



"We're working to keep New Hampshire working"

GEORGE N. COPADIS, COMMISSIONER

RICHARD J. LAVERS, DEPUTY COMMISSIONER

LEGAL SECTION
45 SOUTH FRUIT STREET
CONCORD, NH 03301-4857



January 7, 2021

MuckRock News
DEPT MR 117140
411A Highland Ave
Somerville, MA 02144-2516

To Whom It May Concern:

This letter is in response to your demands, dated November 19, 2021 and December 6, 2021, for production of documents in response to a request under the New Hampshire Right to Know law (RSA 91-A) originally made August 6, 2021.

Enclosed please find New Hampshire Employment Security's complete response that was sent via email, as requested, on November 5, 2021.

MuckRock News's ("MuckRock") continued demands for production of documents without regard to the actual status of production have become vexatious. The New Hampshire Right to Know law requires public agencies either to produce responsive documents within five (5) business days of the request or provide the requestor "the time reasonably necessary to determine whether the request shall be granted or denied." RSA 91-A:4, IV.

In response to the original request, the Department indicated that it would respond by September 17, 2021. Yet, on September 10, 2021, MuckRock demanded production of responsive documents.

On September 15, 2021, the Department informed MuckRock that additional time was needed and a response would be provided by October 15, 2021. On September 27, 2021, MuckRock demanded production. On October 12, 2021, MuckRock again demanded production.

On October 15, 2021, the Department provided a partial response and informed MuckRock that a full response would be provided by November 19, 2021. On November 5, 2021, the Department provided a complete response to the request.

Despite the issuance of a response that fulfilled the Department's obligations under RSA 91-A, MuckRock has since continued to demand production of responsive documents via letters dated November 19, 2021 and December 6, 2021. Seemingly, there has been no effort made by MuckRock to confirm or acknowledge the status of the Department's response. Instead, multiple additional demands have been sent despite the complete response provided on November 5, 2021. We now ask that you cease and desist from further demands of this nature unless, after

reviewing the Department's response in good faith, you are able to communicate that it is not responsive or complete in some identified way.

Because the Department has completely responded to the records request and because MuckRock continues to demand production with no sign of having evaluated the status of production, further communications of this nature from MuckRock News will be disregarded.

The requestor may contact the Department directly with any questions or clarifications.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Erik Bal', enclosed within a large, loopy blue oval.

Erik Bal
Counsel



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45 SOUTH FRUIT STREET
CONCORD, NH 03301-4857



November 5, 2021

Muckrock News
Attn: Emily Corwin
411A Highland Ave
Somerville, MA 02144-2516

Re: Right to Know Request

Dear Ms. Corwin:

This letter is in response to your request under New Hampshire's Right to Know law for the following documents:

Request 1. All reports regarding Work Opportunity Tax Credits certified in 2019 and 2020 provided to the US Department of Labor, including forms 9058.

Department's Response: Responsive documents enclosed.

Request 2. Any database tracking Work Opportunity Tax Credit certifications which is created or maintained by your department or by any third party vendor under contract with your department, preferably in .csv or .xlsx format. If it is easier, the database can be limited to the calendar or fiscal years ending in 2018, 2019, and 2020.

Department's Response: To the extent such records exist, they are exempt from disclosure under RSA 91-A:6 and RSA 282-A:118.

Request 3. The most recent of any contract with third party vendors to track WOTC certifications.

Department's Response: The Department has no responsive documents.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Erik Bal', is written over a horizontal line.

Erik Bal
Counsel