

UNIVERSITY OF ILLINOIS

URBANA-CHAMPAIGN • CHICAGO • SPRINGFIELD

December 31, 2014

Andrew Scheinman
ascheinman@scheinmanlaw.com

Re: FOIA #14-801

Dear Dr. Scheinman:

I write to respond to your Freedom of Information Acts request dated November 26, 2014, and received in my office on that date in which you requested:

"I previously filed a FOIA with UIUC-FOIA that resulted in your production of the attached 14-252 production set.

In reviewing this production set I see that it appears that you did not replicate all of the documents Jed Taylor had identified, specifically (and at least) the "FW Point of Contact-Threatened Legal Action.msg" that Mr. Taylor referred to and apparently attached in his email to you.

Please provide me with a copy of that attachment. Please also explain to me why this attachment was not provided in the 14-252 Results."

Our records, and your request, indicate that you previously sought the requested document in FOIA request #14-252. In our June 6, 2014, response to that FOIA request, we explained that some documents were withheld from production pursuant to various statutory exemptions.

As your new request is a rephrased request for a document you previously requested and that we denied, we are denying this request under section 3(g) of the FOIA, which allows that:

"...Repeated requests from the same person for the same records that are unchanged or identical to records previously provided or properly denied under this Act shall be deemed unduly burdensome under this provision."

Moreover, the record you seek remains exempt from disclosure pursuant to the following section(s) of the Act:

- 140/7(1)(f) of FOIA, which 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 or 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 deliberations, proposed actions, recommendations, and statements concerning the formulation of an action or policy.

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