



Mark F. Glaser  
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July 27, 2010

**CONFIDENTIAL**  
**VIA ELECTRONIC & OVERNIGHT DELIVERY**

Ms. Gail P. Thorpe, Contracting Officer  
New York State Division of the Lottery  
Finance Office  
One Broadway Center  
Schenectady, New York 12305

Re: Determination Regarding Claim of Confidentiality of Matter Contained in the Proposal Submitted By **REDACTED** and **REDACTED** (SL Green Proposal) Pursuant to the Request for Proposals for Development and Operation of a Video Lottery Facility at Aqueduct Racetrack, dated May 11, 2010 Under the Freedom of Information Law (FOIL)

Dear Ms. Thorpe:

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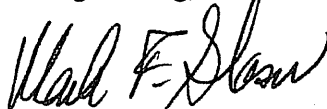
**Conclusion:**

For the reasons specified above, the information identified must not be released to the public because such release will result in substantial competitive injury to SL Green, Hard Rock, Clairvest and their other bidding partners, will result in an unwarranted invasion of the personal privacy of the bidding team or will result in violations of the Personal Privacy Law. It should be noted that the information contained in this letter is also highly confidential and sensitive to the SL Green bidding team. Release of this document to the public would also result in substantial injury to the competitive position of SL Green and its bidding partners. Accordingly, this document must remain confidential.

We appreciate this opportunity to explain our concerns regarding release of this information. If you require any additional information, or have questions, please contact me.

Respectfully submitted,

Greenberg Traurig, LLP



Mark F. Glaser

MFG/mdw

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