Re: FW: Selection of NYU Fellow

Hi all,

That salary sounds good to us. I just talked to Sarah and answered some mechanical questions, so we're all set on our end. Also, I got your voicemail - wanted to let you know that we have moved offices, and that phone number will no longer be the best one for me. Best number now is [202-641-8364](tel:202-641-8364).

Thanks!

Liz

On Thu, Feb 22, 2018 at 10:58 AM, Greene, Maisha (OAG) <[maisha.greene@dc.gov](mailto:maisha.greene@dc.gov)> wrote:

Hi Liz,

The salary recommendation for Sarah Kogel is \$109,503. Does this fit within your budget?

Many thanks,

Maisha Greene

Assistant Attorney General

Personnel, Labor & Employment Division

Office of the Attorney General for the District of Columbia

441 4<sup>th</sup> Street N.W., Suite 1100S

Washington, D.C. 20001

Phone: [202-724-1526](tel:202-724-1526)

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---

**From:** Wilburn, Nadine (OAG)  
**Sent:** Thursday, February 22, 2018 10:02 AM  
**To:** Greene, Maisha (OAG)  
**Subject:** FW: Selection of NYU Fellow

Liz' contact information is below. Thanks.

Nadine Chandler Wilburn

Chief Counsel and Senior Advisor

Personnel, Labor & Employment Division

District of Columbia Office of the Attorney General

[441 4th Street, N.W.](#), 1145S

Washington, DC 20001

Phone: [202-724-6601](tel:202-724-6601)

Fax: [202-730-1895](tel:202-730-1895)

[nadine.wilburn@dc.gov](mailto:nadine.wilburn@dc.gov)

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**From:** Elizabeth Klein [<mailto:elizabeth.klein@nyu.edu>]  
**Sent:** Thursday, February 15, 2018 4:03 PM  
**To:** Wilkins, Elizabeth (OAG)  
**Cc:** Wilburn, Nadine (OAG); Harris, Anika (OAG); Brittany Whited  
**Subject:** Re: Selection of NYU Fellow

That's great news. A couple of things -

Please let me know what you are considering for salary, so that we can be sure that it fits within the budget estimate we have.

I think I mentioned that we (and the would-be fellows) have found it useful to talk with them directly to answer any questions they may have about the center and, in particular, the HR set-up. Let me know if you are comfortable with me reaching out to her now - I would not indicate that she has been selected, I would just let her know that I am touching base with finalists for the position.

Once you have made the offer, she has accepted, and everyone has agreed to a start date, we have an appointment letter from NYU that confirms her salary and title for NYU purposes. It also provides information about access to benefits and other employment information. We send that to her, she signs and sends back, and then she can begin her onboarding process with the NYU HR office, who can also walk her through the specifics of signing up for benefits should she wish to do so. We don't really have strong opinions about whether our appointment letter comes first or second, but it seems to work well to have the AG appt letter reference the existence of the NYU letter since it provides more specifics about salary and benefits.

Hope that makes sense - let me know if you have any questions!

Thanks,

Liz

On Thu, Feb 15, 2018 at 2:53 PM, Wilkins, Elizabeth (OAG) <[elizabeth.wilkins@dc.gov](mailto:elizabeth.wilkins@dc.gov)> wrote:

Liz –

We have selected a fellow, Sarah Kogel- Smucker. Before we communicate with her, I wanted to make sure you and our folks who handle HR and onboarding were in touch to ensure that all the steps go appropriately. Ordinarily we come up with a salary proposal, reach out to the candidate and offer the position, and then send them an acceptance letter to sign. Let us know when and how you should be integrated into the process.

Elizabeth Wilkins

Chief of Staff and Counsel

Office of the Attorney General for the District of Columbia

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Washington, D.C. 20001

Work: [\(202\) 724-5568](tel:(202)724-5568)

Fax: [\(202\) 741-8800](tel:(202)741-8800)

[elizabeth.wilkins@dc.gov](mailto:elizabeth.wilkins@dc.gov)

--

Elizabeth Klein

Deputy Director

State Energy & Environmental Impact Center

NYU School of Law

[202-641-8364](tel:202-641-8364)

--

Elizabeth Klein

Deputy Director

State Energy & Environmental Impact Center

NYU School of Law

[202-641-8364](tel:202-641-8364)

--

Elizabeth Klein

Deputy Director

State Energy & Environmental Impact Center

NYU School of Law

202-641-8364

**From:** [David J. Hayes](#)  
**To:** [Racine, Karl \(OAG\)](#)  
**Cc:** [Wilkins, Elizabeth \(OAG\)](#); [Ludaway, Natalie \(OAG\)](#); [Bender, Robyn \(OAG\)](#); [Elizabeth Johnson Klein](#)  
**Subject:** Re: NYU Law Fellow  
**Date:** Saturday, September 30, 2017 9:28:29 PM

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Karl:

We're delighted. Thanks for submitting an excellent application.

David

On Fri, Sep 29, 2017 at 7:41 PM, Racine, Karl (OAG) <[Karl.Racine@dc.gov](mailto:Karl.Racine@dc.gov)> wrote:

Hooray!!

Thanks so much David.

Sent from my iPhone

On Sep 29, 2017, at 5:29 PM, David J. Hayes <[david.hayes@nyu.edu](mailto:david.hayes@nyu.edu)> wrote:

Karl, Robyn and Natalie:

As I discussed with Elizabeth, we are pleased to let you know that the NYU State Energy & Environmental Impact Center has approved your application for an NYU Law Fellow to work on clean energy, climate and environmental matters.

We will be back in touch with you next week to discuss the process of bringing an NYU Fellow on board in your office.

We're excited that DC will be getting these additional resources, and look forward to helping make it happen and then working on an on-going basis in this important arena.

Congrats!

David

--

David J. Hayes  
Executive Director  
[State Energy & Environmental Impact Center](#)  
NYU School of Law  
c/o Resources for the Future  
[1616 P Street, NW](#)  
[Washington, DC 20036](#)  
Office phone: [202-328-5052](tel:202-328-5052)

Cell phone: [202-258-3909](tel:202-258-3909)  
Email: [david.hayes@nyu.edu](mailto:david.hayes@nyu.edu); [davidjhayes01@gmail.com](mailto:davidjhayes01@gmail.com)  
Twitter: @djhayes01

--

**David J. Hayes**  
Executive Director  
[State Energy & Environmental Impact Center](#)  
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1616 P Street, NW  
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Office phone: 202-328-5052  
Cell phone: 202-258-3909  
Email: [david.hayes@nyu.edu](mailto:david.hayes@nyu.edu); [davidjhayes01@gmail.com](mailto:davidjhayes01@gmail.com)  
Twitter: @djhayes01

**From:** [Ludaway, Natalie \(OAG\)](#)  
**To:** [david.hayes@nyu.edu](mailto:david.hayes@nyu.edu); [Wilkins, Elizabeth \(OAG\)](#); [Racine, Karl \(OAG\)](#); [Bender, Robyn \(OAG\)](#)  
**Cc:** [Elizabeth Johnson Klein](#)  
**Subject:** RE: NYU Law Fellow  
**Date:** Friday, September 29, 2017 5:50:01 PM

---

David,

We appreciate this addition very much! The District thanks you and the Center.

Natalie O. Ludaway  
Chief Deputy Attorney General  
Office of Attorney General  
441 4th Street, NW, Suite 1100S  
Washington, DC 20001  
Direct: 202-724-1521  
Mobile: 202.394-2509  
[natalie.ludaway@dc.gov](mailto:natalie.ludaway@dc.gov)

**From:** David J. Hayes [<mailto:david.hayes@nyu.edu>]  
**Sent:** Friday, September 29, 2017 5:29 PM  
**To:** Wilkins, Elizabeth (OAG) <[elizabeth.wilkins@dc.gov](mailto:elizabeth.wilkins@dc.gov)>; Racine, Karl (OAG) <[Karl.Racine@dc.gov](mailto:Karl.Racine@dc.gov)>; Ludaway, Natalie (OAG) <[natalie.ludaway@dc.gov](mailto:natalie.ludaway@dc.gov)>; Bender, Robyn (OAG) <[robyn.bender@dc.gov](mailto:robyn.bender@dc.gov)>  
**Cc:** Elizabeth Johnson Klein <[Elizabeth.Klein@nyu.edu](mailto:Elizabeth.Klein@nyu.edu)>; David J. Hayes <[david.hayes@nyu.edu](mailto:david.hayes@nyu.edu)>  
**Subject:** NYU Law Fellow

Karl, Robyn and Natalie:

As I discussed with Elizabeth, we are pleased to let you know that the NYU State Energy & Environmental Impact Center has approved your application for an NYU Law Fellow to work on clean energy, climate and environmental matters.

We will be back in touch with you next week to discuss the process of bringing an NYU Fellow on board in your office.

We're excited that DC will be getting these additional resources, and look forward to helping make it happen and then working on an on-going basis in this important arena.

Congrats!

David

--

**David J. Hayes**

Executive Director

[State Energy & Environmental Impact Center](#)

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1616 P Street, NW

Washington, DC 20036

Office phone: 202-328-5052

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Email: [david.hayes@nyu.edu](mailto:david.hayes@nyu.edu); [davidjhayes01@gmail.com](mailto:davidjhayes01@gmail.com)

Twitter: @djhayes01

**From:** [Wilburn, Nadine \(OAG\)](#)  
**To:** [Harris, Anika \(OAG\)](#); [Wilkins, Elizabeth \(OAG\)](#); [elizabeth.klein@nyu.edu](mailto:elizabeth.klein@nyu.edu)  
**Cc:** [Brittany Whited](#)  
**Subject:** RE: Selection of NYU Fellow  
**Date:** Friday, February 16, 2018 7:22:53 PM

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No objections from me either.

Nadine Chandler Wilburn  
Chief Counsel  
Personnel, Labor & Employment Division  
District of Columbia Office of the Attorney General  
441 4th Street, N.W., 1145S  
Washington, DC 20001  
Phone: 202-724-6601  
Fax: 202-730-1895  
[nadine.wilburn@dc.gov](mailto:nadine.wilburn@dc.gov)

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**From:** Harris, Anika (OAG)  
**Sent:** Friday, February 16, 2018 3:14 PM  
**To:** Wilkins, Elizabeth (OAG); [elizabeth.klein@nyu.edu](mailto:elizabeth.klein@nyu.edu)  
**Cc:** Wilburn, Nadine (OAG); Brittany Whited  
**Subject:** RE: Selection of NYU Fellow

No objections from me.

Thanks,

**Anika N. Harris**  
Supervisory Human Resources Management Liaison Officer  
Personnel, Labor & Employment Division  
Human Resources Section  
441 4<sup>th</sup> Street, N.W., 1100S  
Washington, DC 20001  
Phone: 202-724-5467  
Cell: 202-702-7305  
Fax: 202-715-7762  
[A.Harris@dc.gov](mailto:A.Harris@dc.gov)

---

**From:** Wilkins, Elizabeth (OAG)  
**Sent:** Friday, February 16, 2018 3:12 PM  
**To:** [elizabeth.klein@nyu.edu](mailto:elizabeth.klein@nyu.edu)  
**Cc:** Wilburn, Nadine (OAG) <[nadine.wilburn@dc.gov](mailto:nadine.wilburn@dc.gov)>; Harris, Anika (OAG) <[a.harris@dc.gov](mailto:a.harris@dc.gov)>;  
Brittany Whited <[brittany.whited@nyu.edu](mailto:brittany.whited@nyu.edu)>



**Subject:** RE: Selection of NYU Fellow

I don't have any objections to you reaching out – Nadine or Anika?

Elizabeth Wilkins  
Chief of Staff and Counsel  
Office of the Attorney General for the District of Columbia  
441 4th Street N.W. Suite 1100S  
Washington, D.C. 20001  
Work: (202) 724-5568  
Fax: (202) 741-8800  
[elizabeth.wilkins@dc.gov](mailto:elizabeth.wilkins@dc.gov)

**From:** Elizabeth Klein [<mailto:elizabeth.klein@nyu.edu>]  
**Sent:** Thursday, February 15, 2018 4:03 PM  
**To:** Wilkins, Elizabeth (OAG) <[elizabeth.wilkins@dc.gov](mailto:elizabeth.wilkins@dc.gov)>  
**Cc:** Wilburn, Nadine (OAG) <[nadine.wilburn@dc.gov](mailto:nadine.wilburn@dc.gov)>; Harris, Anika (OAG) <[a.harris@dc.gov](mailto:a.harris@dc.gov)>;  
Brittany Whited <[brittany.whited@nyu.edu](mailto:brittany.whited@nyu.edu)>  
**Subject:** Re: Selection of NYU Fellow

That's great news. A couple of things -

Please let me know what you are considering for salary, so that we can be sure that it fits within the budget estimate we have.

I think I mentioned that we (and the would-be fellows) have found it useful to talk with them directly to answer any questions they may have about the center and, in particular, the HR set-up. Let me know if you are comfortable with me reaching out to her now - I would not indicate that she has been selected, I would just let her know that I am touching base with finalists for the position.

Once you have made the offer, she has accepted, and everyone has agreed to a start date, we have an appointment letter from NYU that confirms her salary and title for NYU purposes. It also provides information about access to benefits and other employment information. We send that to her, she signs and sends back, and then she can begin her onboarding process with the NYU HR office, who can also walk her through the specifics of signing up for benefits should she wish to do so. We don't really have strong opinions about whether our appointment letter comes first or second, but it seems to work well to have the AG appt letter reference the existence of the NYU letter since it provides more specifics about salary and benefits.

Hope that makes sense - let me know if you have any questions!

Thanks,

Liz

On Thu, Feb 15, 2018 at 2:53 PM, Wilkins, Elizabeth (OAG) <[elizabeth.wilkins@dc.gov](mailto:elizabeth.wilkins@dc.gov)> wrote:

Liz –

We have selected a fellow, Sarah Kogel- Smucker. Before we communicate with her, I wanted to make sure you and our folks who handle HR and onboarding were in touch to ensure that all the steps go appropriately. Ordinarily we come up with a salary proposal, reach out to the candidate and offer the position, and then send them an acceptance letter to sign. Let us know when and how you should be integrated into the process.

Elizabeth Wilkins  
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Office of the Attorney General for the District of Columbia  
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Fax: [\(202\) 741-8800](tel:(202)741-8800)  
[elizabeth.wilkins@dc.gov](mailto:elizabeth.wilkins@dc.gov)

--

Elizabeth Klein  
Deputy Director  
State Energy & Environmental Impact Center  
NYU School of Law  
202-641-8364

**From:** [Brittany Whited](#)  
**To:** [Wilkins, Elizabeth \(OAG\)](#)  
**Subject:** Re: You're Invited  
**Date:** Tuesday, May 29, 2018 10:17:11 AM

---

Elizabeth -

I'm forwarding details to you now. I hope you feel better before tomorrow!

Best,  
Brittany

On Tue, May 29, 2018 at 10:03 AM, Wilkins, Elizabeth (OAG) <[elizabeth.wilkins@dc.gov](mailto:elizabeth.wilkins@dc.gov)> wrote:

Hi Brittany, I can't remember if I formally RSVP'ed but I will definitely be there with Sarah. I don't believe I've gotten any further communication about it and I know the dinner is tonight and meeting tomorrow. I'm home sick today so I won't be able to come to the dinner but I do plan to come tomorrow, health permitting. Is that alright? Were there any communications that I missed?

Elizabeth Wilkins

Chief of Staff and Counsel

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[elizabeth.wilkins@dc.gov](mailto:elizabeth.wilkins@dc.gov)

**From:** Brittany Whited <[brittany.whited@nyu.edu](mailto:brittany.whited@nyu.edu)>

**Sent:** Friday, April 27, 2018 2:01 PM

**To:** Wilkins, Elizabeth (OAG) <[elizabeth.wilkins@dc.gov](mailto:elizabeth.wilkins@dc.gov)>

**Subject:** Re: You're Invited

That would be great!

On Fri, Apr 27, 2018 at 1:59 PM, Wilkins, Elizabeth (OAG) <[elizabeth.wilkins@dc.gov](mailto:elizabeth.wilkins@dc.gov)> wrote:

Great. I am just going to check with the managers who will be supervising Sarah to see if one of them would like to come. I'm assuming that it would be ok for our office to send me, a manager, and Sarah?

Elizabeth Wilkins

Chief of Staff and Counsel

Office of the Attorney General for the District of Columbia

[441 4th Street N.W. Suite 1100S](#)

[Washington, D.C. 20001](#)

Work: (202) 724-5568

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[elizabeth.wilkins@dc.gov](mailto:elizabeth.wilkins@dc.gov)

**From:** Brittany Whited <[brittany.whited@nyu.edu](mailto:brittany.whited@nyu.edu)>

**Sent:** Friday, April 27, 2018 1:17 PM

**To:** Wilkins, Elizabeth (OAG) <[elizabeth.wilkins@dc.gov](mailto:elizabeth.wilkins@dc.gov)>

**Subject:** Re: You're Invited

Elizabeth,

That's alright- still plenty of time to plan. I also invited Sarah Kogel-Smucker to attend and she sent along her RSVP a few moments ago. We have limited space, so most participating offices are sending one or two senior staff members in addition to their SAAG fellows if they have one. If you have other people in your office in mind for this workshop, please let me know and I'll be happy to send along the invite. Thanks so much,

Brittany

On Fri, Apr 27, 2018 at 12:39 PM, Wilkins, Elizabeth (OAG) <[elizabeth.wilkins@dc.gov](mailto:elizabeth.wilkins@dc.gov)> wrote:

I am so sorry, I did indeed miss this. Did this invitation go to anyone else in our office, and how many people per office are invited to participate? I am sure DC will want to participate, just want to make sure we have the right people there.

Elizabeth Wilkins

Chief of Staff and Counsel

Office of the Attorney General for the District of Columbia

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Fax: (202) 741-8800

[elizabeth.wilkins@dc.gov](mailto:elizabeth.wilkins@dc.gov)

**From:** Brittany Whited <[brittany.whited@nyu.edu](mailto:brittany.whited@nyu.edu)>

**Sent:** Friday, April 27, 2018 12:25 PM

**To:** Wilkins, Elizabeth (OAG) <[elizabeth.wilkins@dc.gov](mailto:elizabeth.wilkins@dc.gov)>

**Subject:** Re: You're Invited

Elizabeth,

We hope you or someone else from your office can make it to our workshop. Just reaching out in case this invite missed you the first time.

Thanks,

Brittany

On Wed, Apr 11, 2018 at 10:50 AM, Brittany Whited <[brittany.whited@nyu.edu](mailto:brittany.whited@nyu.edu)> wrote:

## You Are Invited

We hope you can participate in a gathering of senior staff and Special Assistant Attorneys General (SAAGs) working to advance and defend progressive environmental, climate and clean energy values, hosted by NYU's State Energy & Environmental Impact Center in Washington, D.C. The workshop will focus on emerging clean energy initiatives, environmental enforcement issues and other pressing topics. In addition to hearing from experts on these issues, the workshop will also provide a rare, in-person networking opportunity with your counterparts in attorney general offices across the country.

### WHO:

Senior attorney general staff working on climate change, clean energy and environmental issues, and SAAGS supported by NYU, are invited to participate. Invitation-only; space is limited.

### WHAT:

Workshop by New York University Law School's State Energy & Environmental Impact Center

### WHEN:

Wednesday, May 30  
9AM-5PM

### WHERE:

New York University's Washington Office  
[1307 L St NW](#)  
Washington, DC 20005

### ACCOMODATIONS:

A block of discounted rooms is available at the Comfort Inn, 1201 13<sup>th</sup> St NW, for Tuesday night, May 29. Reservations may be made directly by calling (202) 682-5300 referencing the "NYU Energy and Environmental Meeting" before April 30th.

### RSVP:

Please RSVP [here](#) by May 15. Funding is available to reimburse travel

expenses; please indicate if you are interested in reimbursement. The State Impact Center will host a dinner for attendees at [Matchbox on 14th St NW](#) at 6:00PM on Tuesday, May 29. We look forward to seeing you!

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**Brittany Whited**

Program Assistant

[State Energy & Environmental Impact Center](#)

[1015 15th St NW, Suite 600](#)

[Washington, DC](#)

Cell: 413-687-4178

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Washington, DC

Cell: 413-687-4178



**Employee Secondment Agreement between the Office of the Attorney General for the District of Columbia and the State Energy & Environmental Impact Center at NYU School of Law**

This AGREEMENT ("Agreement") is entered into as of January 30, 2018, by and between NEW YORK UNIVERSITY ("NYU"), a New York not-for-profit education corporation, on behalf of the NYU School of Law's State Energy and Environmental Impact Center (the "State Impact Center"), and the Office of the Attorney General for the District of Columbia ("DCOAG").

**WHEREAS**, The State Impact Center seeks to provide a supplemental, in-house resource to state attorneys general and their senior staffs on clean energy, climate change and environmental matters of regional and national importance; and

**WHEREAS**, As part of its activities, the State Impact Center conducts a legal fellowship program ("Legal Fellowship Program"), which seeks to provide attorneys to act as fellows in the offices of certain state attorneys general ("Legal Fellows"); and

**WHEREAS**, The DCOAG has been selected by the State Impact Center to participate in Legal Fellowship Program; and

**WHEREAS**, The DCOAG has the authority consistent with applicable law and regulations to accept a Legal Fellow whose salary and benefits are provided by an outside funding source.

**NOW, THEREFORE**, for good and valuable consideration, the adequacy and receipt of which are hereby acknowledged, the State Impact Center and DCOAG agree to the following:

**A. Terms of Service for the Legal Fellowship Program at the DCOAG:**

1. The State Impact Center will provide the services of one attorney to the DCOAG to act as a Legal Fellow.
2. The specific start and end dates for services will be determined with the mutual agreement between the Legal Fellow, the DCOAG, and the State Impact Center, provided, however, that the term of the fellowship will be for one year with the expectation that a second one-year term will follow after mutual agreement among the parties. (the "Fellowship Period").
3. During the Fellowship Period, the Legal Fellow will be under the direction and control of, and owe a duty of loyalty to, the DCOAG, and will be subject to the DCOAG's policies regarding employee conduct, including the policies regarding time and attendance, outside activities, conflicts of interests, and confidentiality. The Legal Fellow will receive instruction and materials regarding these requirements from the DCOAG at the commencement of his or her fellowship.
4. During the Fellowship Period, salary and benefits will be provided to the Legal

Fellow by the NYU School of Law.

5. In recognition of the duties and direction set forth in paragraphs A.3. and B.2-B.4 of this Agreement, DCOAG shall be responsible for the supervision of the Legal Fellow and assume responsibility for the actions and decisions of the Fellow, although the Legal Fellow is not a DCOAG employee, to the same extent as an employee of DCOAG.
6. The DCOAG may terminate the services of the Legal Fellow upon seven (7) days' written notice to the State Impact Center, provided that the DCOAG will attempt to resolve any performance or other issues involving the Legal Fellow with the Legal Fellow and the State Impact Center before terminating the services of the Legal Fellow. The State Impact Center may terminate this Agreement for any reason upon seven (7) days' written notice to the DCOAG. Notwithstanding the foregoing, the DCOAG may terminate this Agreement immediately in the event of gross negligence involving the services of the Legal Fellow (as determined in the sole discretion of the DCOAG) or in emergency circumstances that threaten the health, safety or welfare of District employees or residents.

**B. Nature of the Fellowship Position at the DCOAG**

1. During the Fellowship Period, the DCOAG will provide the Legal Fellow the title of Special Assistant Attorney General.
2. The DCOAG will assign the Legal Fellow substantive work and responsibility matching that of other attorneys in the agency with similar experience and background. The Legal Fellow's substantive work will be primarily on matters relating to clean energy, climate change, and environmental matters of regional and national importance.
3. The DCOAG will aim to include the Legal Fellow in the range of its work where possible, such as strategy discussions and court appearances.
4. The DCOAG will afford the Legal Fellow the opportunity to partake in the extensive legal education, including CLEs, offered by the DCOAG to its attorneys.

**C. Prohibited Activity**

1. The DCOAG may not request or permit the Legal Fellow to engage in any activities that would constitute any of the following:
  - a. to carry on propaganda, or otherwise attempt to influence any specific legislation through (i) an attempt to affect the opinion of the general public or any segment thereof or (ii) communication with any member or employee of a legislative body, or with any other governmental official or employee who may participate in the formulation of the legislation (except technical advice

or assistance provided to a governmental body or to a committee or other subdivision thereof in response to a written request by such body, committee or subdivision), other than through making available the results of non-partisan analysis, study or research;

- b. To engage in any other activity that may constitute lobbying under federal, state, or local laws or regulations;
  - c. to influence the outcome of any specific public election; or
  - d. to support the election or defeat of a candidate for public office, finance electioneering communications, register prospective voters or encourage the general public or any segment thereof to vote in a specific election.
2. The DCOAG may not request or permit the Legal Fellow to participate in any matter that involves New York University or any of its affiliates; and, to the extent that the DCOAG participates in a matter that involves New York University or any of its affiliates, the DCOAG will create an ethical wall between the Legal Fellow and the DCOAG with regard to the matter to ensure that the Legal Fellow has access to no information relating to the matter.
  3. The DCOAG has determined that NYU's payment of salary and benefits to the Legal Fellow and the provision of services by the Legal Fellow to the DCOAG do not constitute an impermissible gift under applicable law or regulation. No part of this agreement is intended to induce DCOAG to undertake or refrain from undertaking any action within the purview of DCOAG. DCOAG retains sole discretion to determine whether to undertake any action, including any actions relating to clean energy, climate change, and environmental matters of regional and national importance or involving New York University or any of its affiliates.

#### **D. Communications and Reporting**

1. The State Impact Center will not have a proprietary interest in the work product generated by the Legal Fellow during the fellowship. The State Impact Center will not be authorized to obtain confidential work product from the Legal Fellow unless the Legal Fellow has obtained prior authorization from the Legal Fellow's supervisor at the DCOAG.
2. Notwithstanding the above, the DCOAG will provide periodic reports to the State Impact Center regarding the work of the Legal Fellow. These reports will include a narrative summary, subject to confidentiality restrictions, of the work of the legal fellow and the contribution that the legal fellow has made to the clean energy, climate change, and environmental initiatives of the DCOAG. These reports will be provided pursuant to the following schedule:
  - a. Activity for the period from the beginning of the Fellowship Period until

April 30, 2018 will be provided no later than May 1, 2018.

- b. Activity for the period from May 1, 2018 through July 31, 2018 will be provided no later than August 1, 2018.
  - c. Activity for the period from August 1, 2018 through January 31, 2019 will be provided no later than February 1, 2019.
  - d. A final report for activity from the beginning of the Fellowship Period until the end of the Fellowship Period will be provided within five (5) business days of the end of the Fellowship Period.
3. The DCOAG acknowledges that New York University may be required to make filings or disclosures on that reference the DCOAG, the Legal Fellow, or the Legal Fellowship Program, and that the DCOAG is not required to review or approve any such filings except where New York University requests such review or approval.
  4. In addition to the formal reporting requirements, the DCOAG and the Legal Fellow will collaborate with the State Impact Center on clean energy, climate change, and environmental matters in which the Legal Fellow is engaged, including coordination on related public announcements.
  5. Notifications to the DCOAG relating to this agreement should be directed to: Assistant Attorney General Catherine Jackson, Public Integrity Unit, Public Safety Division, Office of the Attorney General for the District of Columbia, with a copy to: Deputy Attorney General Robyn Bender, Public Safety Division, Office of the Attorney General for the District of Columbia, [441 4th Street N.W. Suite 1100S](#), Washington, D.C. 20001.
  6. Notifications to the State Impact Center relating to this agreement should be directed to Elizabeth Klein, Deputy Director, State Energy & Environmental Impact Center, NYU School of Law, 1015 15th Street NW, Ste. 600 Washington, DC 20005, [202-641-8364](tel:202-641-8364), [Elizabeth.klein@nyu.edu](mailto:Elizabeth.klein@nyu.edu).

#### **E. Miscellaneous**

1. This Agreement constitutes the complete understanding of the parties and supersedes any other agreements between the parties and shall be governed by the laws State of New York. No amendment to this Agreement will be valid and binding unless reduced to writing and signed by the parties.
2. This agreement shall not be assigned by either party without the consent of the other party.
3. This Agreement may be executed in multiple counterparts, each of which will be fully

effective as an original and all of which together will constitute the same document.  
The parties may exchange of copies of this Agreement and signature pages in  
electronic form.

Dated: January 30 2018

New York University

By: 

David J. Hayes

Executive Director

State Energy & Environmental Impact Center

NYU School of Law

1015 15<sup>th</sup> Street NW Ste 600

Washington, DC 20005

[david.hayes@nyu.edu](mailto:david.hayes@nyu.edu)

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Dated: January 7, 2018

Office of the Attorney General for the District of  
Columbia

By: 

Name:

Karl A. Racine

Title:

Attorney General for the  
District of Columbia

204257524.1

## Sarah Kogel-Smucker

### Professional Experience

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#### New York City Law Department Environmental Division

*Senior Counsel*

*Assistant Corporation Counsel*

New York, New York

*Fall 2013-Present*

*Fall 2008-Fall 2013*

- Represent City of New York (NYC) in all aspects of complex federal and state environmental litigation and administrative proceedings; advise on environmental policies and climate resiliency projects, including:
  - Successfully defended Bike Share Program in high-profile litigation; partnered with Attorneys General to compel implementation of energy efficiency standards; successfully appealed draft federal flood insurance maps for NYC; managed large-scale Gowanus Canal superfund discovery.
  - Lead counsel to \$338 million East Side Coastal Resiliency project, negotiating agreements with public utility, New York State, and among NYC agencies.
  - Primary counsel to Hurricane Sandy rebuilding and climate resiliency task force; developed cutting-edge guidance for environmental review of climate change impacts; guiding 14 agency task force to reduce stormwater pollution from NYC operations and facilities.
  - Co-taught Harvard Law School's Green New York Clinic on NYC's sustainability agenda.

#### Pratt Institute

*Visiting Associate Professor*

Brooklyn, New York

*Fall 2014-Summer 2016*

- Taught graduate school course on environmental review: processes, technical analysis, and potential reform.

#### Natural Resources Defense Council

*Litigation Intern*

New York, New York

*Summer 2007*

- Prepared memoranda, complaint, notice letter, and standing declarations for federal environmental litigation.

#### Office of the New York State Attorney General

*Labor Bureau Intern*

New York, New York

*Summer 2006*

- Drafted complaints, affidavits, subpoenas, and criminal informations for prosecution of labor law violations.

#### Sierra Club Atlantic Chapter

*Legislative Associate*

Albany, New York

*Winter 2004-Summer 2005*

- Drove passage of smart growth reform of State Empire Zone tax incentive program, increased State environmental budget, and raised profile of wetland preservation bill through lobbying and advocacy.

### Education

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#### Boston College Law School

*Juris Doctor, magna cum laude*, GPA: [REDACTED]

Newton, Massachusetts

*May 2008*

*Honors:* Order of the Coif, Robert S. Pitcoff Memorial Scholarship

*Publications:* Note, *Zoning Out: State Enterprise Zones' Impact on Sprawl, Job Creation, and Environment*, 35 B.C. ENVTL. AFF. L. REV. 111 (2008)

*Activities:* Environmental Affairs Law Review, Managing Editor; Moot Court Competition, Quarter Finalist; Public Interest Law Foundation, Fundraising Chair

#### Grinnell College

Bachelor of Arts in Philosophy, GPA: [REDACTED] Phi Beta Kappa, Dean's List

Grinnell, Iowa

*May 2001*

**Continuing Education:** New York City Environmental Law Leadership Institute, Class of 2010.

**Bar Admission:** New York State, United States Court of Appeals for the Second Circuit and United States District Courts for the Southern and Eastern Districts of New York.