

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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BENJAMIN CHEVAT,

Petitioner,

-against-

THE CITY OF NEW YORK: OFFICE OF THE MAYOR,
NEW YORK CITY LAW DEPARTMENT and
NEW YORK CITY DEPARTMENT OF DESIGN and
CONSTRUCTION,

**AFFIRMATION
PURSUANT TO CPLR
2106 OF AMINA
WILSON IN SUPPORT
OF THE CROSS-
MOTION TO DISMISS
THE VERIFIED
PETITION**

Respondents.

Index No. 153916/2026

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I, AMINA WILSON, employed with the New York City Department of Design and Construction , affirm this 30th day of June, 2026, under the penalties of perjury under the laws of the State of New York, which may include a fine or imprisonment, that the following is true, except as to matters alleged on information and belief and as to those matters I believe it to be true, and I understand that this document may be filed in an action or proceeding in a court of law.

1. I am the Director of Legal Support, Records Appeals Officer, and Division Administrative Officer for Respondent the Department of Design and Construction (“DDC”), (hereinafter, “Respondent” or “City”). In my position as Records Appeals Officer, I am responsible for reviewing DDC’s responses to Freedom of Information Law (“FOIL”) requests brought by members of the public, to the extent required by the Freedom of Information Law.

2. The statements in this affirmation are based on my personal knowledge and upon information provided to me by other employees of DDC and contained in the records of DDC.

3. On September 8, 2023, the Petitioner submitted a 7-part FOIL request for records related to the September 11, 2001, attacks on the World Trade Center and the City's knowledge of toxins around the site.

4. DDC searched the email accounts of current employees who were employed by the agency during the relevant time period, as well as the unit responsible for maintaining the agency's archived records. The searches were limited to these locations because those individuals were the only employees likely to possess potentially responsive records, and the unit is the sole repository for the agency's archived hard-copy records.

5. The searches were conducted using terms related to the World Trade Center, September 11, 2001, and an October 2001 memorandum from Deputy Mayor Robert M. Harding/Harding memo in 2001. No responsive records were identified. Instead, the searches returned only administrative records, including payroll and payment-related documents, which were not responsive to Petitioner's request.

6. Following the aftermath of September 11, 2001, DDC was tasked by the Mayor to manage the demolition of the seven buildings that made up the World Trade Center site. DDC also managed the trucking operation that hauled away the debris to specified sites. DDC managed four construction management firms, each assigned a quadrant within the 16-acre site, to deconstruct, remove, and clean up the site. Although DDC's safety manager worked closely with the other agencies to review any findings and assist with safety plans for the site, he was not responsible for managing the air quality testing at the site.

Amina Wilson

AMINA WILSON