

From: Peter Kiernan [mailto:Peter.Kiernan@chamber.state.ny.us]
Sent: Wednesday, April 15, 2009 6:43 PM
To: Smith, Brian
Cc: David Johnson
Subject: Governor Paterson

Dear Mr. Smith:

I serve as Counsel to Governor David A. Paterson. I understand that the New York Yankees request confirmation from the Governor's office that the Governor's attendance and that of certain of his staff at the Opening Game and Ceremonies at the new Yankee Stadium on April 16, 2009 as a guest of the Yankees would not constitute an impermissible gift in violation of law.

Pursuant to Advisory Opinion 05-1 dated February 1, 2005 of the New York State Temporary Commission on Lobbying, and the draft Proposed Gift Regulations of the Commission on Public Integrity at section 933.1, it would not be an impermissible gift for the Yankees to invite Governor Paterson to attend the April 16, 2009 opening ceremonies and game. This also would apply to the Governor's son, Alex.

The Governor will be accompanied by David Johnson, Senior Advisor and Confidential Assistant to the Governor, as well as Matthew Nelson (advance), Peter Kauffman (Director of Communications), and Louis Diaz (liaison to the Bronx community.) It similarly would not be an impermissible gift for the Yankees to invite Messrs. Johnson, Nelson, Kauffmann and Diaz as their functions are appropriate to the fact that this will be a widely attended public event where the Governor may become accessible to the media.

I hope the foregoing is sufficient for your needs.

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