

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF WESTCHESTER

-----X  
In the Matter of an Article 78 Proceeding,

RYE POLCE ASSOCIATION OF THE  
CITY OF RYE, INC.,

Petitioner,

**AFFIDAVIT OF  
DAWN NODARSE  
IN OPPOSITION  
TO THE VERIFIED  
PETITION**

- against -

**Index No. 15962/08  
( DiBella, J.)**

THE CITY OF RYE, AND RYE GOLF CLUB,

Respondent.

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STATE OF NEW YORK            )  
  ) ss.  
COUNTY OF WESTCHESTER)

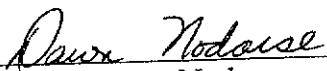
Dawn Nodarse, being duly sworn, deposes and says, under penalty of perjury:

1. I am the City Clerk of the City of Rye.
2. In my capacity as City Clerk, I respond to certain Freedom of Information Law ("FOIL") requests.
3. On May 6, 2008, I received a FOIL request by e-mail from Timothy Chittenden requesting all records of any event held by or on behalf of former City of Rye Clerk Sue Morison at the Rye Golf Club as well as all


facility fees paid for any event held at or on behalf of former City of Rye Clerk Sue Morison through May 6, 2008. A copy of this e-mail is attached as Exhibit "A".

4. I was informed by Mr. Scott Yandrasevich, who also received the aforementioned FOIL request and who is the General Manager of the Rye Golf Club, that he conducted a diligent search of the Rye Golf Club records and that there were no records responsive to the aforementioned FOIL request.

5. On June 6, 2008, I communicated by e-mail to Mr. Chittenden that I was informed by the Rye Golf Club that after a diligent search of their records, there are no documents responsive to the aforementioned FOIL request. A copy of this e-mail is attached as Exhibit "B".

  
Dawn Nodarse

Sworn to before me this  
12<sup>th</sup> day of August, 2008

  
MARGARET DEL VECCHIO  
Notary Public, State of New York  
No. 01DE5040296  
Qualified in Westchester County  
Commission Expires March 6, 2011