

UNIVERSITY OF ILLINOIS

URBANA-CHAMPAIGN • CHICAGO • SPRINGFIELD

May 9, 2014

Bill Haisley
Deadspin
billy@deadspin.com

Re: FOIA #14-276

Dear Ms. Haisley:

I write to respond to your Freedom of Information request of April 24, 2014, and received in my office on April 25, 2014, in which you requested:

“...any communication between [Mike Thomas, Jason Lener, Robert Easter and Phyllis Wise] and Ari Fleischer or anyone from Fleischer Sports. And also, any communication between associate AD Susan Young and Jackson Lewis law firm... from... January 25, 2014 to the present”

The only responsive documents that were located were communications between Susan Young and the Jackson Lewis law firm. However, these documents are exempt from production and are being withheld pursuant to the following section(s) of the Act:

- 140/7(1)(a) that exempts from disclosure “Information specifically prohibited from disclosure by federal or State law or rules and regulations implementing adopted under federal or State law.” Under this exemption, information discussed with an attorney that is required to remain confidential under state law, including, without limitation, the Illinois Rules of Professional Conduct were withheld from the responsive documents.
- 140/7(1)(f) that exempts “Preliminary drafts, notes, recommendations, memoranda, and other records in which opinions are expressed, or policies or actions are formulated, except that a specific record of relevant portion of a record shall not be exempt when the record is publicly cited and identified by the head of the public body.” This includes communications containing drafts, deliberations, opinions, proposed actions and recommendations.
- 140/7(1)(m) that exempts from disclosure “Communications between a public body and an attorney or auditor representing the public body that would not be subject to discovery in litigation, and materials prepared or compiled by or for a public body in anticipation of a criminal, civil or administrative proceeding upon the request of an attorney advising the public body...” Pursuant to this exemption, communications covered under the attorney client privilege and/or the work product doctrine that would not be subject to discovery were withheld from the responsive records.

You have a right, under the law, to seek a review of this response by the Public Access Counselor (PAC) in the Office of the Attorney General. The PAC may be reached by phone at 217-782-1396, by email to [publicaccess\[at\]g.state.il.us](mailto:publicaccess[at]g.state.il.us), or by postal mail at the Public Access Bureau, 500 S. 2nd Street, Springfield, Illinois 62706. You also have the right to seek judicial review under section 11 of this Act.

If you have questions for our office, please contact 217-333-6400.

Sincerely,

Thomas P. Hardy
Executive Director
and Chief Records Officer