

From: Christi Grab [redacted]
Subject: Re: PRA Request
Date: August 19, 2021 at 9:49 AM
To: Whitehouse, James@OTA [redacted]

CG

Thank you for clarifying. Have a great rest of your day/week.

Christi

On Aug 19, 2021, at 9:29 AM, Whitehouse, James@OTA [redacted] wrote:

Dear Christine Grab:

Your understanding is correct.

Thank you,

James Whitehouse

From: Christi Grab [redacted]
Sent: Thursday, August 19, 2021 9:07 AM
To: Whitehouse, James@OTA [redacted]
Cc: [redacted] Kristen@OTA [redacted]
Stowers, Yvette@SCO [redacted] Holmes, Dana L@OTA [redacted]
[redacted] Bouaziz, Myriam@OTA [redacted]
[redacted] OTA PRA [redacted]; Wimberly,
Jeanna@OTA [redacted]
Subject: Re: PRA Request

Hi Mr. Whitehouse:

Thank you for the explanation. I am going to reiterate what I believe you said to make sure that I understand correctly. Please confirm that I understand correctly, or correct me if I misunderstood.

What I believe you said is that this oath is administered to each ALJ only once (upon beginning employment with the agency), is solely administered orally, and the administration of the oath is not documented in any written records. I believe that the implication made by this statements is that the portion of the CPRA request in which I asked for the oaths of office of Gast, Lambert and Cheng cannot be fulfilled because there are no documents that exist which confirm that the ALJ judges actually took this oath of office.

Please confirm or correct.

Regards,

Christine Grab

On Aug 19, 2021, at 8:40 AM, Whitehouse, James@OTA [redacted] wrote:

[Redacted]

wrote.

Dear Christine Grab:

OTA does not have any signed oaths of office. When each judge begins their employment with OTA, the Chief Counsel or the Executive Director administers an oral oath to the judge. The judge orally recites the oath with his/her right hand raised, and their left hand is placed upon a commercially-available copy of the California Constitution. We have provided you with the hard-copy oath that is administered orally to each judge. No other document, signed or unsigned, exists.

Thank you,

James Whitehouse

<image001.png>

Office of Tax Appeals

James S. Whitehouse (he/him/his)

Associate Governmental Program Analyst-Lead

Public Records Act Coordinator

Technical Resource and Support Services Section

Mail: P.O. Box 989880

West Sacramento, CA 95798-9880

[Redacted] M [Redacted]

OTA (916) 492-2635 | Fx (916) 492-2089

<https://ota.ca.gov>

OTA: Objective Transparent Accountable

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From: Christi Grab [Redacted]

Sent: Wednesday, August 18, 2021 6:59 PM

To: Whitehouse, James@OTA [Redacted]

Subject: Re: PRA Request [Redacted]

Mr. Whitehouse,

While I appreciate that you have made a response to my request, OTA has not provided the documents that I requested. As such, OTA is still in violation of the CA Public Records Act. To be completely clear, I want copies of the fully executed oaths of office that Ms. Cheng, Mr. Gast and Mr. Lambert (this means names filled in and signed). Please send those fully executed oaths of office over immediately. There is no valid

reason to have not provided copies of these oaths timely.

Regards,

Christine Grab

On Aug 18, 2021, at 2:19 PM, Whitehouse, James@OTA
[REDACTED] wrote:

August 18, 2021

Sent Via Email

Christine Grab
[REDACTED]

**Public Records Request for Judicial Oath and Current
Positions of Linda Cheng,
Kenneth Gast, and Joshua Lambert.**

Dear Cristine Grab:

This letter is in response to your California Public Records Request dated July 23, 2021, for the current positions of the individuals named above and OTA's Judicial Oath.

The California Public Records Act, Government code section 6250 et sequitur ("the Act"), permits the inspection and copying of certain public records. Section 6253 of the Act provides as follows:

Each agency, upon a request for a copy of records, shall, within 10 days from receipt of the request, determine whether the request, in whole or in part, seeks copies of disclosable public records in the possession of the agency and shall promptly notify the person making the request of the determination and the reasons therefor. . . . When the agency dispatches the determination, and if the agency determines that the request seeks disclosable public records, the agency shall state the estimated date and time when the records will be made available.

Consistent with its obligations under the Act, the Office of Tax Appeals (“OTA”) advises that Linda Cheng is a Tax Counsel IV, Kenneth Gast is no longer with OTA, and Joshua Lambert is an Administrative Law Judge II. Further, OTA has made a diligent search of its records and has compiled all of the responsive, nonexempted, documents relating to your request detailed above. Attached to this email in PDF format, please find: “ALJ Oath.”

If you have any questions about the content of this letter, please contact the OTA Public Records Act Section at (916) 926-3913 or OTAPRA@ota.ca.gov.

Sincerely,

Public Records Act
Section
Office of Tax
Appeals

<image001.png>

Office of Tax Appeals

James S. Whitehouse (he/him/his)

Associate Governmental Program Analyst-Lead
Public Records Act Coordinator

Technical Resource and Support Services Section

Mail: P.O. Box 989880

West Sacramento, CA 95798-9880

P [REDACTED] | M [REDACTED]

OTA (916) 492-2635 | Fx (916) 492-2089

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<ALJ Oath.pdf>



Office of Tax Appeals

James S. Whitehouse (he/him/his)

Associate Governmental Program Analyst-Lead
Public Records Act Coordinator

Technical Resource and Support Services Section

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West Sacramento, CA 95798-9880

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"I, _____, do solemnly swear (or affirm)

that I will administer justice without respect to persons

and do equal right to the poor and to the rich,

and that I will faithfully and impartially

discharge and perform all the duties incumbent upon me as an
Administrative Law Judge

under the Constitution and laws of the United States and the State of
California.

So help me God