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OFFICE OF THE PROSECUTOR

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September 9, 2022

Via OPRA Machine: opra+request-33687-cdc9b772@requests.opramachine.com

RE: OPRA Request – Emails

Dear Madam:

With regard to your request for “all emails to and from Ms. Taylor Toscano from 2016 to present that reference Jason Samaritano”, the requested emails are attached. Please be advised that emails consisting of advisory, consultative and deliberative materials have not been included pursuant to N.J.S.A. 47:1A-1.1, et seq. Please be further advised that personal identifying information has been redacted pursuant to N.J.S.A. 47:1A-1.1, et seq. Additionally, various emails consisting of duplicates have not been included.

With regard to your request for “any emails from others within the Prosecutor’s Office referencing Jason Samaritano from 2016 to present”, any request for emails must identify: (1) a date range for the communications, (2) the subject of the communications, and (3) the sender and/or recipient. See Elcavage v. West Milford Twp. (Passaic), GRC Complaint No. 2009-07 (April 2010); Armenti v. Robbinsville Bd. of Educ. (Mercer), GRC Complaint No. 2009-154 (Interim Order May 24, 2011). We are unable to fulfill your request for these emails as you have failed to identify a specific sender and/or recipient.

With regard to your request for “all subpoenas obtained involving Jason Samaritano’s cases from 2016 to present”, please be advised that request is impermissibly vague and overbroad, as it does not identify any specific records or documents in existence. Additionally, compliance with the request would require research, analysis and judgment by this office, which is prohibited by OPRA:

While OPRA provides an alternative means of access to government documents not otherwise exempted from its reach, it is not intended as a research tool litigants may use to force

government officials to identify and siphon useful information. Rather, OPRA simply operates to make identifiable government records "readily accessible for inspection, copying, or examination." See MAG Entm't, LLC v. Div. of Alcoholic Beverage Control, 375 N.J. Super. 534, 546 (App. Div. 2005).

Based on the foregoing, your request for documents set forth in item numbers 2 and 3 of your email is denied. Should you disagree with our decision, please contact us in writing with your concerns so that we may consider them.

Yours very truly,

Dina R. Khajezadeh

Dina R. Khajezadeh
Assistant Prosecutor

DRK/dp

Enclosures

Prestia , Donna

From: Khajezadeh, Dina
Sent: Thursday, August 25, 2022 7:48 PM
To: Prestia , Donna; Carey, Erin
Subject: FW: [EXTERNAL] OPRA request - Emails

Donna and Erin,

FYI.

Dina

-----Original Message-----

From: Khajezadeh, Dina
Sent: Thursday, August 25, 2022 7:48 PM
To: 'Erin' <opra+request-33687-cdc9b772@requests.opramachine.com>
Subject: RE: [EXTERNAL] OPRA request - Emails

Dear Erin,

Due to this Office's current workload and the voluminous documents you have requested, we would respectfully request an additional extension to September 9, 2022 within which to respond to your OPRA request. Thank you very much for your courtesies and cooperation.

Dina Khajezadeh

-----Original Message-----

From: Erin <opra+request-33687-cdc9b772@requests.opramachine.com>
Sent: Monday, July 11, 2022 11:15 AM
To: Khajezadeh, Dina <DKhajezadeh@co.ocean.nj.us>
Subject: [EXTERNAL] OPRA request - Emails

extension to 9/9

This message has originated from an External Source. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Dear Ocean County Prosecutor's Office,

This is a request for public records made under OPRA and the common law right of access. I am not required to fill out an official form. Please acknowledge receipt of this message.

Records requested:

All emails to and from Ms. Taylor Tuscano from 2016 to present that reference Jason Samaritano.

Any emails from others within the Prosecutor's Office referencing Jason Samaritano from 2016 to present.

All subpoenas obtained involving Jason Samaritano's cases from 2016 to present.

Yours faithfully,

Erin

Please use deliver records electronically via email to the below UNIQUE address for all replies to this request:
opra+request-33687-cdc9b772@requests.opramachine.com

Is DKhajezadeh@co.ocean.nj.us the wrong address for OPRA requests to Ocean County Prosecutor's Office? If so, please contact us using this form:

https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fopramachine.com%2fchange_request%2fnew%3fbody%3docean_county_prosecutors_office&c=E,1,hTZ6run1xo1qhWEjUPky91OAHm01YG29LTOp4xVGbL_CI507fqkDtb3wEfPgR6y0zyb4oRCn3skhlhDxu6UH0HDAw8AS_4-eOP0xH3X&typo=1

Disclaimer: This message and any reply that you make will be published on the internet. Our privacy and copyright policies:

https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fopramachine.com%2fhelp%2fofficers&c=E,1,knvHK0Pmlv8s2IOV5Tg3wyHy-6oHLEgyR9HaiNNkWwJWZQmd0vyYt58_qxPSD31lhXvgIHgOda7CO3_XQ4iEelmU-S0jpliOBoxfYOMnAGg1S9M,&typo=1

View this OPRA request & responses online:

https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fopramachine.com%2frequest%2femails_40&c=E,1,lXQyinK1xw1azzyveCgs1EpK06pu68daHkNG19rlwq9JCav8J5OOPEZp6hP2w1nLH304TjTvyiLC7L58gy44nDJq4G3PPF9FgdqV6UMDrEbn2ALwwOr&typo=1

Please note that in some cases publication of requests and responses will be delayed.

If you find this service useful as an OPRA custodian, please ask your web manager to link to us from your organisation's website.
