

**Fort Independence Park Neighborhood Association**

Philip McDonnell, President / Karen Argenti and Lynn Schwarz, Vice Presidents  
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July 14, 2008

Richard F. Daines, M.D.  
Commissioner, New York State Department of Health (NYSDOH)  
Corning Tower  
Empire State Plaza,  
Albany, NY 12237

By Mail and Fax 518-474-5450

Re: **APPEAL of Denied FOIL Request # 08-04-167**  
Kingsbridge Heights Rehabilitation and Care Center (KHRCC)  
ability to provide quality care to patients during a strike

Dear Commissioner,

We wrote to you in April and your office responded with a receipt to wait 30 days. Thirty days later we got another response with a receipt to wait 45 days. That was July 11, 2008 and we have not received any response from your agency.

We respectfully request an immediate response to our questions, or we will have to consider the actions of your department to be constructively a denial.

**This letter is an appeal to you of this denial.** You have ten days to respond.

Thank you for your time and consideration.

Sincerely,

Karen Argenti  
FIPNA VP

Lynn Schwarz  
FIPNA VP

Philip McDonnell  
FIPNA President

Encl: Letters of April 7, April 11 and May 7  
Copy of letter from Robert Freeman NYS Committee on Open Government

C: NYS Department of State  
Committee on Open Government  
One Commerce Plaza  
99 Washington Ave.  
Albany, NY 12231 Telephone: (518) 474-2518  
Fax: (518) 474-1927