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July 15, 2022

By Email & Mail

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Re: AB 511 DOE v. Lyndonville Central School District, et al.

Dear Counselors:

I am in receipt of your amended notice for discovery and inspection dated June 28, 2022.

We are willing to make available for inspection what are believed to be the former classrooms of Terry Houseman and Ruth Bane located at 88 N. Main Street Lyndonville, New York 14098. However, we make no representations that the classrooms, layouts, furniture, and buildings are the same as they were in the 1980s. With respect to inspecting the former classrooms of Mr. Houseman and Ms. Bane, we are currently working with the District to confirm dates and times, which we will propose in the near future. With respect to this building, we object to your request to inspect the "complete layout of the school" as it is overly broad and there is no reasonable basis to inspect the entire school. Additionally, such request is unduly burdensome because it requires us to ensure the entire building is devoid of students.

We further object to your request to inspect the "complete layout of the school" of 25 Housel Avenue Lyndonville, New York 14098 and the record retention room. There is no basis, let alone a reasonable basis, to inspect 25 Housel Avenue. Based on Plaintiff's testimony, none of the alleged incidents occurred at 25 Housel Avenue. In addition, the record retention room cannot be inspected. The room contains, among other

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things, personnel files and student records, which are protected by numerous federal and state laws, including but not limited to the Family Educational Rights and Privacy Acts.

Very truly yours,

WEBSTER SZANYI LLP



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SBO:imd