

UNIVERSITY OF ILLINOIS

URBANA-CHAMPAIGN • CHICAGO • SPRINGFIELD

March 16, 2015

Andrew Scheinman
ascheinman@scheinmanlaw.com

Re: FOIA #14-728

Dear Dr. Scheinman:

I am responding to one of the ten requests received in our office on October 31, 2014, under the Freedom of Information Act ("FOIA" or the "Act"), in which you sought

"8. All communications between Jennifer Eardley (UIUC) and Robin Kaler (UIUC), with such communications limited to those after 6/1/2014, and with those communications concerned Carle in any of its manifestations;"

Information responsive to these requests is available and attached. These are public documents numbering 48 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 information required to remain confidential under state law, including, without limitation, the Illinois Rules of Professional Conduct.
- 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 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, information covered under the attorney client privilege and/or the work product doctrine that would not be subject to discovery was redacted or removed 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@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