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State liable for e-mail case fees

GOP chair's attorneys would be owed \$66K if Corzine appeal fails

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The state must pay New Jersey Republican chairman Tom Wilson's attorneys \$66,307 if Gov. Jon Corzine's administration cannot overturn a court order to release hundreds of pages of e-mail messages exchanged by Corzine and state-workers union leader Carla Katz.

Superior Court Judge Paul Innes found last month that the e-mails, sent during the first 18 months of Corzine's term, were not merely private discussions between the governor and his former girlfriend but rather public documents under the state's Open Public Records Act.

Wilson requested the e-mails shortly after the administration and the Communications Workers of America reached a new contract last year, to see if the correspondence influenced negotiations.

Yesterday the judge finalized an order -- first issued last week on an interim basis -- that allows Corzine to keep the documents secret while his administration appeals the ruling. The governor's office contends the e-mails are private communications protected by executive privilege.

Innes' order also requires the state to pay Wilson's attorneys a total of \$66,307 for fees and costs associated with the lawsuit. The order, however, says the state can appeal the award of attorneys fees and costs as well as the ruling on the release of the e-mails.

"We reserved all our rights to appeal and that's what we intend to do," said Robert Gilson, director of the law division in the Attorney General's Office, following a closed door hearing with Innes in Mercer County. "We will file an appeal shortly."

Wilson's lawyer, Mark Sheridan, said after the hearing that the order "moves the ball down the field" toward an ultimate resolution.

The governor's office has said only 100 pages of the nearly 800 pages of printouts submitted to the judge were messages that involved the governor. Eleven messages were sent by Corzine to Katz, while she sent 50 to the governor. Another 11 were sent by Katz to Corzine's then-chief of staff, Tom Shea, and copied to the governor.