

Outlook

Emergency Press Conference

From

From: Wiesenfeld, Daniel
Sent: Monday, October 5, 2026 3:29 PM
Cc: James, Letitia
Subject: Fw: Emergency Press Conference

Hi everyone,

The best part of having f[REDACTED]-you money is being able to tell the truth, without fear of consequences so here we go:

[REDACTED] instructed me to find and pursue crimes committed by specific individuals and organizations affiliated with Donald Trump, including Trump himself, Truth Social, Hewlett Packard (DOJ approved merger), etc., without having a credible reason for targeting these individuals and organizations. Presumably [REDACTED] acted at the behest of Tish, or Attorney General Letitia James if you 珍e not into the whole brevity thing, in targeting her public enemy number 1: Trump and his companies. Fortunately, [REDACTED] hasn't yet figured out how to target DOJ to get back at them for firing her. Apparently it's just Tish's personal grudges with Trump that sets the agenda. Specifically, [REDACTED] instructed me to look into Trump and his organizations to find a crime, and any crime of his would do.

While the elected New York Attorney General uses significant public taxpayer dollars to target convenient public enemies, there are countless examples of her taking absolutely no action against rampant non-profit homeless shelter fraud, Medicaid fraud, and antisemitic crimes in and around synagogues, to name just a few abandoned areas of this Office 担 law enforcement agenda. Tish is prioritizing political theatre and getting re-elected in November over actually improving the quality of life of New Yorkers. Going after Trump (even unsuccessfully) wins elections in New York; cracking down on inconspicuous but very real and harmful crimes does not.

If you believe Trump is using DOJ attorneys to prosecute his enemies and further his political interests, you should find it equally troubling that Tish is doing the same exact thing with [REDACTED] and her other "personal attorneys ". I ask that you not serve as Tish's personal attorneys by targeting her political enemies. Instead, I hope you choose to prosecute crimes and find the individuals accountable, rather than targeting individuals and then finding crimes.

Regards,

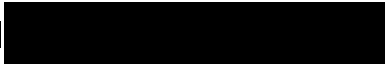
Daniel

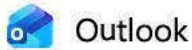
Daniel Wiesenfeld

Assistant Attorney General | Investor Protection Bureau

Office of the New York State Attorney General

28 Liberty Street, New York, New York 10005

Tel: [\(212\) 416-8493](tel:(212)416-8493) | 

**OFFICE OF THE NEW YORK STATE ATTORNEY GENERAL****From****From:** Gibson, Kumiki**Sent:** Monday, October 5, 2026 1:18 PM**To:** [REDACTED]**Subject:** OFFICE OF THE NEW YORK STATE ATTORNEY GENERAL

Mr. Wiesenfeld:

I write in response to the various e-mails that you sent to the Attorney General and me early this morning. We strongly dispute your characterization of the facts and our correspondence. To be abundantly clear, the Office of the New York Attorney General ("OAG" or "Agency") has never directed you to destroy any "evidence." We have simply instructed you to return, or alternatively destroy, copies of OAG confidential and/or privileged records that you unlawfully and improperly transmitted from your Agency e-mail address to your personal e-mail account in anticipation of your departure. Indeed, we are aware that you removed such files from OAG's network because we have reviewed and possess such e-mails, and, rest assured, we have preserved copies of all such e-mails.

Moreover, as to your characterization that we are "[n]egotiat[ing]," please be advised that this is not a negotiation. We are instructing you to comply with your legal and ethical obligations to the Agency, and we expect that you will provide us with the requested confirmation by end of day today. Given your failure to provide a substantive response to OAG's multiple correspondence for more than a month, we feel that further discussion on this point would be unproductive.

Finally, please refrain from directly contacting OAG officials and employees in connection with your disputes with the Agency. As you should know, OAG personnel are represented by the Office of General Counsel in these matters, and any and all communications must be directed to me. OAG reserves all rights.

Sincerely,

Kumiki Gibson

General Counsel

From: Daniel Wiesenfeld [REDACTED]**Sent:** Monday, October 5, 2026 6:54 AM**To:** James, Letitia <Letitia.James@ag.ny.gov>; Gibson, Kumiki <Kumiki.Gibson@ag.ny.gov>**Subject:** New York Attorney General's threats**[EXTERNAL]**

Letitia James,

I am in receipt of your September 18th letter threatening me with "professional discipline, as well as civil and/or criminal action" and your subsequent September 30th letter providing a deadline by 5pm today for me to confirm my destruction of your "confidential and/or privileged information". You have also commissioned your "protection detail" detectives to repeatedly hound me by banging on my front door. Attached is the business card one of them left in my door after their latest intrusion.

I understand you are fearful of what I might do with what you refer to as your "confidential and privileged" materials, ahead of an important election. These documents are simply evidence and your threats will not compel me to destroy such evidence. If anything, carrying out your threats by bringing this to a legal forum will make this information public.

As I wrote in my August 28th email to your entire Office, you have initiated several meritless investigations into Trump and his affiliates, without a credible reason. More damning, you've insisted on proceeding with such investigations after it became apparent there was no viable cause of action.

[REDACTED] explicitly related this to us in one such case. There are far more fruitful areas for

your law enforcement agenda that will achieve an actual return on New Yorkers' significant tax investments in your Office.

Even if you maintain Trump is a "career criminal" and fitting target, you have failed to recover a single cent from him. You are either running on corrupt Stalinist politics of "Show me the man and I'll show you the crime" or you are wholly ineffective at recovering any money for New Yorkers from such criminal activity. Either way, you are **not** fit to serve as the Attorney General of New York. New Yorkers deserve better.

No need to mass delete my email this time.

Sincerely,

Daniel Wiesenfeld



Outlook

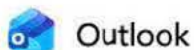
E-MAIL FROM AN OAG STAFF MEMBER

From**From:** Gibson, Kumiki <Kumiki.Gibson@ag.ny.gov>**Sent:** Friday, August 28, 2026 3:17 PM**Subject:** E-MAIL FROM AN OAG STAFF MEMBER

Colleagues – Earlier today, an OAG employee circulated an e-mail making certain claims about the Attorney General, the Office of the Attorney General, and OAG staff. We wish to provide you some updates on this matter:

- The Office of the General Counsel is treating this as a personnel matter.
- As this is a personnel matter, we cannot discuss the substance of the e-mail or provide updates on the matter going forward.
- At no time was there any physical safety risk to our offices, including 28 Liberty, or OAG staff.

We remain committed to a safe workplace and a workforce that serves all New Yorkers and the State of New York. If you have questions about this matter, please contact me directly. Thank you ~ Kumiki



Follow-Up

From

From: Gibson, Kumiki

Sent: Monday, September 28, 2026 2:58 PM

To: [REDACTED]

Cc: Moran, Jenna <Jenna.Moran@ag.ny.gov>

Subject: Follow-Up

Mr. Wiesenfeld:

We wish to follow up on the various letters that we have transmitted to you on September 4th, 18th, and 24th; however, we are unsure if you are represented by counsel in this matter. While we had understood that you were previously represented by Levi Stoep, on September 4th, he advised us that he was not representing you at that time and specifically asked not to be included on any correspondence from us. We also understand that, on September 24th, you suggested to OAG investigators that you intended to seek your attorney's review of our correspondence.

Can you please confirm whether you are represented by counsel, and, if so, please provide your counsel's contact information. If you do not provide such contact information by close of business tomorrow, September 29th, we will assume that you are not represented by counsel.

Thank you ~ Kumiki Gibson



**Office of the New York State
Attorney General**

**Letitia James
Attorney General**

September 30, 2026

VIA E-MAIL

Daniel Wiesenfeld
[REDACTED]

RE: Confirmation Regarding Confidential and/or Privileged Information

Dear Mr. Wiesenfeld:

I write to follow-up on Jenna Moran's September 4th letter and my September 18th and 24th letters, each of which asked you, among other things, to confirm in writing that you have returned or deleted *all* confidential and/or privileged information that you removed from the Office of the New York State Attorney General's ("OAG" or "Agency") network in the weeks before your departure from the Agency. We also made clear that the confirmation must describe any disclosure(s) of such information with sufficient detail so to enable the Agency to take reasonable measures to protect such information and/or to remediate the harm caused by such disclosure(s).

Ms. Moran first instructed you to provide this confirmation no later than September 11th. To facilitate your compliance with this demand, we subsequently provided you with a proposed two-paragraph declaration on September 24th, when Agency investigators recovered certain OAG property from your home. Yet, to date, you have not provided any assurance that you neither possess nor have you disclosed or used OAG confidential and/or privileged information. Instead, on each occasion, you have requested more time to review the demand.

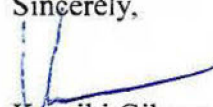
As an attorney licensed in the State of New York and as a former OAG employee, both the New York Rules of Professional Conduct and State law prohibit you from (i) retaining OAG property—including, specifically, confidential and/or privileged information—and (ii) disclosing or otherwise using such information outside of your official duties. 22 NYCRR § 1200.1.16(e) ("upon termination of representation, a lawyer shall take steps, to the extent reasonably practicable, to avoid foreseeable prejudice to the rights of the client, including . . . delivering to the client all papers and property to which the client is entitled"); *id.* §§ 1200.1.9(c), 1200.11.1(a) ("A lawyer who has formerly represented a client in a matter . . . shall not thereafter . . . use confidential information of the former client protected by Rule 1.6 to the disadvantage of the former client[,] . . . or . . . reveal confidential information of the former client."); N.Y. PUB. OFF.

Daniel Wiesenfeld
September 30, 2026
Page Two

LAW § 74(3)(c) ("No officer or employee of a state agency . . . should disclose confidential information acquired by him or her in the course of his or her official duties nor use such information to further his or her personal interests."). Your continued failure to provide adequate assurance that you neither possess nor have you disclosed confidential and/or privileged information raises serious concerns that you have violated both your ethical obligations to the Agency and State law.

Please be advised that if we do not receive the requested confirmation(s) *by 5:00 p.m. (ET) on Monday, October 5*, as an officer of the court, I will have no choice but to file a complaint of professional misconduct against you with the State Grievance Committee. While it is our understanding that you are not currently represented by counsel given your failure to identify such counsel, if your representation status has changed, please promptly refer this correspondence to your attorney and provide us with their contact information.

Sincerely,



Kumiki Gibson
General Counsel

cc: Jenna Moran, Director of Human Resources



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

Employee Information

Date: 7/18/24 Bureau: Inventor PowerPro Location: New York City
Name: Daniel W. Seng Home Address: [REDACTED]
City: [REDACTED] State: [REDACTED] Zip Code: [REDACTED]
Home Phone#: [REDACTED] Cell Phone#: [REDACTED]
Home E-mail: [REDACTED]
Active Firefighter: Yes ☐ No ☒
U.S. Military Status: Non-Veteran ☒ Veteran ☐ Disabled Veteran ☐
Dates of Service: From ___/___/___ To ___/___/___
Reserve Status: None ☐ Inactive ☐ Active ☐
Branch: _____ Type of Discharge: _____

Emergency Contact Information

Contact Name: [REDACTED] Relationship: [REDACTED]
Home Address: [REDACTED]
Business Address: _____
Home Phone#: [REDACTED]
Business Phone#: [REDACTED]
Cell Phone#: [REDACTED]



BOA - APPROVES

PP#9

(Perm)

NYS Office of the Attorney General EXEMPT HIRE SLIP

☒ DEPT OF LAW/OCTF

☐ MED FRAUD

☐ Transfer from Public Employer

Hire Slip Reason: New Hire

Effective Date: 07/18/2024

☒ Transfer from Private Employer

FIRST NAME: Daniel

LAST NAME: Wiesenfeld

MIDDLE INITIAL:

PREFIX:

SUFFIX:

PREFERRED FIRST NAME:

PREFERRED LAST NAME:

SOCIAL SECURITY NUMBER: [REDACTED]

N#: [REDACTED]

ADDRESS LINE 1: [REDACTED]

ADDRESS LINE 2: [REDACTED]

CITY: [REDACTED]

STATE: [REDACTED]

ZIP: [REDACTED]

HOME TEL. NO.: [REDACTED]

MOBILE TEL NO:

DATE OF BIRTH: [REDACTED]

E-MAIL ADDRESS: [REDACTED]

SCHOOL: New York University School of Law

JD DATE: May 2018

NYS Bar DATE: March 18, 2019

ATTY REG EXP: June 2025

Approved by: _____

(For the Attorney General)

LOCATION

DIVISION: Economic Justice

BUREAU: Investor Protection

WORKSITE: 28 Liberty

SUPERVISOR: [REDACTED]

BUSINESS TITLE: Assistant Attorney General

Ethics Status: N/A

SALARY: \$111,802

RECOMMENDED ITEM NO.: 09700

OTHER INFORMATION:

paypool 036 ✓

* NO PAIN STATE SOURCE

ADMINISTRATION DIVISION USE ONLY

PAYROLL TITLE: AAG

ATTY REG NO: 5690326

LOC. PAY: \$3,400

SALARY PLAN: Attorney

GROUP: 1E

ESG:

Pay Period: 09

FUNDING: GEN

Sec 211:

Email ✓
TAX ✓
Loc ✓

DC
BOH
7/24/24
NL

Hers
7/23/24
am

[Home](#) > [NS Salary Adjustments](#) > [NS Salary Adjustments](#) > [Use](#) > **Budget Director Approval (BDA)** [New Window](#)[Request](#) | [Appointee](#) | [Documents](#) | [Determination](#) | [Comments](#)

Position #: [REDACTED]

View All First of Last

Appointee

SSN: [REDACTED] Name (Last,First<space>Middle) **Wiesenfeld,Daniel**

Current Agency: Date of Birth: [REDACTED]

Current Title: SG/SG EQ: JC: NU:

Permanent Hold *

Agency:	Line:	Position #:
Title:	SG:	Leave Begin:
*Approval of BDA does not constitute approval of leave		Leave End:

Previous Incumbent

Name:	Salary:	Date Vacated:
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Req Date: 06/18/2024 Requestor: Rosen,Margaret Rm

Request Status: DOB Approved

[Save](#) | [Return to Search](#)[Request](#) | [Appointee](#) | [Documents](#) | [Determination](#) | [Comments](#)

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Request | **Appointee** | **Documents** | **Determination** | **Comments**

Position #: [REDACTED]

*Req Eff Date: 07/18/2024		Rate Frequency: Not to Exceed	View All	First	Last
Request Type: Original Appointment		LIMIT INFORMATION +			
Last Incr Date:		Salary Range From:	Required?		
Last Incr Amt:		Salary Range To: \$129,426.00	Salary Change:		
Curr Inc Salary:		Requested Salary: \$111,802.00	Salary Change %:		
Current Position Data as of Transaction Effective Date					
Agency: [REDACTED]	Law	Line #: [REDACTED]	Pool ID: [REDACTED]		
Title: [REDACTED]	Assnt Attorney Gen	SG: NS JC: 2 NU: 06	Program: 35110		
Location: [REDACTED]	New York City - Manhattan	Rate Frequency: Not to Exc	Subfund: 10050		
Pos Type: [REDACTED]		Rate: \$129426	Fund Type: 1		
Pos Ends:		Fund: State Operations Account			
Req Date: 06/18/2024		Requestor: Rosen, Margaret Rm		Request Status: DOB Approved	

[Position Summary](#)

[Request](#) | [Appointee](#) | [Documents](#) | [Determination](#) | [Comments](#)

[Home](#) > [NS Salary Adjustments](#) > [NS Salary Adjustments](#) > [Use](#) > **Budget Director Approval (BDA)** [New Window](#)[Request](#) | [Appointee](#) | [Documents](#) | [Determination](#) | [Comments](#)

Position #: [REDACTED]

View All First Last

Request

Rate Frequency: Not to Exceed

Salary Range From:

Salary Range To: \$129,426.00

Requested Salary: \$111,802.00

GAO Determination

Action:

Effective Date:

Det Date:

GAO User:

DOB Determination

Action: Approved

Effective Date: 07/18/2024

Det Date: 06/27/2024 DOB User: Logiudice, Maria A

Req Date: 06/18/2024 Requestor: Rosen, Margaret Rm

Request Status: DOB Approved

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OFFICE OF THE NEW YORK STATE
ATTORNEY GENERAL

LETITIA JAMES
ATTORNEY GENERAL

DIVISION OF ADMINISTRATION
HUMAN RESOURCES MANAGEMENT BUREAU

June 20, 2024

Daniel Wiesenfeld
[REDACTED]
[REDACTED]
[REDACTED]

Dear Daniel Wiesenfeld,

On behalf of Attorney General Letitia James, I am pleased to confirm you have accepted the position of Assistant Attorney General in the Investor Protection – New York City Bureau of the Office of the New York State Attorney General effective Thursday, July 18, 2024, at an annual salary of \$111,802 plus \$3,400 location pay.

Your appointment, which is at the pleasure of the Attorney General, is terminable at will and is contingent upon a satisfactory background investigation, fingerprint report, current supervisory reference, and approval of appointment by the New York State Division of Budget. Appointment to this AAG position requires New York State residency.

The Office of the Attorney General serves as the guardian of the legal rights of the people of New York, its organizations, and its natural resources. The decision to offer you a position in our office was made after the most thorough and careful review of your credentials and your abilities, and we have every confidence that you will make a significant contribution to the mission of this office.

We look forward to welcoming you to the Office of the New York State Attorney General.

Sincerely,

Jenna A. Moran
Director of Human Resources

JM/ep

PP 9
ERS/VDC

Quick Sheet for Phone Call:

Date: 5/17, 1:45

Name: Daniel Wiesenfeld

DOB:

Start Date: 7/18/24

Bureau: IPB NYC

Title: AAG

Salary: 63,377 + 3,400

Admin Lag Cycle	☒
Direct Deposit	☒
5-Day Salary Withholding	☒
DOB Processing	☒

8/14

Medical/Prescription (28 day waiting period)	☒
Dental	☒
Vision	☒
Life Ins	☒

8/15

NYSLRS	☒
VDC	☒

Deferred Comp	☒
Flex Spend	☒
NYS Ride	☒

Vacation	☒
Personal	☒
Sick	☒
Holiday	☒
IPP	☒
PFL/PPL	☒

Comments: Brooklyn DA - NYCBS member

Moon, Nicole

From: Moon, Nicole
Sent: Tuesday, May 21, 2024 3:43 PM
To: Daniel Wiesenfeld
Cc: Ramsahai, Soonmatee; Rivera, Jessica; [REDACTED]; [REDACTED] Selitto, Rose; Polito, Lauren; Moon, Nicole
Subject: Welcome to the NYS Office of the Attorney General
Attachments: I-9 Form - Acceptable Documentation.pdf; NYSHIP Rates for 2024.pdf; Health Insurance Choices for 2024.pdf; Proof of Eligibility.pdf; Opt Out Program.pdf; CommuterBenefitsPoster_NYS.pdf; Tier 6 Membership Information.pdf; VDC Summary Plan Description.pdf; ethics-handbook-for-state-employees_nov10_final.pdf; Reference Guide for Exempt Hires MC 9.21.23.pdf; Outside Activities - New Updated Exec Order 6.pdf

Importance: High

Good afternoon Daniel,

The Human Resources Management Bureau would like to take this opportunity to welcome you to the NYS Office of the Attorney General, Investor Protection Bureau, NYC. We look forward to your joining our team on Thursday, July 18, 2024.

On Thursday, July 18, please report at 10:00 a.m. to the Security Desk located on the Plaza Level at 28 Liberty Street, Manhattan. You will need to show a government issued photo ID to obtain a visitor badge. From the lobby, you will be directed to the Division of Administration which is located on the 16th Floor. Lauren Polito will greet you and ensure you are provided an OAG photo ID, which will allow you access to OAG offices at 28 Liberty. Form I-9 and the State Employee Statement in Lieu of Oath will also be completed at this time. Please have original, unexpired documents available for I-9 completion. Additional information related to the Form I-9 can be found below. Attached you will find a Plain Language Guide to the Ethics Law which relates to Lieu of Oath completion.

You will have access to our New Employee Resources page on the OAG intranet. This page contains benefit related information, guidance materials and additional HR forms. Once you are on board, HR staff will provide you with a link to this page and will also schedule a phone meeting to review materials and to coordinate completion and submission of other documentation.

You will be scheduled to attend a virtual orientation on Friday, July 19, 2024 from 9:00 a.m. to 12:30 p.m. During orientation you will meet with Administrative staff who will provide you with information on ethics, public officer's law, diversity and inclusion, and cybersecurity, among other topics. After a break for lunch, the mandatory training session will be held, from 1:30 p.m. to 3:30 p.m. A member of our Legal Education & Professional Development Bureau (LEPD) will facilitate the completion of four mandatory training classes. You will also be scheduled to attend a Comprehensive Ethics Training in the near future. Additional information will be provided as dates near.

Once HR requirements are all set, we will release you to the Investor Protection Bureau.

Please review the following as it provides important information about required documents for your first day:

- **Required Documents:** Under Federal law, all U.S. employers must complete and retain a Form I-9 for each individual they hire for employment in the United States. This includes citizens and noncitizens. As part of the form, the employer must examine the employment eligibility and identity document(s) an employee presents to determine

whether the document(s) reasonably appear to be genuine and relate to the individual and record the document information on the Form I-9. Attached is a list of acceptable documentation. Please be prepared to present one item from Column A **OR** one item from Column B and one item from Column C, on your first day.

- **NYS Insurance Benefits:** NYS offers a variety of benefits to its employees. The benefits include health, dental, vision, life and other personal line insurance coverage; Flex Spending, which has two components, Health Care Spending Account and Dependent Care Spending Account; NYS Ride, a pre-tax commuter program for New York State employees (NYS-Ride information is attached); and the NYS Deferred Compensation, a State sponsored voluntary retirement savings plan for New York State employees. **Required Documents:** Please be advised that in order to enroll in or opt out of New York State Health Insurance Program (NYSHIP), you must provide the appropriate application and identification proving eligibility for yourself as well as any dependents you wish to cover. Attached is a list of the required documents for both yourself and any dependents you wish to cover. We cannot process your request without having all necessary documentation. Applications and documentation must be received during the first 28 days of employment in order to obtain coverage timely. Otherwise, late enrollment policies will apply.

In order for you to make an informed decision regarding your health plan, I have attached a Choices Booklet. This will provide you with a short description of each of the health plans available. In addition, attached is a rate sheet, which provides you with the employee biweekly cost for health benefits. Your biweekly cost will be under the Management Confidential (M/C) header; salary grade 10 and above. If you currently have health coverage elsewhere, and will not be applying for coverage under the NYS Health Insurance Program (NYSHIP), you may be interested in the Opt-Out Program. Information is attached which describes that program.

Enrollment in one of the two options offered for retirement planning, NYS & Local Employees' Retirement System (ERS) or the NYS Voluntary Defined Contribution Plan (VDC), is mandatory. You will have 30 days from the date of hire to make a decision as to which plan you would like to enroll in. Further information will be provided by email on your first day of employment.

Also attached is Reference Guide for Exempt Hires which provides detail on payroll, time and attendance, benefits as well as other matters, which may apply to NYS employment.

Workplace Flexibilities Program

The Office of the Attorney General (OAG) is committed to providing workplace flexibilities that will maintain and enhance productivity, retain and attract talented individuals, and reduce absenteeism and/or tardiness when it is clearly demonstrated that such schedules will not impair the delivery of internal or external services. To that end, OAG employees may utilize various workplace flexibilities, including telecommuting, compressed work schedule (CWS) and staggered scheduling. Employees must obtain supervisory approval prior to using workplace flexibilities, and the program itself will be subject to continuing management review.

Outside Activity Reporting

As part of our compliance program (and consistent with State requirements), disclosures for Outside Activities must be reported annually to indicate that an employee continues to engage in an outside activity that has been approved by the OAG.

As a new employee, you should be aware that:

- (1) **Within 2 weeks of your start date, you must submit your Outside Activity Request (OAR) through the myOAG portal.** Even if you submitted a paper/PDF form for vetting during the application process, you must now submit it via the portal.
- (2) **You must re-submit your OAR each year by May 15th for annual approval.** This is true even if you have an outside activity that has been previously approved and has not materially changed since approval.

We remind all staff that an OAR is not approved and operational, unless it has been reviewed and approved by the Ethics Committee for that year, regardless of whether an OAG supervisor or the Commission on Ethics and Lobbying in Government (COELIG) was informed of such activity. Failure to submit a required OAR is itself grounds for discipline, regardless of whether a substantiated conflict of interest is later identified.

For more information, you may view Executive Order 6 or contact the Office of General Counsel at Compliance@ag.ny.gov. For instructions on the process of submitting an OAR or Annual Disclosure, please review the OAR Quick Reference Guide.

If you have any questions or need additional information, please feel free to contact me directly at the number below or by email. Thank you.

Nicole Moon | Associate Director of Payroll and Benefits
New York State Office of the Attorney General
The Capitol | Albany, NY 12224
Tel: (518) 776-2494 | Nicole.Moon@ag.ny.gov

Moon, Nicole

To: Wiesenfeld, Daniel
Cc: Lauren Polito; Carroll, Nicole; Moon, Nicole
Subject: NYS Retirement Options: DEADLINE: August 16, 2024
Attachments: Comparison Chart.pdf; Membership Registration - RS 5420.pdf; Tier 6 Membership Information.pdf; VDC Summary Plan Description.pdf; VDC NYS Enrollment Guide.pdf

Importance: High

Welcome to the NYS Office of the Attorney General. As an unrepresented employee of NYS earning an annual salary of \$75,000 or more, you have the option of choosing one of two retirement packages. Enrollment in one of the two plans is mandatory. Your election and contributions are retroactive to the date of employment. Under both plans, you are required to make a biweekly employee contribution, which is based on your annual salary. **Based on your annual salary, your contribution rate will be 6%.**

Option 1: NYS & Local Employees' Retirement System (NYS ERS), a Defined Benefit Program

A defined-benefit plan is an employer sponsored retirement plan, where the benefits are computed using a formula that considers factors, such as length of employment and salary history. Attached is a Tier 6 Membership Booklet which explains in detail the benefits available as a member of the NYS ERS, Tier 6. Detailed information regarding the NYS ERS will be found at <http://psc.state.ny.us/retire/index.php>. If you choose to enroll in the NYS ERS, please complete the attached Membership Registration form. The original signed form must be returned to the Human Resources Management Bureau in Albany. **Some things to consider when researching this option is whether you have an existing membership with a NYS public retirement system and/or whether you have service with another NYS public employer.** Both of these circumstances may provide you with an addition benefit that may affect your decision.

Option 2: Voluntary Contribution Program (VDC), a Defined Contribution Plan

The VDC is a defined contribution plan. Benefits are determined by the amount contributed each year and the success of the investments. The employee contribution is determined by salary; the employer contribution is 8%. Attached is a Summary Plan Description which provides details on the VDC. Additional information on the VDC is available at www.vdc.ny.gov. To enroll in VDC, you do so online by following the steps in the attached VDC Enrollment Guide. **IMPORTANT:** Please be advised that you have only 30-days from your start date, through **August 16, 2024** to enroll in this option. If you do not enroll within the 30-day time frame, it will be mandatory for you to enroll in the NYSERS.

It is important to understand that both the NYSERS and VDC have vesting periods. Information on vesting is covered in the individual material provided. **PLEASE NOTE:** At this time, contrary to what is stated in the VDC Summary Plan Description, waiving of the 366-day vesting period is not available even if you have an employer-funded retirement contract with any of the VDC investment providers. To also help you reach a decision, attached is a chart comparing the difference between a Defined Benefit Plan and a Defined Contribution Plan. When making a decision regarding your retirement planning, it is important that you fully understand the implications to you, as well as your beneficiaries. We strongly suggest that after review of the information provided, you contact NYSERS and the VDC helpline to ensure you are making an informed, educated decision. You may also wish to consult your own financial advisor.

Some of the topics you may wish to consider are:

- Current retirement savings you have and how that may impact your decision;
- Flexibility of the plan for your career lifestyle;
- Impact on your beneficiary(s)

The decision you make is irrevocable so it is important that you take the time out to review the attached material and speak to the representatives who will best be able to assist you in making a decision.

If you have any questions, please email Benefits@ag.ny.gov. Thank you.

Nicole Moon | Associate Director of Payroll and Benefits

New York State Office of the Attorney General

The Capitol | Albany, NY 12224

Tel: (518) 776-2494 | Nicole.Moon@ag.ny.gov

Moon, Nicole

From: Moon, Nicole
Sent: Thursday, May 9, 2024 10:17 AM
To: [REDACTED]
Cc: Rosen, Maggie; Moon, Nicole
Subject: NYS Employment/Background Check
Attachments: OAG BCI Memo.pdf

Importance: High

Good morning Daniel,

I understand you have accepted the position of Assistant Attorney General in the Investor Protection Bureau, NYC, with a tentative start date of July 18, 2024. If you can let me know by return email a good time to reach you during the week of May 13th, along with a phone number, I'd like to take about 20-30 minutes of your time to discuss NYS employment and benefits, as well as answer any questions you may have.

As this position is exempt, you are subject to a background and fingerprint check. Attached is information with detailed instructions to schedule an appointment for fingerprints. The OAG uses Evolution Consulting to run our background investigations. You will be receiving an email from helpdesk@evolutioncheck.com requiring you to fill out initial information, and a consent form to begin the process. Please respond to Evolution Consulting within 3 business days of receiving this email. You may be contacted by various individuals from Evolution throughout the background check process. If you have any questions, please email Maggie.Rosen@ag.ny.gov.

I look forward to speaking with you.

Nicole Moon | Associate Director of Payroll and Benefits
New York State Office of the Attorney General
The Capitol | Albany, NY 12224
Tel: (518) 776-2494 | Nicole.Moon@ag.ny.gov



NYS Office of the Attorney General EXEMPT HIRE SLIP

☒ DEPT OF LAW/OCTF

☐ MED FRAUD

☐ Transfer from Public Employer

Hire Slip Reason: New Hire

Effective Date: 07/18/2024

☒ Transfer from Private Employer

FIRST NAME: Daniel

LAST NAME: Wiesenfeld

MIDDLE INITIAL:

PREFIX:

SUFFIX:

PREFERRED FIRST NAME:

PREFERRED LAST NAME:

SOCIAL SECURITY NUMBER: [REDACTED]

N#:

ADDRESS LINE 1: [REDACTED]

ADDRESS LINE 2: [REDACTED]

CITY: [REDACTED]

STATE: [REDACTED]

ZIP: [REDACTED]

HOME TEL. NO.: [REDACTED]

MOBILE TEL NO:

DATE OF BIRTH: [REDACTED]

E-MAIL ADDRESS: [REDACTED]

SCHOOL: New York University School of Law

JD DATE: May 2018

NYS Bar DATE: March 18, 2019

Approved by: _____

(For the Attorney General)

ATTY REG EXP: June 2025

LOCATION

DIVISION: Economic Justice

BUREAU: Investor Protection

WORKSITE: 28 Liberty

SUPERVISOR: [REDACTED]

BUSINESS TITLE: Assistant Attorney General

Ethics Status: N/A

SALARY: \$111,802

RECOMMENDED ITEM NO.: [REDACTED]

OTHER INFORMATION:

ADMINISTRATION DIVISION USE ONLY

PAYROLL TITLE: AAG

ATTY REG NO: 5690326

LOC. PAY: \$3,400

SALARY PLAN: Attorney

GROUP: 1E

ESG:

Pay Period: 09

FUNDING: GEN

Sec 211:

**STATE OF NEW YORK
OFFICE OF THE ATTORNEY
GENERAL**

M E M O R A N D U M

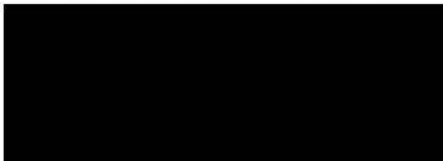
FOR YOUR IMMEDIATE ATTENTION

Fingerprints are processed electronically. You must schedule an appointment to be fingerprinted by going to <https://uenroll.identogo.com> or calling the toll free call center at **877-472-6915**. Scheduling via the website can be done 24 hours a day, 7 days a week. You are responsible for the cost of the fingerprint fee which is currently \$89.50. You can pay one of two ways: if you schedule your appointment via the website you will be given the option to pay on-line or you can pay via check made payable to IDEMIA. If you pay by check you must bring the check with you at the time of your appointment.

Please see below for information necessary in order to schedule your appointment. If you have any questions regarding these procedures, please contact Maggie Rosen at (518) 776-2503.

You will need the following information to schedule your fingerprints:

Website: <https://uenroll.identogo.com> - enter the Service Code listed below. This will bring you to the instructions for making your fingerprint appointment. If you prefer you can call the toll free # 877-472-6915.



Please print out your confirmation page and bring it with you to the appointment. You will also need 2 forms of ID one of which must contain a photo; you will be given a list of accepted forms of identification when you register. **Please email the date and time of your appointment to HROPS@ag.ny.gov**

If you have any questions, please contact Maggie Rosen via e-mail or at 518-776-2503.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jenna A. Moran".

Jenna A. Moran
Director of Human Resources

DANIEL WIESENFELD

BAR ADMISSION

State of New York, March 2019

EXPERIENCE

BROOKLYN DISTRICT ATTORNEY'S OFFICE, New York, NY

Senior Assistant District Attorney, August 2023-Present

Felony Assistant District Attorney, February 2022-August 2023

Presented eight Grand Jury cases and received a True Bill on all eight Indictments. Argued six Suppression hearings and Court denied Suppression in all six hearings to advance cases to trial stage. Successfully argued against multiple pre-trial motions seeking to dismiss the case. Conducted several plea deals. Successfully briefed a motion to reargue to re-instate an Indictment that the Judge previously dismissed.

WEIL, GOTSHAL & MANGES LLP, New York, NY

Litigation Associate, September 2018 - February 2022

Summer Associate, May - August 2017

Researched and analyzed Due Process, Fair Housing Act, and New York City Human Rights statutes, and wrote successful preliminary injunction motion that helped domestic abuse survivor retain essential subsidy to their Section 8 housing. Defended a deposition on behalf of a non-profit organization in breach of contract dispute. Drafted various deposition outlines to prepare company directors and officers for their depositions and to ascertain knowledge base of Plaintiffs' witnesses in multiple multi-billion dollar securities fraud cases. Researched, analyzed, and summarized Second Circuit case law on whether securities fraud defendants must prove an alternative reason for a drop in stock price in order to rebut Plaintiff's claim of price impact, and an investor's eligibility for tax credits where the underlying asset invested in for tax credits was part of a fraud. Four time recipient of Weil *Pro Bono* Award.

THE HONORABLE GEORGE B. DANIELS, U.S. DISTRICT COURT, S.D.N.Y., New York, NY

Judicial Intern, January 2018-May 2018

Worked closely with the Judge on a variety of civil and criminal cases, gaining invaluable insights from a critical decision-maker about what makes a legal argument more persuasive. Prepared draft opinions and orders in response to Magistrate Judges' Reports and Recommendations. Conducted editing and cite-checking of judicial opinions and orders.

UNITED STATES ATTORNEY'S OFFICE FOR THE SOUTHERN DISTRICT OF NEW YORK, New York, NY

Extern, Criminal Division, January - May 2017

Extern, Civil Division, September - December 2017

Researched, analyzed, and summarized cases for supervisors to defend against Defendant's *Brady* claim. Researched and drafted legal memorandum for supervisors to introduce them to infrequently used statutes including one that criminalizes the improper disposal of lead paint. Analyzed the legality of Government's *Miranda* Warning in interrogation proceedings. Researched, analyzed, and wrote about a variety of issues, including a complex causation damages issue in a lawsuit against a big pharmaceutical company, employment discrimination and Bivens' claims, and asserting that the United States has personal jurisdiction over a foreign entity allegedly providing material support to terrorists.

NEW YORK STATE ATTORNEY GENERAL'S MEDICAID FRAUD CONTROL BUREAU, New York, NY

Intern, Civil Division, June - July 2016

Wrote memo analyzing whether drug facility illegally registered as a pharmacy rather than as a wholesaler.

EDUCATION

NEW YORK UNIVERSITY SCHOOL OF LAW, New York, NY

J.D., May 2018

Activities:

Student Advocate for Unemployment Action Center

Staff Editor and Quorum Editor, Journal of Legislation and Public Policy

Published Article on Insider Trading titled, "The Evolution of Insider Trading"

1L Reading Group: Corporate Crime and Fraud

YESHIVA UNIVERSITY, New York, NY

B.A. in Sociology, *summa cum laude*, May 2015

Honors:

Jay and Jeanie Schottenstein Honors Program (full tuition merit scholarship)



APPLICATION FOR APPOINTMENT
Assistant Attorney General
Assistant Solicitor General
Office of the Attorney General - State of New York

TO BE COMPLETED ONLY AFTER INITIAL INTERVIEW

I. PERSONAL INFORMATION

1. Name: Daniel Wiesenfeld
2. Home Address: [REDACTED]
City, State, Zip: [REDACTED]
- NOTE: All Assistant Attorneys General must reside in (or intend to become a resident of) New York State.*
3. Telephone: [REDACTED]
4. Email Address: [REDACTED]
5. Social Security Number (last four digits): XXX - XX - [REDACTED]
6. Current Employer: Kings County District Attorney's Office
Address: 350 Jay Street
City, State, Zip: Brooklyn, NY, 11201
Telephone: 718-250-2001
7. Do you authorize this Office to contact your employer? YES ☒ NO ☐
8. Month/Year of any prior application for appointment in the New York State Office of the Attorney General: 11/2021
9. Have you made an employment commitment to any current or prospective employer? YES ☐ NO ☒
If so, state the nature of the commitment.

- 9a. Are you currently receiving benefits from any retirement system or pension plan administered by the State of New York or any of its political subdivisions? YES ☒ NO ☐
(If "YES," pursuant to NY Retirement and Social Security Law §211(2) (a) (1), the New York State Office of the Attorney General ("OAG") may need to obtain approval to hire you from the New York State Civil Service Commission. Please be advised that obtaining employment with the OAG may have a significant impact upon your eligibility to continue to receive pension benefits, and/or the amount of benefits you may be eligible to receive in the future. It is your obligation to discuss with your pension administrator the financial ramifications to you accepting OAG employment.

10. Are you a United States citizen?

YES ☒ NO ☐

(Pursuant to the Public Officers Law, United States citizenship is required for OAG attorneys.)

II. EDUCATION INFORMATION

11. Law School: New York University School of Law

Address: 40 Washington Square South

City, State, Zip: New York, NY, 10012

12. Degree: JD

13. GPA: 3.3

14. Class Standing: _____

15. Significant Activities and Awards: Staff Editor and Quorum Editor, Journal of Legislation and Public Policy

Published Article on Insider Trading titled, "The Evolution of Insider Trading"

NOTE: *If you graduated from law school within the last five years, you must request your law school to promptly forward an official transcript of your grades to this office.*

16. College: Yeshiva University

Address: 500 West 185th Street

City, State, Zip: New York, NY, 10033

17. Major: Sociology

18. Degree: BA

19. GPA: 3.89

20. Class Standing: _____

21. Significant Activities and Awards: Summa Cum Laude

Jay and Jeanie Schottenstein Honors Program (full tuition merit-based scholarship)

III. ADDITIONAL GRADUATE EDUCATION

22. School: _____

Address: _____

City, State, Zip: _____

23. Degree and Subject of Study: _____

24. Significant Activities and Awards: _____

IV. LEGAL BACKGROUND

25. Admitted to Practice Law in: NY on 03/2019
State Month/Year

____ on ____
State Month/Year

26. Are you admitted to practice in any federal district and/or circuit court? If yes, please identify the court(s).

No

27. Identify all states in which you are a member of the bar in good standing. NY

V. PAST EMPLOYERS AND REFERENCES**28. EMPLOYERS:**

DATES	EMPLOYER and ADDRESS	SUPERVISOR and TELEPHONE
FROM: <u>09/2018</u> TO: <u>02/2022</u>	<u>Weil Gotshal and Manges</u> <u>767 5th Ave, New York, NY 10153</u>	<u>Colin McGrath</u> <u>310-595-3047</u>
FROM: <u>02/2022</u> TO: <u>Present</u>	<u>Kings County District Attorney's Office</u> <u>350 Jay Street, Brooklyn, NY, 11201</u>	<u>Michelle Weber</u> <u>917-494-5862</u>
FROM: _____ TO: _____	_____ _____	_____ _____

Attach additional sheets if necessary

29. Do you know any individual(s) currently employed by the NYS Office of the Attorney General?: YES ____ NO ☒
If "Yes" please complete the following information.

Name Bureau/Location ☐ Acquaintance ☐ Relative

Name Bureau/Location ☐ Acquaintance ☐ Relative

30. Do you authorize this Office to contact your references? YES ☒ NO ____

VI. CONFLICT OF INTEREST SCREENING

31. Within the last five years have you appeared in any action or proceeding on behalf of a party suing the state of New York or any of its agencies or officers?

YES _____ NO ☒

32. Have you ever worked for or obtained confidential information relating to any individual or entity that you know is currently involved in a legal matter (including any litigation, investigation or regulatory matter) with the State of New York?

YES _____ NO ☒

If you answered "Yes" to Question 32 or 33, please provide the name of the case or other information sufficient to identify the legal matter (attach additional sheets if necessary):

33. If offered a position with the Office of the Attorney General, will you also volunteer or maintain concurrent employment elsewhere? *(If "YES", please identify other concurrent position, including self-employment.)*

YES _____ NO ☒

Name of Organization _____

Address _____
Street City State/Zip Code

Dates: From ____ / ____ / ____ To ____ / ____ / ____ Title or Position _____

Please Note: (1) If you are working on a legal matter in which the Department of Law is an adverse party, then you should not discuss that case during the interview process. (2) Before an offer of employment can be made, we may require that you advise the adverse party that you are applying for a job with the Department of Law. (3) If an offer of employment is made and accepted, then you may have to be screened from any legal matter involving a former employer or client about whom you have material confidential information. (4) If an offer of employment is made and accepted and you will be volunteering or maintaining concurrent employment elsewhere, you must request and complete an Office of the Attorney General Outside Activity Request Form.

VII. BACKGROUND QUESTIONS

FOR PURPOSES OF A BACKGROUND INVESTIGATION TO BE CONDUCTED IN CONNECTION WITH AN APPOINTMENT TO THE DEPARTMENT OF LAW, YOU MUST ANSWER THE FOLLOWING QUESTIONS. IF YOU ANSWER "YES" TO ANY QUESTION, WRITE THE NUMBER OF THE QUESTION ON A SEPARATE SHEET OF PAPER AND PROVIDE A BRIEF WRITTEN EXPLANATION FOR YOUR ANSWER.

34. Have you ever had your driver's license suspended or revoked within the past ten years? If yes, please provide date. YES____ NO ✓
35. Have you ever been convicted of or pleaded guilty to driving without a license? YES____ NO ✓
36. Have you ever been convicted of or pleaded guilty to driving without insurance? YES____ NO ✓
37. Have you ever been convicted of or pleaded guilty to driving while impaired or intoxicated? YES____ NO ✓
38. Have you ever been convicted of a crime? YES____ NO ✓
39. Have you ever been a defendant in civil litigation where a federal, state or local governmental agency was an adverse party? YES____ NO ✓
40. In your employment, business ventures or professional associations, have you ever:
- (a) been disqualified or discharged from any position; YES____ NO ✓
- (b) resigned from a position with charges pending against you; or YES____ NO ✓
- (c) had a professional license suspended, revoked or modified? YES____ NO ✓
41. Have you ever been asked to resign from any employment? YES____ NO ✓
42. Have you ever failed to file in a timely manner federal and/or state income tax returns, or failed to pay your income tax within 45 days of the date on which it was due, or have you had to pay penalties to satisfy your tax liability? YES ✓ NO____
43. Have you ever had any debts turned over to a collection agency, or failed to pay a just debt that has been overdue for more than 60 days or failed to repay a student loan as originally agreed? YES____ NO ✓
44. Within the last five years, or since you have been admitted to the bar (whichever is later), have you used or sold any illegal drug or narcotic? YES____ NO ✓
45. Have you ever defaulted on a student loan or any debt to or guaranteed by the state or federal government? YES____ NO ✓

46. Have you ever been the subject of any appointment background investigation by any federal, state or local agency?

YES _____ NO ☒

If you answered yes:

Name of agency _____

Date _____

Position for which you were considered _____

47. Are you currently a party to any pending lawsuit in any local, state or federal court?

YES _____ NO ☒

48. Have you ever had any judgments entered against you?

YES _____ NO ☒

49. Have you ever been the subject of a professional disciplinary proceeding or investigation?

YES _____ NO ☒

50. Is there anything else of which this office should be aware in considering your application for employment?

YES _____ NO ☒

AFFIRMATION

I AFFIRM UNDER PENALTY OF PERJURY THAT THE STATEMENTS MADE ON THIS APPLICATION FORM (INCLUDING ANY ATTACHED PAGES) ARE TRUE.

Daniel M Wissenfeld

SIGNATURE OF APPLICANT

05/01/2024

DATE

ACKNOWLEDGMENT

I ACKNOWLEDGE AND AGREE TO A TWO YEAR EMPLOYMENT COMMITMENT TO THE NEW YORK STATE OFFICE OF THE ATTORNEY GENERAL.

Daniel M Wissenfeld

SIGNATURE OF APPLICANT

05/01/2024

DATE

FALSE STATEMENTS MAY PREVENT YOUR CONSIDERATION FOR EMPLOYMENT OR MAY CAUSE DISMISSAL OR OTHER SANCTIONS AND MAY SUBJECT YOU TO CRIMINAL CHARGES. ALL INFORMATION CONTAINED HEREIN IS SUBJECT TO VERIFICATION BY THE NEW YORK STATE OFFICE OF THE ATTORNEY GENERAL AND NEW YORK STATE POLICE.

1. 1st Deputy Bureau Chief Mark Pagliuco, Direct Supervisor, April 2022 – Present
718-250-2986, PAGLIUCM@BrooklynDA.org
2. Elder Abuse Unit Chief Michelle Weber, Direct Supervisor, April 2022 – Present
718-250-2870, WEBERM@BrooklynDA.org
3. Associate Colin McGrath, Supervisor on Pro Bono case at Weil, December 2018 - February 2020
310-595-3047, colin.mcgrath@dlapiper.com

[REDACTED]
[REDACTED]
[REDACTED]

March 28, 2024

Office of the New York State Attorney General
28 Liberty Street
New York, NY 10005

Dear Legal Recruitment Unit,

I am a Senior Assistant District Attorney at the Brooklyn D.A.'s Office and a 2018 graduate of New York University School of Law. I am writing to apply for the position of Assistant Attorney General (LIT/LEPG_NYC_AAG_3666) with the New York State Attorney General's Office. I have enjoyed the opportunity to work with law enforcement, including police officers, detectives, corrections officers, and 911 operators. Working in tandem with these dedicated public servants has been incredibly rewarding and inspiring. As an intern during law school, I enjoyed this Office's culture of collegiality and professionalism and would love to have the opportunity to come back and contribute to this positive culture.

I have worked hard to develop my research, writing and analytical skills during law school and beyond. During law school, I interned for Judge George Daniels in the Southern District of New York, where I drafted reports and recommendations. Prior to the Brooklyn D.A., I worked in Weil Gotshal's Securities Litigation group where I had the opportunity to advise and defend clients against securities fraud and white-collar lawsuits by navigating and interpreting federal securities laws and conducting internal investigations in response to government investigations.

At Weil, I also drafted a critical preliminary injunction motion, which effectively pushed Defendant, New York City's Department of Housing Preservation and Development, to agree to provide domestic violence survivors the means of obtaining new housing vouchers in their names, safeguarding them against the loss of their homes. I have also conducted extensive research and writing for corporate clients, including drafting sections of briefs in multi-billion dollar securities fraud cases.

I further honed these analytical, writing, and oral advocacy skills at the Brooklyn D.A.'s Office, where I have fought off several motions to dismiss the criminal case and successfully briefed a motion to reargue to re-instate an Indictment that the Judge previously dismissed. I have also developed my oral advocacy skills, successfully opposing suppression of critical evidence in all six hearings, to advance these cases to trial stage.

Enclosed is my resume, two writing samples, and a list of three references. Thank you for your consideration of my application.

Sincerely,

Daniel Wiesenfeld

STATE OF NEW YORK
DEPARTMENT OF LAW

**CONFLICT OF INTEREST SCREENING FORM FOR
DEPARTMENT OF LAW ATTORNEYS, PARALEGALS
INVESTIGATORS, ACCOUNTANTS AND AUDITORS**

NAME: Daniel Wiesenfeld

(Please print clearly)

TITLE: Senior Assistant District Attorney

UNIT OR BUREAU: Domestic Violence Bureau

1. Have you ever worked for or obtained confidential information relating to any individual or entity that you know is currently involved in a legal matter (including any litigation, investigation or regulatory matter) with the State of New York?

Yes _____ No X

2. If you answered "Yes" to Question 1, please list such legal matter below (attach additional sheets if necessary):

Please Note: You may have to be screened from any legal matter involving a former employer or client, especially if you have confidential information about the former employer or client. Please refer to the Conflict of Interest Screening Procedures and speak with your supervisor to determine whether such a screening procedures should be established.

Signature: Daniel M Wiesenfeld

Date: 5/1/2024

Please sign this form, keep a copy for your files, and return the original to the Human Resources Management Bureau.

Moon, Nicole

From: Daniel Wiesenfeld [REDACTED]
Sent: Thursday, May 2, 2024 8:23 AM
To: Ross, Abbe
Cc: Hiring Committee
Subject: Re: Status of Your Application for an Assistant Attorney General Position w/the Office of the Attorney General

Yes, of course. I have had to pay tax penalties due to not paying enough in estimated taxes through the course of the year. I manage half of my net worth and make timely estimated tax payments on any gains each year. Morgan Stanley manages the other half and we've had communication breakdowns regarding their informing me in a timely manner of any gains they realized in the portfolio. Last year, I made four sizable estimated tax payments in an abundance of caution and expected to receive a tax refund. However, I did not do an adequate job of monitoring Morgan Stanley's taxable gains (and therefore my gains) early in the 2023 tax year, which preceded my estimated payments. This resulted in me having to pay over \$200 in tax penalties, as the interest accrued early on. Going forward, I believe I rectified this issue by instructing Morgan Stanley to pay estimated taxes quarterly out of the portfolio and scheduling a quarterly meeting with them, before estimated taxes are due, to discuss any planned or realized tax gains in the portfolio.

On Thu, May 2, 2024 at 7:42 AM Ross, Abbe <Abbe.Ross@ag.ny.gov> wrote:

Hi Daniel,

Thank you for returning the candidate paperwork. I am confirming receipt. The conflicts of interest form looks fine. Thank you for letting me know you will not be engaging in any outside activities.

Can you please provide a brief explanation for your yes response to Q42? Replying to this email is sufficient.

42. Have you ever failed to file in a timely manner federal and/or state income tax returns, or failed to pay your income tax within 45 days of the date on which it was due, or have you had to pay penalties to satisfy your tax liability?

Best regards,

Abbe

From: Daniel Wiesenfeld [REDACTED]
Sent: Wednesday, May 1, 2024 8:02 PM
To: Ross, Abbe <Abbe.Ross@ag.ny.gov>
Cc: Hiring Committee <Hiring.Committee@ag.ny.gov>
Subject: Re: Status of Your Application for an Assistant Attorney General Position w/the Office of the Attorney General

Hi Abbe,

Please see attached my Employment Application and Conflict of Interest Screening Form. I do not plan on engaging in outside legal activities while employed with this Office, so I did not fill out that form. For the Conflict of Interest Form, I put my current title and Bureau at the Brooklyn D.A.'s Office. Please let me know if you would like me to change that information.

Best,

Daniel

On Wed, May 1, 2024 at 1:15 PM Ross, Abbe <Abbe.Ross@ag.ny.gov> wrote:

Hi Daniel,

I was good to connecting with you just now.

The last step prior to a contingent offer being made is the review and approval of your hiring materials. We need you to complete the attached forms and return them by email by Friday, May 3. Please review the following for additional details:

- Application for Employment
- Conflicts of Interest Screening *(please review the attached memo for additional details)*
- Outside Activity Request *(should be completed, signed, and returned if you will be volunteering or maintaining concurrent employment elsewhere, separate forms should be submitted for each activity)*

If you have questions about this paperwork, please feel free to contact me at Abbe.Ross@ag.ny.gov or 212-416-6092.

Thanks,

Abbe

From: Daniel Wiesenfeld [REDACTED]
Sent: Wednesday, May 1, 2024 12:54 PM
To: Ross, Abbe <Abbe.Ross@ag.ny.gov>
Subject: Re: Status of Your Application for an Assistant Attorney General Position w/the Office of the Attorney General

[EXTERNAL]

Thanks Abbe. I just got out of court and I am available to speak today whenever is good for you. My cell phone number is [REDACTED] I look forwards to speaking with you.

Sent from my iPhone

On May 1, 2024, at 8:54 AM, Ross, Abbe <Abbe.Ross@ag.ny.gov> wrote:

Dear Daniel,

I hope that you are well.

I have an update to share about your candidacy for an Assistant Attorney General position with the Office of the New York State Attorney General. Do you have time to connect today over the phone to discuss?

I look forward to hearing from you.

Best regards,

Abbe Ross

Abbe Ross | Director of Legal Recruitment | Pronouns: She/Her/Hers

Legal Recruitment Unit

Office of the New York State Attorney General

(212) 416-6092 | abbe.ross@ag.ny.gov | [View Current Jobs](#) | [Follow Us on LinkedIn](#)

IMPORTANT NOTICE: This e-mail, including any attachments, may be confidential, privileged or otherwise legally protected. It is intended only for the addressee. If you received this e-mail in error or from someone who was not authorized to send it to you, do not disseminate, copy or otherwise use this e-mail or its attachments. Please notify the sender immediately by reply e-mail and delete the e-mail from your system.

Rosen, Maggie

From: HROPS
Sent: Thursday, July 18, 2024 3:27 PM
To: Wiesenfeld, Daniel
Subject: Welcome!
Attachments: NYSPO Enrollment & Access.pdf

Importance: High

Welcome to the NYS Office of the Attorney General. For your records, below is important personal, agency and position information. You should maintain this information as it will be required if you register for certain benefits such as Flex Spend, NYS Ride, Deferred Comp, etc.

[REDACTED]

Negotiating Unit/Bargaining Unit: [REDACTED]

In addition, we have created a NY.Gov/SLMS Account for you. Below is your UserID and temporary password. Please login to <https://my.ny.gov/bin/MyNY> and change your password as soon as possible. If you experience problems with the login, please contact the ITS Helpdesk at Fixit@its.ny.gov or by phone at 1-844-891-1786.

[REDACTED]

The NYS Office of the Attorney General participates in NYS Payroll Online (NYSPO), a program offered through the NYS Office of the State Comptroller. NYSPO allows employees who have opted for 100% Direct Deposit to view, print and/or save as PDF their payroll check stubs and W-2's. Other options are also available and will be in the future. Please see the attached NYSPO Enrollment Process to initiate access to your payroll stubs. *Please note that you will not be able to access NYSPO until after you have received your first payroll check.*

If you have not yet opted for 100% direct deposit, your payroll check, together with your payroll check stub, will be mailed to you. Based on your start date, your first payroll check should be issued on **08/14/2024**.

If you have any questions, please contact HR at 518-776-2500

Thank you.

Name: Daniel Wiesenfeld

Title: Assistant Attorney General

NU: 06

Bureau: Investor Protection

Orientation Date: 7/19/24

Location: NYC

Start Date: 07/18/2024

HR/PAYROLL: 7/31/24 (Due 14 days after start date)

Supervisor:

Office/Cubicle #:

☒ I-9: 7/18/24

☒ Oath of Office: 7/18/24

☒ Employee Handbook Acknowledgment: 7/18/24

☒ Executive Orders Acknowledgment: 7/18/24

☒ Employee Information: 7/18/24

☒ Computer Resources Memo/Attestation: 7/18/24

☒ Statement of Confidentiality: 7/18/24

☐ Info Required in Event of Emergency:

☒ IT 2104 (State Tax Form): 7/23/24 Jen

☒ W-4 (Federal Tax Form): 7/23/24 Jen

☒ Direct Deposit Form: 7/23/24 Jen

☒ Voided Check or DD Statement: 7/23/24 Jen

Notes:

I-9 Email Sent: N/A

Welcome Phone Call Email Sent: 7/18/24

Welcome Phone Call: 7/22/24

HR – 10am; Badge/laptop – 10am

*NYCERS to NYSLRS

*Enrolling ind.

- ✓ Retirement online
- ✓ Payserv
- ✓ NYBEAS
- ✓ HRIS

Benefits: 8/14/24 (Due prior to the start of health insurance (28th day))

☒ PS 404 Transaction Form RECD 7/22/24

☐ *PS 425 Domestic Partnership Form:

☐ **PS 409 Opt-Out Form

*Two Proofs: _____

Birth Certificate SSC Spouse BC Marriage License Fin. Obligation Dependents BC

**Current Insurance Card

Retirement: 8/16/24 (Due 30 days after start date) M/C Life Insurance: 10/9/24 (Due w/ 6 pay periods)

☐ Voluntary Defined Contribution (VDC)

☒ M/C Life Insurance Enrollment Form DECLINED 7/22/24

☒ NYSLRS Application for Enrollment RECD 7/22/24

☐ Beneficiary Form

☒ Beneficiary Link

☐ Request to Purchase Service Credit



Employment Eligibility Verification
Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-9
OMB No.1615-0047
Expires 07/31/2026

START HERE: Employers must ensure the form instructions are available to employees when completing this form. Employers are liable for failing to comply with the requirements for completing this form. See below and the Instructions.

ANTI-DISCRIMINATION NOTICE: All employees can choose which acceptable documentation to present for Form I-9. Employers cannot ask employees for documentation to verify information in **Section 1**, or specify which acceptable documentation employees must present for **Section 2** or Supplement B, Reverification and Rehire. Treating employees differently based on their citizenship, immigration status, or national origin may be illegal.

Section 1. Employee Information and Attestation: Employees must complete and sign Section 1 of Form I-9 no later than the **first day of employment**, but not before accepting a job offer.

Last Name (Family Name) Wierzbicki		First Name (Given Name) Daniel		Middle Initial (if any) M	Other Last Names Used (if any)
[Redacted]		Ap[Redacted]ber (if any)	City	[Redacted]	[Redacted]
[Redacted] (mm/dd/yyyy)		[Redacted]	[Redacted]	[Redacted]	[Redacted]

I am aware that federal law provides for imprisonment and/or fines for false statements, or the use of false documents, in connection with the completion of this form. I attest, under penalty of perjury, that this information, including my selection of the box attesting to my citizenship or immigration status, is true and correct.

Check one of the following boxes to attest to your citizenship or immigration status (See page 2 and 3 of the instructions.):

☒ 1. A citizen of the United States

☐ 2. A noncitizen national of the United States (See Instructions.)

☐ 3. A lawful permanent resident (Enter USCIS or A-Number.)

☐ 4. A noncitizen (other than Item Numbers 2. and 3. above) authorized to work until (exp. date, if any)

If you check Item Number 4., enter one of these:

USCIS A-Number	OR	Form I-84 Admission Number	OR	Foreign Passport Number and Country of issuance

Signature of Employee
Daniel Wierzbicki

Today's Date (mm/dd/yyyy)
07/18/2024

If a preparer and/or translator assisted you in completing Section 1, that person **MUST** complete the Preparer and/or Translator Certification on Page 3.

Section 2. Employer Review and Verification: Employers or their authorized representative must complete and sign Section 2 within three business days after the employee's first day of employment, and must physically examine, or examine consistent with an alternative procedure authorized by the Secretary of DHS, documentation from List A OR a combination of documentation from List B and List C. Enter any additional documentation in the Additional Information box; see Instructions.

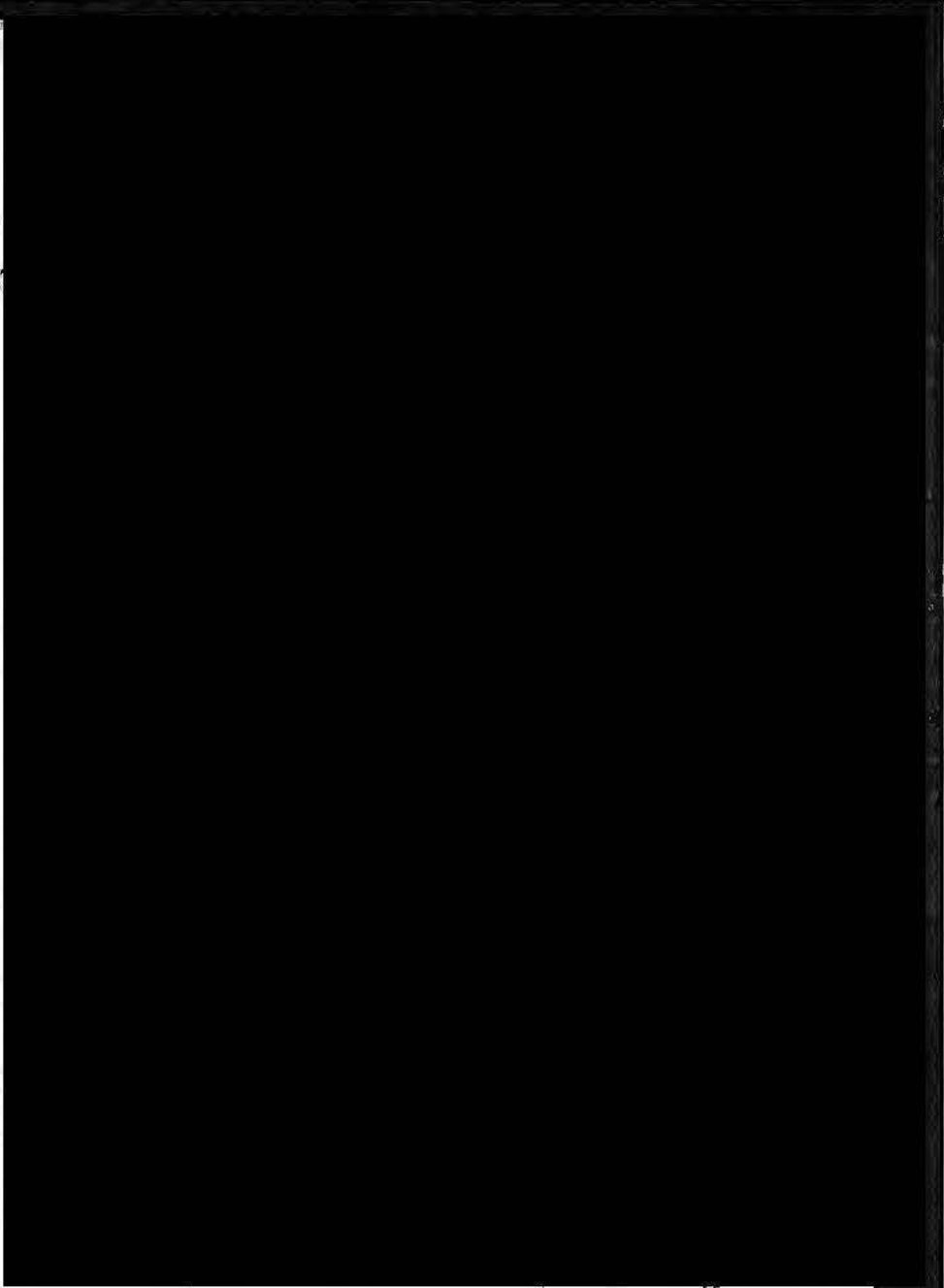
List A		OR	List B	AND	List C
Document Title 1	Passport				
Issuing Authority	USA				
Document Number (if any)	[Redacted]				
Expiration Date (if any)	08/01/2028				
Document Title 2 (if any)		Additional Information			
Issuing Authority					
Document Number (if any)					
Expiration Date (if any)					
Document Title 3 (if any)					
Issuing Authority					
Document Number (if any)					
Expiration Date (if any)					
					☐ Check here if you used an alternative procedure authorized by DHS to examine documents.

Certification: I attest, under penalty of perjury, that (1) I have examined the documentation presented by the above-named employee, (2) the above-listed documentation appears to be genuine and to relate to the employee named, and (3) to the best of my knowledge, the employee is authorized to work in the United States.

First Day of Employment (mm/dd/yyyy): **07/18/2024**

Last Name, First Name and Title of Employer or Authorized Representative Polita Lauren Human Resources Specialist		Signature of Employer or Authorized Representative 	Today's Date (mm/dd/yyyy) 07/18/2024
Employer's Business or Organization Name NYS OAG		Employer's Business or Organization Address, City or Town, State, ZIP Code 28 Liberty New York NY 10005	

For reverification or rehire, complete Supplement B, Reverification and Rehire on Page 4.





Division of Corporations,
State Records and
Uniform Commercial Code

New York State
Department of State
DIVISION OF CORPORATIONS,
STATE RECORDS AND
UNIFORM COMMERCIAL CODE
One Commerce Plaza
99 Washington Ave.
Albany, NY 12231-0001
www.dos.ny.gov

State Employee Statement in Lieu of Oath Pursuant to Civil Service Law § 62

(TYPE ALL INFORMATION -- SIGN IN BLACK INK)

Name of Appointee: Wiesenfeld Daniel
(Last Name) (First Name) (Middle Initial)

I do hereby pledge and declare that I will support the constitution of the United States, and the constitution of the State of New York, and that I will faithfully discharge the duties of the position of

Title of Position: Assistant Attorney General

Agency Name: NYS Office of the Attorney General

Agency Code:

according to the best of my ability.

X *Daniel Wiesenfeld* 7/18/24
(Signature of Appointee) (Date)

PUBLIC OFFICERS LAW §78 CERTIFICATE

I, the Appointee named above, hereby acknowledge receipt of a copy of sections 73, 73-a, 74, 75, 76, 77 and 78 of the Public Officers Law, together with such other material related thereto as may have been prepared by the Secretary of State, and I acknowledge that I have read the same and that I undertake to conform to the provisions, purposes and intent thereof and to the norms of conduct for members, officers and employees of the legislature and state agencies.

X *Daniel Wiesenfeld* 7/18/24
(Signature of Appointee) (Date)

(Appointee must sign both the State Employee Statement in Lieu of Oath and the Public Officer's Law §78 Certificate)

Go to www.dos.ny.gov for filing instructions.

STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ACKNOWLEDGMENT OF NOTIFICATION OF EMPLOYEE HANDBOOK

I hereby acknowledge the availability of the Office of the Attorney General (OAG) Employee Handbook on the OAG intranet web site, OAGnet. I understand it is my responsibility to read and be aware of the content of the Employee Handbook and that I am bound by the provisions therein.

I further understand that it is my responsibility to check OAGnet frequently for new or revised content.

Daniel Wierzbicki

Print Name

Daniel Wierzbicki

Signature

9/18/24

Date

Please complete this form and return to:

NYS Office of the Attorney General, Human Resources Mngt. Bureau, The Capitol, Albany, NY
12224.

This form will be placed in your Personal History File.

4.2022

**State of New York
Office of the Attorney General**

ACKNOWLEDGMENT OF RECEIPT OF EXECUTIVE ORDERS

I hereby acknowledge that the following Executive Orders are available on the agency's internal website, OAGnet and that it is my responsibility to read and be aware of the contents of these Orders and that I am bound by the provisions therein. I further understand that it is my responsibility to check this site frequently for new or revised content.

- [1] Continuation of Prior Executive Orders
- [2] Prohibiting Discrimination and Harassment in Employment
- [3] Prohibition Against Sexual Harassment
- [4] Domestic Violence in the Workplace
- [5] Ethical Conduct of Employees
- [6] Restrictions on Outside Activities and Employment
- [7] Prohibition on Employee Fundraising for the Attorney General
- [8] Restrictions on Judicial Campaign Contributions and Activities
- [9] Prohibition Against the Use of Private Establishments that Engage in Discrimination
- [10] Establishment of a Crime Victims Assistance Coordinator
- [11] Promotion of Environmental Sustainability
- [12] Joint Task Force on Public Integrity
- [13] Establishing Employee Groups to Promote Diversity, Inclusion and Employee Engagement
- [14] Establishing the OAG Diversity Committee and Diversity Training Initiatives

David Wierzbicki
(Print Name)

David Wierzbicki
(Signature)

7/18/24
(Date)

Please complete this form and return to:
NYS Office of the Attorney General, Human Resources Mngt. Bureau, The Capitol, Albany, NY 12224.

This form will be placed in your Personal History File.

ATTESTATION

RESPONSIBILITIES OF USERS OF COMPUTER RESOURCES

I have read the Memorandum, "Responsibilities of Computer Resources Users" and understand the responsibilities I have as a user of the Office of the Attorney General's computer resources. I understand that access to any of these resources is for conducting the legitimate business of the Office, that I must not make any attempt to circumvent actual or implied security provisions, and that I must adhere to restrictions on my use of both internally or externally provided services. I understand what constitutes unacceptable use. I acknowledge that enforcement of violations as contained in "Responsibilities of Computer Resources Users" will occur if rules for use are violated.

I also understand that this attestation will be effective for any position (whether paid or voluntary) which I hold now or will hold in the future with the Office of the Attorney General.

Daniel Wierzbicki
Signature

7/18/24
Date

Daniel Wierzbicki
Print Name

**OFFICE OF THE NEW YORK STATE ATTORNEY GENERAL
STATEMENT OF CONFIDENTIALITY**

As an employee of, or a candidate for employment or volunteer service with, the Office of the Attorney General, I am aware of and have read § 1200.19 of McKinney's New York Rules of Court (State and Federal), pertaining to the Preservation of Confidences and Secrets of Client and § 74(3)(c) of the Code of Ethics of the Public Officers Law. I understand the employees in this office are bound by, and can be held accountable by, this rule. Furthermore, as a member of this office, I realize that I am obligated, as a professional, to uphold these rules as well.

Accordingly, I pledge to preserve the confidentiality and secrets of all individuals, entities and parties having any transactions, legal proceedings or other contact with the New York State Office of the Attorney General and to preserve as confidential and secret any and all matters of official business conducted by or with the Office of the New York State Attorney General.

Daniel Wierzbicki
Print Name

Daniel Wierzbicki
Signature

7/18/24
Date

§ 1200.19 [DR 4-101] Preservation of Confidences and Secrets of a Client

- (a) Confidence refers to information protected by the attorney-client privilege under applicable law, and secret refers to other information gained in the professional relationship that the client has requested be held inviolate or the disclosure of which would be embarrassing or would be likely to be detrimental to the client.
- (b) Except when permitted under DR 4-101 (c), a lawyer shall not knowingly:
 - (1) reveal a confidence or secret of a client;
 - (2) use a confidence or secret of a client to the disadvantage of the client; and
 - (3) use a confidence or secret of a client for the advantage of the lawyer or of a third person, unless the client consents after full disclosure.
- (c) A lawyer may reveal:
 - (1) Confidences or secrets with the consent of the client or clients affected, but only after a full disclosure to them.
 - (2) Confidences or secrets when permitted under disciplinary rules or required by law or court order.
 - (3) The intention of a client to commit a crime and the information necessary to prevent the crime.
 - (4) Confidences or secrets necessary to establish or collect the lawyer's fee or to defend the lawyer or his or her employees or associates against an accusation of wrongful conduct.
 - (5) Confidences or secrets to the extent implicit in withdrawing a written or oral opinion or representation previously given by the lawyer and believed by the lawyer still to be relied upon by a third person where the lawyer has discovered that the opinion or representation was based on materially inaccurate information or is being used to further a crime or fraud.
- (d) A lawyer shall exercise reasonable care to prevent his or her employees, associates, and others whose services are utilized by the lawyer from disclosing or using confidences or secrets of a client, except that a lawyer may reveal the information allowed by DR 4-101 (c) through an employee.

§ 74(3)(c) Code of Ethics of the Public Officers Law

No officer or employee of a state agency, member of the legislature or legislative employee should disclose confidential information acquired by him in the course of his official duties nor use such information to further his personal interests.

**NEW YORK STATE OFFICE OF THE ATTORNEY GENERAL
EXEMPT ATTORNEY PERFORMANCE EVALUATION**

EMPLOYEE NAME: Daniel Wiesenfeld	EMPLOYEE TITLE: AAG	CURRENT SKILL LEVEL ■	RATING PERIOD August 2025
SUPERVISOR NAME: [REDACTED]	DIVISION Economic Justice	BUREAU Investor Protection Bureau	

PLEASE READ INSTRUCTIONS BEFORE COMPLETING THIS FORM.

The performance evaluation process should encourage a culture of conversation around performance, productivity, and employee engagement. The manager should assess the employee's skills against the standards outlined in the [AAG Skills and Expectations Matrix](#) based on their current skill level (1, 2, or 3). The conversation should also cover opportunities for short-term and long-term growth and success at the Office.

PERFORMANCE ELEMENTS	Exceeds Expectations	Meets Expectations	Does Not Meet Expectations
1. OVERALL PROBLEM-SOLVING SKILLS	☐	☒	☐
2. CASE DEVELOPMENT & MANAGEMENT	☐	☒	☐
3. WRITING, RESEARCH & ANALYSIS	☐	☒	☐
4. ORAL ARGUMENT & COURTROOM/DEPOSITION SKILLS	☐	☐	☐
5. SETTLEMENTS, AODs, NEGOTIATED RESOLUTION OF ISSUES / CASE DISPOSITION	☐	☐	☐
6. RELATIONSHIP MANAGEMENT	☐	☐	☐
7. PROFESSIONALISM, WORK HABITS, AND OFFICE CITIZENSHIP	☐	☒	☐
8. MANAGEMENT (for AAGs in supervisory roles)	☐	☐	☐
9. OVERALL RATING	☐	☒	☐

10. SUMMARY OF FEEDBACK CONVERSATION

POTENTIAL CONVERSATION TOPICS

- What strengths does the employee exhibit in this position?
- What makes this employee a valuable member of the bureau/office/unit?
- Describe areas where employee needs to make modifications, take initiative, or develop additional knowledge in order to ensure success.
- Was the employee able to meet the goals they set for themselves this year? If not, what would have helped them meet those goals?
- What are the employee's goals for this next evaluation cycle, and is there any training that may assist them in meeting those goals?

Daniel had a solid first year in IPB as he grows into his role as a securities fraud prosecutor. He is hard working, reliable, takes ownership of his cases, and is fully invested in each. He never says no and always has a good attitude. He has a prosecutor's mindset, is dogged, hungry and is always well prepared. Daniel also takes direction and feedback well. Daniel has successfully taken his first Martin Act exams, which isn't usual for one's first year. And Daniel is excellent at identifying key documents in haystacks which is an important and fundamental skill.

In this coming year, IPB management wants Daniel to work on distilling his oral presentations to focus on key takeaways, action items and questions. Additionally, Daniel needs to focus on assembling evidence that specifically addresses each element of the Martin Act and target his investigations so that he is not simply assembling as much relevant information as possible but building cases. This will help Daniel to develop the discipline, judgment and discernment to recognize when an investigation has reached its conclusion, and a closing recommendation should be made.

11. DIVERSITY, EQUITY, & INCLUSION

During the feedback conversation, please speak with the employee about how they plan to contribute to the agency's goals on Diversity, Equity, and Inclusion in the coming year, and summarize the conversation below. Please refer to [DEI Elements](#) for more information about the agency's DEI goals for employees and supervisors.

12. FOR ATTORNEYS BEING EVALUATED AT LEVELS 1H AND 2H

Movement from Level 1 to Level 2, or from Level 2 to Level 3 is considered a promotion, and like all promotions, is not simply routine. Is there clear evidence that the AAG is already meeting some, and will be capable of meeting all, of the relevant performance standards for the next level?

COMMENTS:

RECOMMENDED FOR ADVANCEMENT TO LEVEL 2A OR 3A?

☐ YES

☐ NO

13. TRAINING RECOMMENDATIONS

Please identify areas in which the employee should focus on skill building and training:

☐ MICROSOFT OFFICE SKILLS

☐ PROBLEM SOLVING

☐ WRITING / RESEARCH

☐ NY MATTERS

☐ CASE DEVELOPMENT & MANAGEMENT

☐ NEGOTIATIONS / SETTLEMENTS

☒ COURTROOM / DEPOSITION SKILLS

☐ PROJECT MANAGEMENT

☐ CHANGE MANAGEMENT

☐ MANAGEMENT / SUPERVISION

☐ RELATIONSHIP MANAGEMENT

☒ COMMUNICATION

☐ PROFESSIONALISM

☐ HIRING & INTERVIEWING

☐ OTHER:

Please visit the [Legal Education & Professional Development \(LEPD\) website](#) for trainings on the above topics and more.

SUPERVISOR'S SIGNATURE

DATE

BUREAU CHIEF/OFFICE HEAD'S SIGNATURE

DATE

This report has been discussed with me and I have a copy of it. I am aware that my signature on this report does not necessarily indicate my agreement with the evaluation, but merely signifies that I have received a copy of this report.

EMPLOYEE'S SIGNATURE

Daniel Wiesenfeld

DATE

7/13/26

**NEW YORK STATE OFFICE OF THE ATTORNEY GENERAL
EXEMPT ATTORNEY PERFORMANCE EVALUATION**

EMPLOYEE NAME: Daniel Wiesenfeld	EMPLOYEE TITLE: AAG	CURRENT SKILL LEVEL ■	RATING PERIOD June 2026
SUPERVISOR NAME: ■■■■■ ■■■■■	DIVISION Economic Justice	BUREAU Investor Protection Bureau	

PLEASE READ INSTRUCTIONS BEFORE COMPLETING THIS FORM.

The performance evaluation process should encourage a culture of conversation around performance, productivity, and employee engagement. The manager should assess the employee's skills against the standards outlined in the [AAG Skills and Expectations Matrix](#) based on their current skill level (1, 2, or 3). The conversation should also cover opportunities for short-term and long-term growth and success at the Office.

PERFORMANCE ELEMENTS	Exceeds Expectations	Meets Expectations	Does Not Meet Expectations
1. OVERALL PROBLEM-SOLVING SKILLS	☐	☒	☐
2. CASE DEVELOPMENT & MANAGEMENT	☐	☐	☒
3. WRITING, RESEARCH & ANALYSIS	☐	☐	☒
4. ORAL ARGUMENT & COURTROOM/DEPOSITION SKILLS – N/A	☐	☐	☐
5. SETTLEMENTS, AODs, NEGOTIATED RESOLUTION OF ISSUES / CASE DISPOSITION – N/A	☐	☐	☐
6. RELATIONSHIP MANAGEMENT – N/A	☐	☐	☐
7. PROFESSIONALISM, WORK HABITS, AND OFFICE CITIZENSHIP	☐	☒	☐
8. MANAGEMENT (for AAGs in supervisory roles) – N/A	☐	☐	☐
9. OVERALL RATING	☐	☐	☒

10. SUMMARY OF FEEDBACK CONVERSATION

POTENTIAL CONVERSATION TOPICS

- What strengths does the employee exhibit in this position?
- What makes this employee a valuable member of the bureau/office/unit?
- Describe areas where employee needs to make modifications, take initiative, or develop additional knowledge in order to ensure success.
- Was the employee able to meet the goals they set for themselves this year? If not, what would have helped them meet those goals?
- What are the employee's goals for this next evaluation cycle, and is there any training that may assist them in meeting those goals?

The quality and quantity of Daniel's work has taken a downward turn. Last year IPB reported that Daniel was "hard working, reliable, takes ownership of his cases, and is fully invested in each. He never says no and always has a good attitude." This year Daniel's cases have made little progress. ■■■■■ ■■■■■

■■■■■ Daniel appears to have taken a backseat this year and is not pushing matters forward. This year IPB management has had to add people to his matters to help make them move – but that has had limited success. Daniel has also been much quieter during meetings, has failed to take initiative and seems to have been missing in action this year – sometimes literally and sometimes figuratively. Instead, IPB management has had to issue specific directives to Daniel and specifically ask him to take on particular pieces of his matters. Daniel has not satisfactorily responded to those directives.

Daniel did file his first complaints for IPB in ■■■■■. However, the role he plays in those cases is unclear. Daniel seemed to have prepared the first draft but then relinquished the pen and was relegated to a much more discrete role. Daniel was appointed to the multistate committee but somehow missed an opportunity to allow us to lead a ■■■■■ and was poised to miss a second opportunity to participate - until management issued him a specific directive instructing him to not let that happen again. Daniel has also failed to provide regular updates on these calls.

Last year, IPB management anticipated Daniel filing complaints in LooksRare and Flexa and resolving Truth Social, Delphin and Polymarket. He has not filed complaints in [REDACTED] and little progress has been made in [REDACTED] however he did successfully close [REDACTED] IPB management has had two check in sessions with Daniel this year, but Daniel has not exhibited any positive change as a result. Daniel's goals for next year remain the same – file complaints in [REDACTED]. And also file a complaint against [REDACTED] Daniel additionally needs to resolve [REDACTED]

11. DIVERSITY, EQUITY, & INCLUSION

During the feedback conversation, please speak with the employee about how they plan to contribute to the agency's goals on Diversity, Equity, and Inclusion in the coming year, and summarize the conversation below. Please refer to [DEI Elements](#) for more information about the agency's DEI goals for employees and supervisors.

12. FOR ATTORNEYS BEING EVALUATED AT LEVELS 1H AND 2H

Movement from Level 1 to Level 2, or from Level 2 to Level 3 is considered a promotion, and like all promotions, is not simply routine. Is there clear evidence that the AAG is already meeting some, and will be capable of meeting all, of the relevant performance standards for the next level?

COMMENTS:

RECOMMENDED FOR ADVANCEMENT TO LEVEL 2A OR 3A?

☐ YES

☐ NO

13. TRAINING RECOMMENDATIONS

Please identify areas in which the employee should focus on skill building and training:

- | | | |
|---|--|--|
| ☐ MICROSOFT OFFICE SKILLS | ☐ PROBLEM SOLVING | ☒ WRITING / RESEARCH |
| ☐ NY MATTERS | ☐ CASE DEVELOPMENT & MANAGEMENT | ☐ NEGOTIATIONS / SETTLEMENTS |
| ☒ COURTROOM / DEPOSITION SKILLS | ☒ PROJECT MANAGEMENT | ☐ CHANGE MANAGEMENT |
| ☐ MANAGEMENT / SUPERVISION | ☐ RELATIONSHIP MANAGEMENT | ☒ COMMUNICATION |
| ☐ PROFESSIONALISM | ☐ HIRING & INTERVIEWING | ☐ OTHER: |

Please visit the [Legal Education & Professional Development \(LEPD\) website](#) for trainings on the above topics and more.

SUPERVISOR'S SIGNATURE	DATE	BUREAU CHIEF/OFFICE HEAD'S SIGNATURE	DATE
This report has been discussed with me and I have a copy of it. I am aware that my signature on this report does not necessarily indicate my agreement with the evaluation, but merely signifies that I have received a copy of this report.		EMPLOYEE'S SIGNATURE <i>Daniel Wissenfeld</i>	DATE 7/13/26



**Office of the New York State
Attorney General**

**Letitia James
Attorney General**

September 4, 2026

VIA CERTIFIED MAIL & E-MAIL

Daniel Wiesenfeld
[REDACTED]
[REDACTED]

Dear Mr. Wiesenfeld:

This letter serves as official notice that your exempt, at-will appointment to the position of Assistant Attorney General with the Office of the New York Attorney General ("OAG" or "Agency") is terminated effective immediately.

Accordingly, you are barred from acting in any capacity on behalf of the Agency and from representing yourself as an attorney or other agent of OAG. You are also prohibited from entering any OAG office or facility unless I specifically authorize you to do so. You are reminded of your continuing obligations not to use or disclose any OAG privileged and/or confidential information outside of the Agency.

You are hereby directed to preserve and return any and all OAG equipment and work product that are in your possession. This includes, but is not limited to, notes, files, e-mails, documents, and any other materials you acquired during the course of your employment with OAG. A representative from our Investigations Division will contact you regarding the return of your OAG equipment and work product. You must adhere fully with these return procedures, including cooperating with the Investigations Division personnel who will contact you about the return of this equipment and work product.

The Agency is specifically aware that you e-mailed privileged and/or confidential information related to the work of OAG to your personal e-mail account. Those e-mails and documents, as well as any records in your possession that may have been derived from such privileged and/or confidential information, must be returned or destroyed immediately. Please return all such privileged and/or confidential emails, records, and information by no later than September 11th or confirm to me, in writing, by the same date that you have destroyed all such privileged and/or confidential e-mails, records, and information.

You will receive, under separate cover, information regarding the status of your employee benefits upon separation from State service. Should you have any questions following your separation from the Agency, you may contact the Human Resources Management Bureau at 518-776-2500 or HROPS@ag.ny.gov.

Please remember that the New York State Employee Assistance Program ("EAP") is available to you and your family members on a time-limited basis after your separation from the Agency. EAP provides a full range of confidential, individualized counseling and referral services. You may contact EAP at 1-800-822-0244 (available 24/7).

Sincerely,

A handwritten signature in black ink, appearing to read 'Jenna Moran', with a stylized, flowing script.

Jenna Moran
Director of Human Resources

cc: Levi Stoep
OAG General Counsel
Chief Deputy Attorney General for Economic Justice
Personal History Folder

“I thought I wanted a career when what I actually wanted was a paycheck” (unknown author). I am not writing to the vast majority of blue-collar workers who are under no delusion that their construction or sanitation job is anything more than a paycheck.

Toxic work environments are playing a large role in an epidemic of worsening mental health. According to Monster’s newly released 2025 Mental Health in the Workplace survey of 1,100 workers, 80% of employees described their workplace environment as toxic. 80% of employees feel their jobs are responsible for their poor mental health, with nearly 40% abruptly abandoning their posts in response to the burden. A stunning 92% of United Kingdom employees struggle to mentally switch off during their time off and 88% of this cohort reported feeling anxious or guilty when requesting leave. How dare they have the nerve to request paid time off that is their property right negotiated with their employer as part of their total compensation package?! Next thing you know, these brazen United Kingdom █████ will fail to disclose how they spend their money to their Bosses.

“The number of people who do at least some ‘teleworking’ grew almost 80 percent between 2005 and 2012.¹ And once people are in the position to be able to work at any time from any place, they face decisions every minute of every day about whether or not to be working. E-mail is just a mouse click away. Should we check it before we go to bed? Should we bring our laptop along on our vacation? Should we dial into the office voice-mail system with our cell phone and check for messages while waiting between courses at the restaurant? For people in many occupations, there are few obstacles standing in the way of working all the time. And this means that whether or not we work has become a matter of hour-by-hour, minute-by-minute choice.” (Paradox of Choice, Barry Schwartz).

Inexplicably, all norms and boundary lines protecting fundamental rights to our money and property, most notably paid time off, subside in the face of any miniscule risk to our status of being gainfully employed. To better reflect the reality of our total devotion to the modern day workplace in exchange for relatively minimal rewards, I suggest we replace the term “gainfully employed” for “gainlessly without testicles”. It’s well past time for working men and women to grow a pair!

Not surprisingly, having a bad manager also contributes to a majority of employees’ poor mental health. Burned-out, stressed employees are wisely prioritizing their mental health over climbing the next rung in the perpetual rat race. Workers are not thriving; they’re barely surviving. They are turning down promotions because they understand the bill will come due in the form of added stress and anxiety. For the economists, the labor force believe the marginal gain in moneys and status gained does not come close to compensating for the

¹ Pre-pandemic. The teleworking (i.e. never switch off from work) surge post-2020 is another epidemic, albeit with less fatal consequences.

marginal loss in mental health, especially since the worker-bees have no more mental or emotional bandwidth to continually sweeten the pot for their overlords. I had a tough time managing work with my personal life, and that was without the responsibilities of raising children or caring for aging parents. I truly have no idea how some of you do it: sandwiched between old parents and young children all depending on you, while having to cater to a demanding boss for 50-60 hours a week. Major props.

The vast majority of bosses believe that the worker cogs must be hunched over at their desks and typing away for 8 to 10 hours a day in order to demonstrate sufficient “productivity” to their overlords. That is likely why the Quinn et al. mistress is always arched over and needs meticulous acupuncture work to feel an iota of relief from her chronic back pain. I’m not sure if it’s a power “boss” move or if these bumbling supervisors don’t quite understand the major source of productivity. Hanlon’s Razor is instructive here: “Never attribute to malice that which is adequately explained by stupidity.”

You either take risks or you take orders. On March 27, 1977, a KLM (Royal Dutch Airlines) Boeing 747 collided with a Pan Am Boeing 747 on the runway at Los Rodeos Airport, resulting in the deadliest aviation accident in history. At 5:06pm, on a foggy afternoon, KLM Flight 4805 began to take off from Amsterdam. The Pan Am Flight 1736 from New York was still taxiing toward the same runway. The KLM captain, Jacob Veldhuyzen van Zanten, believed he had received takeoff clearance but had not. The two aircraft collided, resulting in the death of all 248 souls on board the KLM flight and 335 people on the Pan Am flight. A total of 583 people lost their lives for the most striking human error.

The lapses in communication between different flights and Air Traffic Control is not particularly surprising. It doesn’t happen every day, but it certainly is not a Black Swan and happens more often than we would like to think. What is most befuddling about this easily avoidable tragedy is that the Second Officer in the KLM cockpit said absolutely nothing to challenge his Captain Boss’s fatally mistaken belief that they had received takeoff clearance! Flight Engineer Willem Schreuder at least attempted to challenge his Captain, but his diffident objection was readily dismissed. The cockpit voice recorder documents what happened in that tragic cockpit with precision:

“Inside the KLM cockpit, a challenge was raised and dismissed. Flight Engineer Willem Schreuder, who knew that Pan Am’s position on the runway was uncertain, asked the crew directly: “Is he not clear, that Pan American?” Van Zanten replied: “Oh yes.” Schreuder did not press the question further. Earlier, First Officer Klaas Meurs had noted that they did not

yet have ATC clearance before the route clearance was read — a correct observation. After the route clearance, the concern had apparently been resolved in his mind. Both crew members who had doubts backed down in the face of the captain's certainty. This is not best understood as individual failure of nerve. In 1977, commercial aviation had no systematic training for how junior crew members should challenge a senior captain's judgment under operational pressure. The authority of the captain was not merely cultural expectation — it was the explicit professional norm. No framework existed that told a flight engineer his job included saying 'I am not satisfied the runway is clear' and maintaining that position against a chief flight instructor's dismissal."²

The Second Officer was not the only one who succumbed to employment pressure and paid for it with his life. Van Zanten was also under pressure: his KLM plane had to refuel, exacerbating an already delayed schedule. Crew duty time limits³ were fast approaching. A departure before the fog reduced visibility below minimum visibility was becoming urgent.

Over 500 people lost their lives in a 1977 runaway crash because the Second Officer of a KLM flight was too timid to question the authority of the Captain, his "Boss". He sacrificed his life and the lives of over 500 souls, rather than take the slightest risk to his job. This gives an entirely new meaning to Vicki Robin's highly acclaimed self-help book, "Your Money or Your Life." In the most critical moment, the Second Officer chose the money gained by blindly serving and following his Captain Boss into certain death over his one and only life!

I once overheard two twenty-five year olds discussing how much they hate their 60-hour a week jobs and how "inorganic" it is to meet your mate on Hinge or other dating platforms. They were expressing a general malaise of how we as men are not supposed to work in a caged box for 40 years and meet our mates on the interwebs (one of the duffers met his girlfriend on Hinge). Yes, I eavesdropped HARD. Certainly not the worst thing I've ever done.

I agree that we are far removed from our evolutionary past as we scour for our pixelated mates at a distance. We then proceed to mate in captivity, "hunting" for food and shelter by abiding by quizzical social norms that prize inclusivity above all common reason and enduring harassment trainings that you either understand already and don't need to take or you're a hopelessly lost predator that no amount of "Alex tells his employee Brenda if she wants that sought-after promotion she better make him happy...." training modules can fix.

² <https://aerocorner.com/blog/tenerife-1977/>.

³ Crew duty time defines the maximum hours a crew member can work and the required rest periods to ensure safety and prevent fatigue.

The more salient point that I hope these young buckaroos come to learn is that they are trading a potentially unlimited resource, money⁴, for a tragically limited one, time. Unhappy worker bees are essentially giving into the fear of scarcity of the resource money that they can always make more of, while their limited time on this planet languishes away. Time is the most scare resource because it's constantly being depleted and you can never make it back. This is obvious but it needs to be said because of intense social conditioning that obfuscates this brutal reality at every turn.

Retiring early requires more than **████** you money. This is where the excel spreadsheet nerds, with their 4% withdrawal rates and feeble attempts to chart estimates of social security payments and inflation rates decades out, ultimately fail. The last level of the video game where you need to defeat the BOSS is a psychological mind **████** rather than a basic math formula where you simply divide your net assets⁵ by your yearly spending rate and hope the result is 25 or larger. The biggest challenge to retiring early is the "square cage" mindset our educational institutions instill in us from a young, impressionable age. We are indoctrinated with this idea that in order to be good boys and girls we need to sit in the same spot for at least eight hours each weekday and work quietly. I have a lawyer friend who is newly unemployed and admits to getting depressed on Mondays, quizzically enough. Of all days to get depressed when he's not working, shouldn't it be Friday when the worker bees bring home the honey for a hard week of work, while he sits on his lazy ass eating Cheetos all week? Why would he envy the cogs specifically when they have to re-enter the machine for five days straight? Maybe it's because his school conditioning is telling him he's a bad boy for not working, while all the good children saunter off to their meaningless email jobs. This educational indoctrination is something else.

That is why the biggest hurdle for me was unlearning societal messaging about what...

I wonder what these schools are training us for. They are certainly not teaching us how to manage our money, as there are approximately zero classes on money in the traditional educational curriculum. The more I remove myself from the matrix, the more apparent that this financial illiteracy we graduate with is a feature and not a bug. **Credit card companies pejoratively calling people who can't get off the debt wheel "revolvers".**

The true generator of productivity is the time and space to think critically about problems and ideas. Bosses (and people generally, to be fair) mistakenly view the overworked and

⁴ They say money doesn't grow on trees, but it's growing at an astronomical rate inside of the Federal Reserve's printers.

⁵ Assets minus liabilities.

stressed Hunchback of Notre Dame as the model of productivity. Actual progress takes the form of reading books in lively cafes, long walks in quiet parks, and cold showers forcing you to think. A boss can't legally supervise you when you're in the shower. This is legal advice, hope you never have to use it. I'm not proposing these locales as a viable alternative to the office model. I'm merely suggesting that when analyzing the utility of the modernized "work-from-home" alternative against the traditional "work-from-office" set-up, we shouldn't conflate perceived productivity with actual productivity. "Email jobs" describe roles that involve a lot of email communication and little else. These compulsive emailers constitute the vast majority of the modern white-collar workplace and are the poster boys and girls for the lack of productivity taking place in their fluorescent cages. Shayne Coplan founded \$13 billion Polymarket as an unemployed bohemian thinking about prediction markets on his Lower East Side couch. How many lifetimes do you think it would take for the "email jobbers" to collectively generate \$13 billion? I'm skeptical they would ever get there.

Yes, there are "ideas" people and people who are hired to execute on these ideas. My point is that because of the asymmetrical productive gains we receive from exceedingly few "ideas" people, relative to their executioners, we should be investing more in ideas by hiring these gifted thinkers instead of onboarding a 100th execution monkey. This is the American model for our most productive companies. Steve Jobs invents the iPhone, Bill Gates creates Microsoft, and Jeff Bezos ideates Amazon. They then outsource the execution of their revolutionary ideas to third-world countries for cheap labor. There is a reason these revolutionary ideas generated trillions of dollars and Becky's email job only brings home \$30,000 a year. Blue-collar workers are not the only source of cheap labor. Becky is a lot closer to the construction worker doing hard labor in 90 degree heat right outside her office, than the prickly founder (sometimes) working in the same building as Becky. The scope of our productivity gains are determined by geniuses with time and space to think. At our best, we are an "ideas" economy.

An acquaintance of mine (friend is too strong) discussed her fancy law job at length during a Saturday lunch that felt more like a Monday meeting. She had just started at Quinn Emanuel Urquhart & Sullivan, one of the most prominent law firms in the world. As a careerist, this particular firm played a key role in my acquaintance's self-concept. Her name may as well have been Quinn Emanuel Urquhart & Sullivan.⁶ It's a mouthful, sure. But it's a very prestigious mouthful from my acquaintance's perspective. With no family of her own on the horizon and having to dedicate sixty hours of her waking existence (and

⁶ Or the names of any other random four white dudes that would have given my acquaintance a major dopamine hit by association with a prominent firm.

potential dating time) to further the legacy of these four dead white dudes, she was essentially married to all four of Quinn Emanuel Urquhart & Sullivan.

Towards the end of this never-ending lunch, my acquaintance had the audacity to convince me, or more likely herself, that she held the power in the contractual relationship with Quinn et al. She believed that because the partners at Quinn were plying her with so much work, they depended on my acquaintance to perform all this work and therefore couldn't fire her under any circumstances. Falsely equating a crazy work-load with total job security, my acquaintance engaged in a multi-hour long therapy session designed to convince herself that she was "safe" at work. This self-delusion boggles my mind.⁷ Apparently, she had some kind of monopoly on labor and is the only person willing to work sixty hours a week to pull in over \$400,000. By my conservative estimate, it would take about a week for Quinn et al. to find another cog to replace the one they deem defective. When our careers mean an unhealthy amount to our ego and well-being, our minds resort to desperate coping mechanisms and misguided rationalizations to constantly re-affirm to ourselves that our career is in a "good place". The warped implicit assumption is that if our careers are safe and flourishing, then we are also safe and flourishing. Never mind that our relationships, physical, and mental health deteriorate under the weight of recurring sixty-hour weeks. While the cases varied, the major constants during my time in biglaw were frayed (and broken) relationships, poor physical health, and non-existent mental health. About a year into biglaw, I tried therapy in a desperate attempt to salvage any shred of my mental health. One therapist informed me that she couldn't see me anymore because my life problems stressed her out. Admittedly, this could just be an example of a shitty therapist. Although I was never fired by my therapist in non-biglaw times, so there's that.

"Political philosopher Isaiah Berlin made an important distinction between 'negative liberty' and 'positive liberty'. Negative liberty is "freedom from" – freedom from constraint, freedom from being told what to do by others. Positive liberty is "freedom to" – the availability of opportunities to be the author of your life and to make it meaningful and significant. Often, these two kinds of liberty will go together. If the constraints people want "freedom from" are rigid enough, they won't be able to attain 'freedom to.'" (Paradox of Choice, Barry Schwartz). **APPLY NEGATIVE LIBERTY CONSTRAINT OF WORKING FULL TIME AS PREVENTING US FROM BEING THE AUTHOR OF OUR LIVES AND MAKING OUR LIVES MEANINGFUL AND SIGNIFICANT.**

⁷ My acquaintance also wanted me to write a biography about her mediocre career as a "Woman of Color" prosecutor at the Brooklyn D.A.'s Office. Her self-deception was neither the beginning nor the end of some troubling psychiatric issues.

We live in an economic system dominated by credentialism. The idea is that the highest paying and/or most prestigious jobs should be provided to applicants with the fanciest degrees and highest standardized scores. Applicants with actual skills to perform these coveted jobs take a back-seat to their luckier competitors who attended the same highfalutin graduate school as the CEO or who put their astronomically high SAT scores on their Resume. Yes, douche bags exist. Breaking news, I know. Credentialism is simply the idea that your career potential is defined by a combination of your highest level of education, academic performance at that institution, and the relative prestige of the institutions you attended both for the “Wow” factor and for alumni connections.

Supreme Court clerks, one of the most coveted jobs in the legal profession, are selected from the same handful of schools. The late Supreme Court Justice Antonin Scalia did not believe that Yale and Harvard law school made these clerkship applicants any smarter than when they enrolled in the law school. An American University law student asked Justice Scalia for some career advice on how to become “outrageously successful.” Unfortunately for her, American University College of Law was ranked 45th in the U.S. News & World Report rankings.

Quick aside about these rankings and why they’re significant. U.S News rankings for law school has historically served as the unwritten bible for its dweeby followers. Law school applicants and students size each other up by the relative tier of their respective law school in these rankings. These nebbly dorks are actually onto something: the ranking of one’s law school has an ungodly amount of influence over one’s first job out of law school, which in turn sets the trajectory of the lawyer’s career. Kill the Law School Admissions Test (“LSAT”), go to Harvard Law, endure three years without dying or flunking out, and the legal world is yours. Want to make money? Elite law firms, dubbed “biglaw”, will be happy to dole out insane compensation to 25 year olds in exchange for putting your personal life and well-being on hold for a few years.

Think that’s a Faustian bargain? How about the alternative? Do poorly on the LSAT, attend New York Law School (apparently a real law school per Google),⁸ inexplicably dole out hundreds of thousands of dollars to graduate instead of dropping out, and then the land of “shitlaw” is your new oasis. Shitlaw is the unsavory part of the legal economy comprised of small law firms that work you as hard as the biglaw firms do for a fraction of the pay.

⁸ Not to be confused with New York University School of Law, which is quite selective if I may shamelessly toot my own horn real quick.

Ok, back to the bigot! I mean, the . . . uh . . . prestigious Conservative Justice Scalia. With his remarkable sharp wit that was typically directed against women, LGBT people, and other people that didn't look like him, Scalia made the following incisive remark:

“By and large, I'm going to be picking from the law schools that basically are the hardest to get into. They admit the best and the brightest, and they may not teach very well, but you can't make a sow's ear out of a silk purse. If they come in the best and the brightest, they're probably going to leave the best and the brightest, OK?”

In other words, Harvard and Yale Law get the ostensibly most gifted law school applicants⁹ in the world to enroll in their law schools, at rates of 70% and 88% admissions offers accepted, respectively. Try as hard as they can, these elite law schools are unable (or unwilling) to sap these students of their tremendous cognitive abilities in the three years they have together. Brilliant in, brilliant out. Whatever law schools add or subtract to this simple equation is of negligible impact to the power of intelligence as a stable quality that doesn't degrade over time when the population in question is in their 20s and 30s. This Scalia assumption applies in equal force to American University law students. If they enter law school as students of middling intelligence,¹⁰ they will likely leave law school in the same average condition. This is assuming American Law School is either unable (or unwilling) to conduct a lobotomy on their mediocre students in a desperate attempt to catapult them to the Supreme Court. Average in, average out. Sadly to this day, American University cannot count any Supreme Court clerks as their alumni.

█████ worked with me on prosecuting prediction markets, like Kalshi and Polymarket, for operating illegal gambling markets. When we had to file our case, I understood it was all hands-on-deck, nights and weekends. I had no issue with a short-term fire drill. It comes with the territory. This is what perplexed me, though. After we filed against Gemini and Coinbase, and ostensibly the fires are put out, management is still scheduling late in the day calls with the team. █████ is a brilliant attorney and was a former lead trial attorney at the Commodity Futures Trading Commission (when that used to mean something). He is also a complete cuck. Both things can be true at the same time. Knowing too many

⁹ These most gifted applicants are branded as such primarily because of their performance on the LSAT, a three-hour exam. Not the most stable measure of potential, but the alternative measures are equally dicey.

¹⁰ Admittedly a hyper-critical Scalian evaluation of these students' abilities based on a three hour exam and other individualized factors (location, family, scholarship monies) that may have compelled these students to enroll at American and pass on an admissions offer to a law school slightly higher in the U.S. News pecking order.

lawyers, the effective attorney and subservient cuck is actually quite typical, sadly. You see, [REDACTED] got up every work day at 5 in the morning and didn't get home until past 7. He would not be able to see his son before he left, so he wanted to see his son for the first time that day and tuck him into bed. Adorable, right? Well, here's the pathetic part: [REDACTED] feels compelled to ask his Boss, the Bureau Chief organizing this unnecessary meeting, "if he could just tuck in his son, first"? He might as well have asked Boss Lady if he could hold onto his testicles for a few minutes longer. Such a request would be slightly less demeaning than asking your Boss if you could see your kid once that day, in lieu of coming on time to a 7pm meeting in a state government job with a modest state salary. [REDACTED] could have simply seen his pride-and-joy for that day and come a few minutes late to the after-hours meeting, but he is fundamentally a wagecuck too afraid to express even an iota of self-respect in the form of basic boundaries to his Boss.

We would have to provide these status updates on our cases to the Boss every two weeks. One of my teammates would always shit bricks on these calls. Sweating like a pig, stammering on his words, and hedging his takes at every turn, this poor timid soul barely survived these status calls with the Boss. Someone should just put this poor guy out of his [REDACTED] misery. We, the subordinate Assistant Attorney Generals, would typically meet as a team the day before these status calls with the Boss to prepare what we would say and how we would get through them to feign productivity and give off the perception that we were moving the case forward. The anxious soul would always end every one of these pre-meeting meetings, "Well hopefully we ... uh ... survive tomorrow's meeting with [REDACTED] (Boss Lady) *nervous chuckle." This coward framed a routine business meeting as a battle royale for survival! I guess when you feel you need the paycheck to survive and pay your bills, then every single data point you can gather on your Boss's perception of you takes on outsized importance determining whether you can make rent or go hungry.

It's not like the Boss was a Mensa member to be admired or feared. [REDACTED]
[REDACTED], managed to fail upwards. After getting canned at DOJ, [REDACTED] inexplicably was entrusted with running one of the prized bureaus at the NY AG. According to the liberal two-by-two matrix of race and gender, as a [REDACTED] should have won the victim Olympics and never lucked into such a plum position. Maybe it helped her that the BOSS lady of the NY AG, Letitia James, is also a Black lady. I guess White dudes don't get all the freebies, depending on who's on top.

Anywho, working off the brilliance that got her handed walking papers at DOJ, [REDACTED] had the interesting idea to build social cohesion by having everyone at a bureau meeting point out one person they truly admire and are grateful for. The catch of the game is that in this

game of faux gratitude, only new people can be pointed out. So as the game wore on in the final stages after 25 colleagues were already chosen, those selected and then selecting had to manufacture a reason for liking the least likeable people in the office up until the very last person. It's awkward to be the third or second to last person chosen because this means no one truly admires you and you're only marginally better than the worst two people! The unlucky loser of this game was [REDACTED] She was also a Black lady, so maybe the Libs are onto something with this two-by-two race-gender victim Olympics bullshit. Suffice it to say, [REDACTED] received the obnoxious hint and left the Office a couple of months later. Nobody felt any better from having to participate in a disingenuous game of compliments where people are forced to say nice things. There were definitely people who felt a lot worse, and undesirable [REDACTED] walked with her feet.

Now that you got me going on the Libs, I'm so glad I no longer need to abide by wokeisms, including but not limited to referring to my girlfriend as "my partner", which makes me sound like a gay.¹¹ Another example of identity politics bullshit that we must conform to in the workplace is referring to women as such or as "ladies" and never "females" because apparently it's a pejorative term according to the woke-mind virus. Believing "females" to be a negative term is as sexist against women as it would be racist to believe "Mexicans" is a slur when referring to denizens of Mexico. And then last and certainly least are the dreaded pronouns that some jobs require it's slaves to put down in their email signature line, lest they find their way to the bread line for the dreaded crime of wrongthink. All of the political drivel we must pretend to conform to just to hold onto our shitty jobs. Whata world!

Even if you love your job today, you may not even like your job tomorrow. Bosses, titles, teams, and responsibilities all change. No matter how you feel about Buddhism and our relationship to various physical and emotion attachments, you must agree with the enlightened saying, "change is the only constant." (check notes folder and then expand with discussion on NY AG being my dream job, prosecuting securities fraud and it turned to shit)

¹¹ "Not that there's anything wrong with that." Seinfeld, Season 4, Episode 17, "The Outing". For what it's worth, I truly have no problem with homosexuals. In fact, I'm a self-interested fan of the enterprise. You see, as a straight dude it's net positive for my dating life as it typically removes two good-looking dudes and two meh- looking women from the dating market. If these handsome homosexuals want to self-select their prized looks out of the gene pool, well that's their prerogative.

This brings us to the Solution your “Career” attempts to solve with this shitty coping mechanism I’ve been harping about. Your “Career” attempts to solve the lack of financial independence issue by essentially putting a band-aid on a cancer patient. The Real Solution is not a cope; it’s the miracle cure to your 9-5 until 65 slog. It’s called FIRE.

No, not the FIRE that can blow shit up. I’m not suggesting as a disgruntled employee you should burn your boss’s houses down or find other wonky ways of taking them out, no matter how Horrible they are. I saw a movie or two about that very scenario, so not very original anyways. What I mean by FIRE is “**Financial Independence, Retire Early.**”

The FIRE movement is focused on building enough wealth to make work optional before traditional retirement age. Essentially, if you’re able to accumulate enough monies, then you can bid adieu to obnoxious work practices, including but not limited to hour-long meetings that could have been emails, “voluntary” holiday work parties that are not really voluntary when your boss asks about your whereabouts during this fun and totes voluntary party,¹² forced socialization exercises with co-workers you would give up a portion of your hard earned income to never see outside of work, and implicit expectations that you will give one iota of █████ about the number and name of your boss’s children. These are a few noxious work practices, just off the top of my head.

What is enough monies? Satirical American novelist Kurt Vonnegut wrote a beautiful obituary for his friend Joseph Heller,¹³ based on the following story:

At a party given by a billionaire on Shelter Island, Kurt Vonnegut informs his pal, Joseph Heller, that their host, a hedge fund manager, had made more money in a single day than Heller had earned from his wildly popular novel *Catch-22* over its whole history.

Heller responds, “Yes, but I have something he will never have — ENOUGH.”

█████ you money is neither necessary nor sufficient¹⁴ for taking back your independence. In the absence of █████ you money, there is always stoicism as an alternative solution. Where your bank accounts may fail you, your mindset may save you. To summarize a

¹² How you could have possibly had something better to do than hang out with a bunch of people whose only commonality is the source of their W2 income?!

¹³ An even more satirical American novelist famous for writing *Catch-22*.

¹⁴ Another carrot for the LSAT nerds.

comprehensive way of life in a few pithy sentences, stoicism proposes that the life worth living is to be found only in the pursuit of virtue. This necessitates tempering our desires in favor of the four cardinal virtues of temperance (sophrosune), courage (andreia), justice (dikaiosune), and practical wisdom (phronesis). Stoicism stresses coming to peace with the brutal, yet liberating, reality that we don't control external events and much of what happens. We can only take control of our thoughts and decisions. If we do this right, though, then that's everything we need to live a virtuous life. We're all we got and we're all we need.

"In Seneca's Epistle IX, Stilbo's country was captured by Demetrius, called the Sacker of Cities. Stilbo's children and his wife were killed. Stilbo was asked what his losses were. *Nihil perdit*, I have lost nothing, he answered. *Omnia mea mecum sunt!* My goods are all with me. The man had reached the Stoic self-sufficiency, the robustness to adverse events, called *apatheia* in Stoic jargon. In other words, *nothing that might be taken from him did he consider to be a good*. Which includes one's own life. Seneca's readiness to lose everything extended to his own life. Suspected of partaking in a conspiracy, he was asked by the emperor Nero to commit suicide. The record says that he executed his own suicide in an exemplary way, unperturbed, as if he had prepared for it every day." (Taleb)

To be clear, I am not asking you to prepare for your own death every single day. My request is for you to prepare every day for the death of your career. For some sick people who pride their "career" over their very own life, this may be even more demanding than Seneca's leisurely suicide. I simply ask that you not be afraid to lose your job, by preparing mentally, emotionally, and financially every single day for the possibility of losing your job. You don't need millions of USD or Euros in the bank to prepare for this adverse contingency. All you truly need, financially speaking, is enough money for an emergency fund. An emergency fund is a financial safety net of easily accessible cash, typically covering three to six months of essential expenses, designed to protect you from this very scenario of losing (or ideally, leaving) your job. Therefore, even assuming a lucrative salary of \$150,000 and corresponding annual expenses of \$100,000, you only need to get your hands on \$25,000 to \$50,000 to insulate yourself from the worst consequences of losing your job, and thereby shield yourself from any financial insecurities or anxieties surrounding your job stability long before the axe falls on your head.

"My classmate in Paris, the novelist-to-be Jean-Olivier Tedesco, pronounced, as he prevented me from running to catch a subway, 'I don't run for trains.' Snub your destiny. I have taught myself to resist running to keep on schedule. This may seem a very small piece of advice, but it registered. In refusing to run to catch trains, I have felt the true value of elegance and aesthetics in behavior, a sense of being in control of my time, my schedule,

and my life. Missing a train is only painful if you run after it! Likewise, not matching the idea of success others expect from you is only painful if that's what you are seeking. You stand above the rat race and the pecking order, not outside of it, if you do so by choice. Quitting a high-paying position, if it is your decision, will seem a better payoff than the utility of the money involved (this may seem crazy, but I've tried it and it works). This is the first step toward the stoic's throwing a four-letter word at fate. You have far more control over your life if you decide on your criterion by yourself. Mother Nature has given us some defense mechanisms: as in Aesop's fable, one of these is our ability to consider that the grapes we cannot (or did not) reach are sour. But an aggressively stoic prior disdain and rejection of the grapes is even more rewarding. Be aggressive; be the one to resign, if you have the guts. It is more difficult to be a loser in a game you set up yourself. In Black Swan terms, this means that you are exposed to the improbable only if you let it control you. You always control what you do; so make this your end." (Taleb)

Taleb cites the story of a stoic trader on Wall Street he calls Nero, and how this young trader handled his boss's misguided evaluation of his trading success during the dreaded performance review:

"Nero sat down and listened very calmly to the evaluation of his 'supervisor'. When Nero was handed the evaluation form he tore it into small pieces in front of him. He did this very slowly, accentuating the contrast between the nature of the act and the tranquility with which he tore the paper. The boss watched him blank with fear, eyes popping out of his head. Nero focused on his undramatic, slow-motion act, elated by both the feeling of standing up for his beliefs and the aesthetics of its execution. The combination of elegance and dignity was exhilarating. He knew that he would either be fired or left alone. He was left alone." (Taleb)

For you money is not necessarily the only path to freedom and it may not even be a viable path for you depending on your psychological makeup:

"Independence is person-specific: I have always been taken aback at the high number of people in whom an astonishingly high income led to additional sycophancy as they became more dependent on their clients and employers and more addicted to making even more money." (Taleb) Taleb misses the mark here because these brown-nosing high earners are suffering greatly from lifestyle inflation. They become more and more dependent on whoever is cutting their checks precisely because they buy more and more things they don't actually need to impress people they don't care about. High earners get to choose between "keeping up with the joneses" and financial independence. Ultimately it's not what you make but rather what you accumulate through saving and investing that determines your ~~self~~-you worthiness, or "net worth", if you want to get overly technical. A

high income is what you make at the time, a mere snapshot, and can be taken away in the blink of an eye. Wealth is a far more stable metric, especially if you don't gamble on ODTE options (zero days to expiration) like those Wall Street Bets regards. **[INSERT HERE: FOOTNOTE TO DEFINE – FINANCIAL CONTRACTS THAT EXPIRE ON THE VERY SAME TRADING DAY THEY ARE TRADED. THEY OFFER POTENTIAL IMMEDIATE F YOU MONEY, BUT ALSO POTENTIAL IMMEDIATE FINANCIAL RUIN, AKA F ME MONEY. SPIN THE CHAMBER, BORRIS.]**

[Insert after frugality mention in FIRE section]:

The significance of frugality to achieving FIRE is spelled out in a nifty play on words in “The Parable of the Minister and the Monk”:

“Two close boyhood friends grow up and go their separate ways. Years later, they meet again — one now a rich and powerful minister to the king, dressed in fine silk robes, and the other a humble monk, wearing tattered clothes and carrying a begging bowl.

The minister, seeing the monk's poverty, feels pity and offers advice: ‘If you could learn to cater to the king, you wouldn't have to live on rice and beans.’ The monk replies with quiet wisdom: ‘If you could learn to live on rice and beans, you wouldn't have to cater to the king.’”

The minister of the King is eschewing freedom and independence for what he believes is security, power, and material comfort. He may very well find out the hard way that one bad look in the King's direction, and off goes the minister's head with his naïve assurances of money and power. Ultimately, it's the King who possesses the security, power, and material comfort. Only so long as the minister stays in the King's good graces does he get to live off the King's temporary, fleeting, and conditional ‘largesse’. I don't understand the minister.

I somewhat agree with the monk. Valuing freedom and independence, the monk views the minister as an upper-class slave, whose actions are dictated by the need to please others. The monk achieves enlightenment “Via negativa”, by approaching life through the prism of what it is not and what doesn't work. The monk views indentured servitude in a silk robe as misguided and not a recipe for a truly successful, fulfilling life. “Via negativa” is a modification of the addition by subtraction principle and stresses the significance of removing unnecessary or harmful elements to create space for only life's most important resources. The monk is able to live a fulfilling life by subtracting the typical human desires that he views as excessive and achieves absolute freedom from other people's control in needing less.

The monk is generally right and precisely wrong. Great values, overzealous execution of those values. This is not surprising since the minister and the monk both represent extreme

reactions to the capitalist framework: embrace it with open arms and strive like the minister, or view the capitalistic grapes as sour and dismiss the enterprise entirely by going your own way like the monk. In resorting to this reclusive life, the monk forces himself to live on rice and beans for the entirety of his one life. Extreme and extremely stupid, with all due respect. You don't have to live on rice and beans forever to avoid having to serve the king forever. With just a few years of rice and beans living, or ramen noodles to use a modern analogue, you can save up a bunch of money. This is especially the case if you're able to live this ramen life on while reaching a six-figure salary. You are then able to leverage the massive difference between your income and expenses by deploying this bundle of money into massive, calculated bets that, if successful, can get you to proper F████ You money at a young age! I'll dive into the specifics of this "hard asset" strategy a bit later.

I have an ambitious definition for F████ You money. J.L. Collins, author of "The Simple Path to Wealth", proposes a far more grounded and attainable conception of F████ you¹⁵ money. His definition of F████ you money allows his readers to solve more immediate problems: "You may not be able to never work again, but if you need to you can leave a toxic job knowing you can survive for months or even years while you looked for the better job because you have that 'fu' money, so it allows you in that case to say 'fu' to an employer."¹⁶ Collins' F████ you money fails to elicit the panache of the punchy term. I also don't understand the prudence of burning employment bridges when you can't say goodbye full-time to full-time employment. It's possible Collins' "fu" to an employer is more akin to "I am resigning on such-and-such date. Thank you for the opportunity." It's closer to a "tu" than to an "fu". To each their own.

Immediately after hearing this story, I googled "joseph heller net worth" to get a baseline number of how much monies I would need to escape the 9-5 til 65 life. People in the FIRE community often refer to the amount of money they would need to accumulate to retire early as their "FIRE number." Google provided me with a very helpful and precise range of somewhere between \$1.1 million and \$20 million.¹⁷ A little about me: I'm a lazy F████. I take

¹⁵ Purposely lower-case.

¹⁶ Said in an interview with Steven Bartlett on "The Diary of a CEO" podcast.

¹⁷ This narrow range of numbers also doesn't factor in inflation changes from 2005 until the present, which I'm certain are negligible after multiple rounds of Quantitative Easing stemming from the Financial Recession and COVID.

"Don't make stuff because you want to make money — it will never make you enough money. And don't make stuff because you want to get famous — because you will never feel famous enough," John Green advised

pride in cobbling together the lowest amount of effort in reaching the lowest-hanging fruit I call my “goals”. Not surprisingly, this simple google search of Heller’s net worth sufficed for me to calculate my own FIRE number and assured me that I could in fact retire at the ripe old age of 34 years old. The opposite extreme in the FIRE community is to track every speck of one’s financial details in an excel spreadsheet in an obsessive, maniacal way. These excel nerds cannot bring themselves to purchase a \$7 latte while armed with millions of dollars invested, before consulting with their better-half: the omniscient, omnipotent excel spreadsheet. This green bible tracks the early retiree’s critical financial information, including their overall accumulated nest egg (measured by assets minus liabilities, or “net worth”), annual burn rate or expenses if you prefer human-speak, potential rates of return on their investments, and potential rates of inflation. Owing to their mental disorder, these fastidious █████ cannot bring themselves to buy a soda at lunch if the Chairman of the Federal Reserve uses a single word to imply that he may so slightly ease interest rates, potentially spurring higher inflation. These troubled souls don’t have a money problem, they have a deep-seated anxiety disorder. The solution they are searching for is not having more money. It’s ironically having less money in the form of hiring a much-needed, expensive psychiatrist.

We all have recurring dreams. One such dream for me is situated in Long Island where my parents live. I’ve noticed the dream typically manifests at a time of great work stress. I take a public bus a few blocks from my parent’s house. The bus takes a right turn off of Rockaway Boulevard and turns onto a cul-de-sac. I get off the bus and every other passenger willingly stays on. I walk 300 yards to my left and happen upon a massive forest spanning at least three football fields from where I’m standing. I meander through this evergreen paradise in perfect serenity, completely divorced from all the every-day problems in life.

I’ve lived the dream so many times I’m 100% percent I’ve actually been to this tranquil forest. I’m also 100% convinced that in reality I’ve never actually been to a place that does not exist! There is no room in reality for a secluded forest on Rockaway Boulevard, what with all the real estate taken up by batting cages and “Gentlemen’s” clubs. Nonetheless, this oasis is very real to me and represents the allure of getting away on a routine Monday from all work responsibilities. I’m completely untethered to my work laptop, Outlook emails, and strict expectations of timely responses. This majestic forest symbolizes complete financial independence and the power to say “F████ You” to anyone who tries to

aspiring writers. “If you worship money and things ... then you will never have enough. Never feel you have enough. It’s the truth,”

tear me away from my Garden of Eden. I experienced this fleeting dream place countless times. I have finally arrived and have no intention of ever leaving.

The concept of “F[REDACTED] You” money was immortalized in the remade version of “The Gambler.”¹⁸ Mark Wahlberg (terribly) plays a Los Angeles literature professor who is a self-destructing, gambling degenerate who compulsively digs himself into deeper and deeper holes. Wahlberg’s character, Jim Bennett, gambles his way into a precarious situation where he owes over a combined \$300,000 to two sets of loan sharks, that Bennett would prefer to keep happy. One of these loan sharks gives Bennett a Hobson’s choice: pay off his debts in a week or swim with the fishes. Nope, not a fun-for-the-whole-family SeaWorld excursion sadly. Ironically Bennett realizes he must dig himself into an deeper hole in order to somehow manage to pay off these bloodthirsty loan sharks. Playing the only shitty cards he has, Bennett turns to an even more ruthless loan shark named Frank for a lifeline loan that could potentially allow Bennett to win back all the money he lost gambling by . . . gambling . . . and thereby pay back his impatient lenders. Frank warns Bennett if he fails to pay back the \$260,000, there are no rules and Frank will assuredly kill Bennett’s “entire bloodline”.

In this iconic scene, Frank is played by John Goodman who delivers the following transcendental American Anthem of Freedom:

“You get up two and a half million dollars, any asshole in the world knows what to do: you get a house with a 25-year roof, an indestructible Jap-economy shitbox, you put the rest into the system at three to five percent to pay your taxes and that’s your base, get me? That’s your fortress of [REDACTED] solitude. That puts you, for the rest of your life, at a level of [REDACTED] you. Somebody wants you to do something, [REDACTED] you. Boss pisses you off, [REDACTED] you! Own your house. Have a couple bucks in the bank. Don’t drink.¹⁹ That’s all I have to say to anybody on any social level. Did your grandfather take risks? I guarantee he did it from a position of [REDACTED] you. A wise man’s life is based around [REDACTED] you. The United States of America is based on [REDACTED] you. You’re a king? You have an army? Greatest navy in the history of the world? F[REDACTED] you! Blow me. We’ll [REDACTED] it up ourselves.”

In case you were wondering, The Gambler premiered in 2014. \$2.5 million in 2014 is equivalent to approximately \$3.5 million in 2026. The goal posts might have shifted a cool million since then, in case you were looking to fictional Frank for guidance on how much

¹⁸ Not nearly as great as the original and what should have been the only version, but for this one legendary scene with John Goodman.

¹⁹ As Frank drinks Bourbon straight.

money you need to tell your boss to go f himself. Nonetheless, Frank's fundamental "you" truth holds across time, space, and inflation rates.

"It is pretty much true that the more money you have, the more options you have. In the U.S., wealth is a reliable proxy for freedom of choice. If you don't have any discretionary income, it really doesn't matter how many options are available because they are not available to you. This is also true of choices that don't involve money. If you work to near-exhaustion every day just to make ends meet, for example, you don't have the time or energy to make many lifestyle improvement decisions." (Paradox of Choice, Barry Schwartz).

Taleb quotes:

"I confess that I got hooked on this withdrawal into pure ideas after the constraints of an active and transactional life." (Taleb)

"You are above the rat race." (Taleb)

"There were some obvious benefits in showing one's ability to act on one's opinion, and not compromising an inch to avoid 'offending' or bothering others." (Taleb)

the second-in-charge in my former Bureau at the NY AG's office, would constantly take orders from Bosslady and carried a sadly submissive disposition towards his Boss. Whatever Bosslady wanted from him, Bosslady got from him. When he tried to push back, Bosslady barked him down from his treasonous foothold. But spotted a rare opportunity for independence and to feel like his own Man. The Monday after Knicks in 5, the wagecuck, in the comfort of his office, changed into a Knicks jersey and shorts to cheaply signal "independence." "Cheap signaling" refers to communication that conveys information without requiring significant cost to the sender. In other words, wanted to demonstrate an independence without incurring any costs that could punish him for doing so and thereby eviscerate any notion of his true independence. "Costly signaling", on the other hand, is where the sender conveys information that is likely to be credible owing to the costs incurred by the sender in conveying information that could harm them. An example of "costly signaling" is if were to hypothetically grow a pair of testicles and

stand up to his Boss when he vehemently disagreed with Her and thought she was pushing for an immoral course of action. But alas, [REDACTED] is ball-less, he has no balls.²⁰

When the New York Knicks won the NBA Championship in 2026, [REDACTED] came into work with his usual corporate monkey suit. But then once he arrived at the office, he got frisky. He finally stepped out of line and showed that he in fact was armed with male genitalia. Well, not really. You see, [REDACTED] version of stepping out of line couldn't take the form of standing up for what he believed in any critical moment when he disagreed with Bosslady. Instead, [REDACTED] defiance took a more subtle tone. And by subtle I mean pathetic. "It is one thing to be cosmetically defiant of authority by wearing unconventional clothes – what social scientists and economists call 'cheap signaling' – and another to prove willingness to translate belief into action." My going away email to the New York Attorney General's Office is an example of "costly signaling." Emails are forever and I forever burned every bridge with the New York Attorney General's Office by truthfully and expensively publicly calling out New York Attorney General Letitia James' corruption.

She wielded taxpayer resources, including my then salary, to criminally and civilly pursue and antagonize her enemies. She found targets and then tried to find crimes, a big no-no when it comes to prosecutorial ethics, as opposed to finding crimes and then the perpetrators.

When I left the New York Attorney General's Office, my salary was a rounding error of my total net worth. It didn't make sense to continue working for the Woman,²¹ especially to compromise my morals by targeting the Woman's political enemies with malicious prosecutions. My moral compass is fairly narrow to begin with, but even Tish's vindictive behavior landed in the prohibited zone. Thankfully, I can do away the 9-5 daily drudgery and deciding between a paycheck and my limited morals. Like Joseph Heller, I have somewhere between \$1.1 million and \$20 million. In short, I have ENOUGH. I hope you get there soon and join me in doing what you want, when you want, with who you want. Whatever you choose to do, don't allow your "career" to masquerade as your life purpose, when it's merely a 9-5 to pay the bills. Inevitably, it's just a cope.

²⁰ 2004 comedy Dodgeball: A True Underdog Story, delivered by color commentator Pepper Brooks to play-by-play announcer Cotton McKnight: "He's ball-less now. He doesn't have any balls, Cotton." Referring to dodgeballs, naturally.

²¹ At the time, New York Attorney General Letitia James, known either affectionally or indifferently as "Tish".

STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

M E M O R A N D U M

TO: Daniel Wiesenfeld

FROM: [REDACTED]

DATE: August 21, 2026

SUBJECT: Formal Counseling - Performance and Time and Attendance Issues

On August 11, 2026, we met with you to discuss the ongoing problems this Office is having with your failure to properly perform your work assignments along with time and attendance issues. During that meeting the Bureau Chief informed you that this was a formal counseling session which would be summarized in a memo to you, with a copy to be forwarded for inclusion in your Personal History File.

Deficient Performance

We began by discussing that your pattern of deficient performance continues despite past supervisory attempts to assist you, including during your July 6, 2026 performance evaluation to discuss your 2025-2026 performance. Since that time, it appears that you have "checked out". You do not participate during meetings and do not appear on camera during those meetings. During your written and oral evaluation we discussed your poor handling of the [REDACTED] [REDACTED] and since that time you once again failed to properly shepherd a second [REDACTED] through or at least flag for others that it needed to be handled. You were the main contact for that matter and you never responded, never told anyone the final draft was received or that it was being filed that day.

We also discussed that you've been "MIA" on the [REDACTED] cases and have not provided any meaningful contributions in those cases even though those matters should be your main priority. Similarly, during the team meeting two weeks ago regarding [REDACTED] there were serious and difficult questions being asked about [REDACTED] and your teammates worked hard to answer those questions but you stayed silent and off camera.

We have now received four unrelated complaints from members of your teams regarding your performance. Most recently the complaint was that you are not responsive to emails, do not participate in work related communications, have missed meetings and failed to complete assignments. Another recent complaint involved your committing to provide substantive assistance on an investigation and failing to do so.

The Bureau Chief informed you that your deficient performance has serious implications

including, negatively impacting our casework, creating an undue burden on supervisors and team members (e.g. last-minute follow-ups for status, shifting work to others, etc.) and creates a poor reflection on bureau management and the agency. These performance deficiencies were reviewed with you during your 2025-2026 annual performance evaluation meeting last month, yet you have failed to demonstrate any notable improvement since we met with you and in fact, you were told that your performance has deteriorated. Your continued failure to meet your performance expectations and satisfactorily complete your assigned duties is unacceptable and will not be tolerated.

We discussed moving forward you must take ownership of your matters, and specifically:

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- Respond timely to all work-related emails:
- Attend all meetings and actively contribute and participate in all meetings:
- Ensure your video is turned on during virtual meetings unless there is a previously articulated and approved reason it must be off; and
- Notify supervisors when you are falling behind in your schedule and jointly devise a revised plan with your supervisors.

Communication with Management

You must respond to all communications from your Bureau Chief and Deputy Chief within three hours if the communication is made before 5pm on a weekday that is not a holiday and for which you are not out of the office. If the communication is made after hours or over a weekend you must respond by 10 a.m. on the next weekday. Should you not have a full response by the required deadline you must acknowledge the communication and provide a date and time for when you expect to provide a full response.

Time and Attendance Issues

In addition to the above you have also demonstrated disruptive time and attendance issues. In the last month and half you've been absent on more than ten unscheduled days. This amounts to a pattern of unscheduled absences that adversely impacts your performance and is disruptive to the bureau. Moreover, for three consecutive days after our discussion where we informed you

this pattern was disruptive and informed you of the below protocol, and almost the entirety of this week, you have called out sick without proper notice or explanation and without following the protocol.

As discussed, based on the above time and attendance issues you are being placed on medical certification leave restrictions. As part of these restrictions, you must submit acceptable medical documentation for all full and partial day absences due to illness that must:

- state that you were unable to work on each and every day of your absence
- indicate that you or a family member was actually seen by a doctor during the absence
- contain a brief diagnosis
- written on letterhead of medical provider, signed and dated
- must be original, not a copy.

If you are out because of a family member's illness, the same guidelines apply. This documentation is due immediately upon return to work and must be confidentially submitted directly to Nichole Belser in Human Resources (not to IPB management). Failure to comply with these required procedures will result in the absence being designated as unauthorized leave without pay and may result in formal disciplinary action.

In addition, you must request and receive supervisory approval for use of leave for non-illness/emergency time off at least 24 hours in advance, not simply inform your supervisor of an absence. Approval will be based on operational needs. You will be required to provide documentation to verify unscheduled absences due to unavoidable circumstances, emergencies, etc. Failure to obtain prior approval will result in the absence being designated as unauthorized leave without pay and may result in formal disciplinary action.

As we also discussed, you must call within one hour of the start of the workday to report any/all unscheduled absences. You must speak directly to [REDACTED]. If [REDACTED] is not available, call [REDACTED], if [REDACTED] is not available, you must speak to [REDACTED]. Voice messages, email and text are not acceptable. Failure to follow proper call-in procedures will be documented as insubordination and result in the absence/tardiness being designated as unauthorized leave without pay which may result in formal disciplinary action.

Scheduled Work Hours

Scheduled work hours are 9:30 am – 5:30 pm, with a lunch break. Any deviation from schedule must be approved in advance by your supervisor. You cannot come in early or stay late to make up for tardiness/absence.

Timesheet Submission

You must submit your time sheet for supervisory approval no later than the first business day following the end of each pay period so that attendance (including leave without pay) can be more closely monitored. On days which you are absent following the end of a pay period, you are to submit your time sheet by close of business the day you return. Failure to timely submit timesheets as directed will be considered insubordination and may result in formal disciplinary action.

FMLA and ADA

The Bureau Chief also advised you that you may have rights under Family Medical Leave Act (FMLA) for absences due to personal or family illness; that paid or unpaid leave may be authorized for qualifying FMLA absences and that you must provide acceptable medical documentation to avail yourself of your rights under FMLA. She advised you to Contact Nichole Belser in Human Resources Management Bureau with any FMLA questions.

She also advised that you may have rights under Americans with Disabilities Act (ADA) if you have a medical disability for which you require a reasonable accommodation and that request for a reasonable accommodation requires the submission of acceptable medical documentation. She advised you to contact Nicole Moon in the Human Resources Management Bureau with any ADA related questions or if you believe you may need a reasonable accommodation.

Conclusion

Concluding our meeting, the Bureau Chief asked if you understood all that she explained and what will be expected of you in the future. You said "no" but then simply contested the completeness of the Office's evaluation of your performance and stated that you were being retaliated against for being sick. You acknowledged that in January, during an earlier conversation about your performance, the Bureau Chief informed you that you could take leave

[REDACTED] The Bureau Chief informed you that you could take leave – but needed to provide documentation to Human Resources for necessary review and authorization. You then proceeded to attempt to rebut many of the issues that we had just discussed.

It must be noted that your demeanor throughout this counseling session could only be described as argumentative and inflammatory despite the fact that it was made clear to you throughout that the purpose of this counseling session was simply to address - and attempt to assist you in correcting the problems discussed through a productive dialogue.

The Bureau Chief informed you that the Employee Assistance Program (EAP) is available to you

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as a confidential resource should you have any personal problems that are affecting your performance and/or workplace conduct. Going forward, she advised you that your time and attendance would be closely monitored for required improvement. She further advised you that the issues discussed would be taken into consideration in the completion of your annual performance evaluation.

It is our hope that this counseling session will have served to identify and promptly correct all problems discussed. Please be reminded, however, that failure to demonstrate immediate, significant, and sustained improvement in the areas discussed; failure to comply with all work-related directives (issued in the form of direct orders or otherwise); or any future incident(s) of misconduct will be documented and may result in formal disciplinary action up to, and including, termination of your employment.

cc: HR/Personal History File