September 15, 2015

Andrew Scheinman
ascheinman@samizdat-startups.org

Re: FOIA #15-397

Dear Dr. Scheinman:

I write in response to your Freedom of Information Act request, dated May 13, 2015, and received in my office on that date, in which you requested:

“3. Please provide all the emails from the Swanlund account as searched for the keyword "FOIA" and additionally contain the keyword "Wise" (upper/lower or mixed upper/lowercase), where these emails date from January 1, 2014, to April 1, 2015.

Information responsive to your request is available and attached. These are public documents numbering 592 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.” This includes information 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 home and email addresses, cell phone numbers, and office direct-dial numbers as well as conference call-in numbers and IDs and other unique access information.

- 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 family information, health information, personal travel plans and leave information, as well as names and identifying information of private citizens and donors.

- 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.” The responsive documents contain preliminary discussions and expressions of opinion regarding possible policies and actions of the University.

- 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, and materials prepared or compiled with respect to internal audits of public bodies.” A portion of your request includes communication between a public body and an attorney representing the public body for the purpose of obtaining legal advice and would not be subject to discovery in litigation.

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