

Renwick, J.P., Richter, Andrias, Kapnick, Kahn, JJ.

5927 In re Free Market Environmental Law Index 101759/16
 Clinic, et al.,
 Petitioners-Appellants,

-against-

The Attorney General of New York,
Respondent-Respondent.

Law Office of Francis Menton, New York (Francis Menton of
counsel), for appellants.

Eric T. Schneiderman, Attorney General, New York (Linda Fang of
counsel), for respondent.

Order and judgment (one paper), Supreme Court, New York
County (Manuel J. Mendez, J.), entered May 22, 2017, denying the
petition to, inter alia, compel respondent, pursuant to the
Freedom of Information Law, to produce all records pertaining to
a February 2015 meeting between respondent and representatives of
nonparty Eco-Accountability and October and November 2015
meetings between respondent and representatives of nonparty Fahr
LLC, and dismissing the proceeding brought pursuant to CPLR
article 78, unanimously affirmed, without costs.

Respondent met its burden of showing that the records
withheld were compiled for law-enforcement purposes (*see Matter
of Leshner v Hynes*, 19 NY3d 57, 67 [2012]; *Matter of Loevy & Loevy
v New York City Police Dept.*, 139 AD3d 598, 599 [1st Dept 2016]);

Public Officers Law § 87[2][e][I]). Given respondent's broad investigatory powers (see *People v Grasso*, 54 AD3d 180, 204 [1st Dept 2008]), we decline to question to what extent, if any, respondent's decision to initiate the investigation to which the subject meetings were related was motivated by political considerations (see *People v Bunge Corp.*, 25 NY2d 91, 97-98 [1969]; *Salnikova v Cuomo*, 93 AD3d 445 [1st Dept 2012], *lv denied* 19 NY3d 813 [2012]).

Supreme Court did not abuse its discretion in declining to consider petitioners' postargument submissions (see e.g. *Foiti v G.A.F. Corp.*, 64 NY2d 911, 913 [1985]).

In view of the foregoing, we need not consider whether some of the documents were also exempt from production as intra-agency materials (Public Officers Law § 87[2][g]).

THIS CONSTITUTES THE DECISION AND ORDER
OF THE SUPREME COURT, APPELLATE DIVISION, FIRST DEPARTMENT.

ENTERED: MARCH 8, 2018


CLERK