

EDMUND G. BROWN JR.
Attorney General

State of California
DEPARTMENT OF JUSTICE



1300 I STREET, SUITE 125
P.O. BOX 944255
SACRAMENTO, CA 94244-2550

Public: (916) 324-5477
Telephone: (916) 322-5452
Facsimile: (916) 322-2630
E-Mail: marc.leforestier@doj.ca.gov

Via Electronic and U.S. Mail

September 22, 2009

The Honorable Hector De La Torre
Chair, Assembly Committee on
Accountability and Administrative Review
State Capitol, Room 4016
Sacramento, CA 95814

RE: Assembly Committee on Accountability and Administrative Review
Informational Hearing Re California Lottery Administrative Expenditures

Dear Assembly Member De La Torre:

Thank you for your invitation to testify at your committee's informational hearing regarding the California Lottery's administrative expenditures, scheduled for September 23, 2009. As I believe you are aware, I have discussed this invitation with Nancy Chaires, a consultant to the committee, and we must respectfully decline the invitation.

As we understand it, you have requested that a representative of the Attorney General's Office "address DOJ's work with the California State Lottery in determining the appropriateness of administrative expenditures, specifically those related to employee recognition events." Discussing this issue would require the Attorney General's Office to disclose confidential communications between the Attorney General's Office and the California State Lottery, which communications are protected from disclosure under the lawyer-client privilege. (Evidence Code, s. 954.) In the absence of express authorization from the California State Lottery to disclose these communications, it is our obligation to keep them confidential.

Thank you for your attention and understanding.

Sincerely,

A handwritten signature in black ink, appearing to read "M. A. LeForestier", written over a horizontal line.

MARC A. LeFORESTIER
Supervising Deputy Attorney General

For EDMUND G. BROWN JR.
Attorney General