

# **EXHIBIT 8**

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**NEW YORK STATE  
COMMISSION ON PUBLIC INTEGRITY**

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January 6, 2010

**ELECTRONIC MAIL**

Karl J. Sleight, Esq.  
Harris Beach, PLLC  
677 Broadway, Suite 1101  
Albany, New York 12207

Dear Mr. Sleight:

The New York State Commission on Public Integrity ("Commission") issues this letter, pursuant to Executive Law §94(12), indicating that your client, John J. O'Connor, President of the State University of New York Research Foundation ("SUNY-RF"), may have violated Public Officers Law §§74(3)(d), (f) and (h). This letter supersedes and replaces the letter dated January 29, 2009 that the Commission sent to Mr. O'Connor.

Public Officers Law §74(3)(d) states in pertinent part:

No officer or employee of a state agency . . . should use or attempt to use his official position to secure unwarranted privileges or exemptions for himself or others.

Public Officers Law §74(3)(f) states in pertinent part:

An officer or employee of a state agency . . . should not by his conduct give reasonable basis for the impression that any person can improperly influence him or unduly enjoy his favor in the performance of his official duties, or that he is affected by the kinship, rank, position or influence of any party or person.

Public Officers Law §74(3)(h) states in pertinent part:

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An officer or employee of a state agency . . . should endeavor to pursue a course of conduct which will not raise suspicion among the public that he is likely to be engaged in acts that are in violation of his trust.

The Commission has received information that, subsequent to April 25, 2007, your client permitted Susan Bruno ("Bruno"), an employee of the SUNY-RF, to work from home until March 2009, when she resigned from the SUNY-RF. The Commission also has received information that your client permitted Bruno to receive compensation from April 25, 2007 through March 2009 for little or no work. Depending on the circumstances, your client's conduct may constitute a violation of Public Officers Law §§74(3)(d), (f) and (h).

Executive Law §94(12)(a) requires the Commission to notify your client of these possible or alleged violations. The law also requires that the Commission provide your client with an opportunity to respond in writing, setting forth information relating to the activities cited as a possible or alleged violation of law. Accordingly, your client has 15 days from the receipt of this letter to respond in writing. After submitting such written response, your client may schedule a meeting with a Commission representative.

Please be advised that any individual who knowingly and intentionally violates Public Officers Law §74(3)(d) shall be subject to a civil penalty in an amount not to exceed \$10,000 for each violation and the value of any gift, compensation or benefit received as a result of such violation. Assessment of the civil penalty is made by the Commission following a hearing. Any individual who violates Public Officers Law §74(3)(f) or (h) may be referred to his or her appointing authority, which may impose disciplinary action as provided by law.

If you have any questions please feel free to contact Associate Counsel Bridget E. Holohan at (518) [REDACTED]

Very truly yours,



Barry Ginsberg  
Executive Director and  
General Counsel