



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

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ATTORNEY GENERAL

May 25, 2011

Mr. Joshua A. Faucette  
Legal Fellow  
Office of the Governor of Illinois  
JRTC, 100 W. Randolph St., Suite 16-100  
Chicago, IL 60601

FOIA Pre-Authorization Request - 2011 PAC 14240

Dear Mr. Faucette:

We have received and reviewed the written notice from the Office of the Governor of Illinois (Governor's Office) of its intention to deny certain information as exempt from disclosure pursuant to section 7(1)(c) of the Freedom of Information Act (FOIA) (5 ILCS 140/7(1)(c) (West 2009 Supp.), as amended by Public Act 96-1378, effective July 29, 2010). Specifically, on May 3, 2011, Stephen Di Bendetto submitted a FOIA request to the Governor's Office for Governor Pat Quinn's "public schedules, including locations, dates and listings of people visited" from January 30, 2009, to the present. The Governor's Office is seeking to redact certain information which it asserts is related to Governor Quinn's health and family.

Section 7(1)(c) of FOIA exempts from inspection and copying "[p]ersonal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information." The exemption defines "unwarranted invasion of personal privacy" as "the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information." 5 ILCS 140/7(1)(c) (West 2009 Supp.), as amended by Public Act 96-1378, effective July 29, 2010.

**DETERMINATION**

The Governor's Office's use of the exemption in section 7(1)(c) to redact information from the records is **denied**. We have reviewed un-redacted copies of the records and have determined that the proposed redactions do not contain any personal information. Rather, the redacted information consists only of times and locations of meetings and/or appointments

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without any further detail. The disclosure of times and locations of scheduled appointments or events would not constitute an unwarranted invasion of personal privacy. Accordingly, we conclude that the Governor's Office has not sustained its initial burden of demonstrating that this information is exempt from disclosure under section 7(1)(c).

The Governor's Office also indicates that it intends to redact additional information from the records pursuant to section 7(1)(b) of FOIA (5 ILCS 140/7(1)(b) (West 2009 Supp.), as amended by Public Act 96-1378, effective July 29, 2010). Because advance approval by the Public Access Counselor is not required for the assertion of exemptions other than sections 7(1)(c) and 7(1)(f) (5 ILCS 140/7(1)(f) (West 2009 Supp.), as amended by Public Act 96-1378, effective July 29, 2010), we make no determination at this time regarding the applicability of any other exemptions.

If you have any questions, please contact me at (312) 814-6756. This correspondence shall serve to close this matter.

Very truly yours,



STEVE SILVERMAN  
Assistant Attorney General  
Public Access Bureau

cc: *Via electronic mail*  
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