

UNIVERSITY OF ILLINOIS

URBANA-CHAMPAIGN • CHICAGO • SPRINGFIELD

July 17, 2014

Richard S. Laugesen
[REDACTED]

Re: FOIA Request 14-429 narrowed

Dear Mr. Laugesen:

I write to respond to your narrowed Freedom of Information request dated July 1, 2014 and received in my office on July 2, 2014, in which you requested:

- “- point 1 ("All contracts...") in its entirety,
- point 2 ("Documentation of legal fees...") in its entirety,
- point 3 ("Documentation of correspondence...") narrowed to correspondence related to labor issues for faculty at the Urbana-Champaign campus, from January 1, 2013, to the present,
- point 4 ("Documentation of legal fees...") narrowed to fees related to labor issues for faculty at the Urbana-Champaign campus, from January 1, 2013, to the present.”

This requested narrowed your request of June 13, in which you sought:

- “1. All contracts between the University of Illinois and Clark, Baird, Smith, LLP, initiated during, or covering, the period January 1, 2013 to the present.
2. Documentation of legal fees paid by and/or assessed to the University of Illinois to/by Clark, Baird, Smith, LLP, for the period of January 1, 2013 to the present, regarding all labor organizations, including but not limited to
 1. From UIUC
 1. SEIU, Local 119 (food service workers)
 2. SEIU, Local 119 (building service workers)
 3. Graduate Employees Organization, local 6300
 4. Visiting Academic Professionals Association
 5. Campus Faculty Association
 2. From UIC
 1. GEO, local 6297
 2. United Faculty, Local 6456
3. Documentation of correspondence, electronic or otherwise, between the University of Illinois and Clark, Baird, Smith, LLP.
4. Documentation of legal fees paid by and/or assessed to the University of Illinois to/by outside counsel and/or labor relations consultants for issues including union organization efforts, bargaining unit formation, unfair labor practice proceedings, collective bargaining,

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alternative dispute proceedings, negotiation of labor contracts, contract administration, grievance handling, grievance arbitrations, impasse contingency planning and resolution, and decertification petitions for the period January 1, 2013 to the present regarding all labor organizations, including but not limited to, the bargaining units referenced in #2 above.”

The contract responsive to your point 1 of your request as well as the documentation of legal fees relating to the seven labor organizations specified in point 2 of your request are available at the link below. These are public documents numbering 92 pages. Please note, any documents responsive to point 4 of your request are also responsive to point 2. The documents sought in point 3 are denied for the reasons set forth below.

Portions of the documents being provided to you have been redacted and documents responsive to point 3 have been 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 or redacted from the responsive documents.
- 140/7(1)(b) that exempts from disclosure “Private information, unless disclosure is required by another provision of this Act, a State or federal law or a court order.” This includes FEIN.
- 140/7(1)(c) that exempts from disclosure “Personal information contained within public records, the disclosure of which, if disclosed, would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information.” This includes the names of employees who may be the subject of discipline or a grievance.
- 140/7(1)(f) that exempts from disclosure “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 redacted or withheld from the responsive records.

Should you wish to inspect or receive a physical copy of these documents, please call Melanie Kuehn at the phone number below and she will provide you with all the necessary details.

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@atg.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

To access your files, please go to:

This link will expire in ten business days