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*By NYSCEF and Hand Delivery*

The Hon. Barry R. Ostrager  
Supreme Court, New York County  
60 Centre Street, Room 232  
New York, NY 10007

*Re: People of the State of New York v. Exxon Mobil Corporation, No. 452044/2018*

Dear Justice Ostrager:

ExxonMobil writes to address former Attorney General Eric Schneiderman's corrective affirmation (the "Second Affirmation") concerning his use of a personal email account to conduct official government business. *See* Dkt. No. 286, Ex. A. Contrary to the Court's directive, the Office of the Attorney General ("OAG") has once again provided a "carefully worded statement" designed to obscure what measures, if any, were taken to confirm that Mr. Schneiderman's personal email account contains no responsive documents. Dkt. No. 240 at 33:23. In particular, the Second Affirmation fails to confirm whether Mr. Schneiderman's personal email account has been searched. It also carves out swaths of documents that Mr. Schneiderman unilaterally deems to lack "*substantive* information." Dkt. No. 286, Ex. A. ¶ 3 (emphasis added). To cure the deficiencies in the Second Affirmation, ExxonMobil asks the Court to direct OAG to search Mr. Schneiderman's personal email account using the same search terms and review criteria applied to other custodians in this matter.

Respectfully submitted,

/s/ Theodore V. Wells, Jr.

Theodore V. Wells, Jr.

cc: All counsel of Record (by NYSCEF)