

UNIVERSITY OF ILLINOIS

URBANA-CHAMPAIGN • CHICAGO • SPRINGFIELD

December 3, 2014

Kevin Carmody

Re: FOIA 14-771

Dear Mr. Carmody:

I am responding to your request dated November 17, under the Illinois Freedom of Information Act in which you request:

"A. Any and all Michael Leroy communications regarding Kevin Carmody of the matter of Kevin Carmody, and not already provided Kevin Carmody, from April 16 2011 thru September 30 2011.

B. Any and all Elyne Cole communications regarding Kevin Carmody of the matter of Kevin Carmody, and not already provided Kevin Carmody, from April 16 2011 thru September 30 2011.

C. Any and all Michael Leroy communications regarding concerns for Michael Leroy's safety, from April 16 2011 thru September 30 2011.

D. Any and all Elyne Cole communications regarding concerns for Michael Leroy's safety, from April 16 2011 thru September 30 2011.

E. Records of any meetings by either Michael Leroy of Elyne Cole concerning items A,B, C, and D above, and not already provided in A, B, C, or D above."

You later clarified that "...of the matter..." in A and B should be "...or the matter..."

Information responsive to your request is available and attached. These are public documents numbering 37 pages.

Portions of these documents have been redacted 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, 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 were redacted or withheld 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 private email addresses and other unique identifiers.

Office for University Relations

Urbana • 108 Henry Administration Building • MC 370 • 506 South Wright Street • Urbana, IL 61801 • (217) 333-6400 • Fax (217) 333-5733
Chicago • 414 Administrative Office Building • MC 971 • 1737 West Polk Street • Chicago, IL 60612-7228 • (312) 996-3772 • Fax (312) 996-1836

- 140/7(1)(d)(iv) exempts records that would “unavoidably disclose the identity of a confidential source, confidential information furnished only by the confidential source, or persons who file complaints with or provide information to administrative, investigative, law enforcement, or penal agencies.” The requested documents include information about the identity of (or information provided by) person(s) who provided information to a law enforcement agency.
- 140/7(1)(d)(vi) exempts records that would “endanger the life or physical safety of law enforcement personnel or any other person.”
- 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 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 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 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 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