

UNIVERSITY OF ILLINOIS

URBANA-CHAMPAIGN • CHICAGO • SPRINGFIELD

July 10, 2014

Dr. Andrew Scheinman
Scheinman Law
ascheinman@scheinmanlaw.com

Re: FOIA Request 14-182

Dear Dr. Scheinman:

I write to respond to your Freedom of Information request dated and received in my office on March 31, 2014, in which you requested:

- “1. All documents prepared within the last 1 year relating to any partnership, relationship, cooperative venture, acquisition, etc., between the UI or a sub entity (eg the Research Park) and Carle Foundation or sub entity for the construction or cooperation on a medical center.
2. All documents within the last 1 year between UI and Carle, or within the UI, on means or acquiring or partnering with Carle.
3. As for 2, but specifically including reference to the Urbana-Carle battle over Carle’s taxes and/or on Carle’s taxes.”

Information responsive to your request is available and attached. These are public documents numbering 348 pages.

Portions of these documents have been redacted and other documents 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.” This includes documents containing legal advice given by an attorney that is required to remain confidential under state law, including, without limitation, the Illinois Rules of Professional Conduct.
- 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 personal email addresses and other unique identifiers.
- 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 personal vacation information.
- 140/7(1)(f), which exempts “Preliminary drafts, notes, recommendations, memoranda, and other records in which opinions are expressed, or policies or actions are formulated, except

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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 draft documents and communications containing deliberations, opinions, proposed actions and recommendations.

- 140/7(1)(h) of the Act, which exempts “[p]roposals and bids for any contract, grant, or agreement, including information which if it were disclosed would frustrate procurement or give an advantage to any person proposing to enter into a contractor agreement with the body, until an award or final selection is made.” This includes communications about ongoing contract negotiations.
- 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...” This includes communications covered under the attorney client privilege and/or the work product doctrine that would not be subject to discovery.
- 140/7(1)(r) of the Act that exempts from disclosure “records, documents, and information relating to real estate purchase negotiations until those negotiations have been completed or otherwise terminated.” This includes communications about a potential purchase of real estate.

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 any questions, please address them to the attention of Ms. Laura Clower, Associate University Counsel, at clower@uillinois.edu.

Sincerely,

Thomas P. Hardy
Executive Director
and Chief Records Officer

cc: Laura Clower, Assoc. Univ. Counsel