



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

Lisa Madigan  
ATTORNEY GENERAL

August 17, 2011

Ms. Frances Allen  
FOIA Officer  
Economic Development and Planning Department  
DuPage County Stormwater Management  
421 North County Farm Road  
Wheaton, Illinois 60187

RE: FOIA Preauthorization – 2011 PAC 16041

Dear Ms. Allen:

We have received from DuPage County (County) the above-referenced Freedom of Information Act (FOIA) Pre-Authorization Notice of Intent to Deny under section 9.5(b) of the Freedom of Information Act (5 ILCS 140/9.5(b)(West 2010)). The County's Notice of Intent to Deny relates to a July 26, 2011, FOIA request by [REDACTED]. The County asserted that certain information responsive to [REDACTED] FOIA request is exempt from disclosure under section 7(1)(c) of FOIA. 5 ILCS 140/7(1)(c)(West 2010).

We note that in a letter to [REDACTED] dated August 2, 2011, the County also asserted that a portion of [REDACTED] FOIA request is unduly burdensome (*see* 5 ILCS 140/3(g)(West 2010)) and extended to [REDACTED] an opportunity to narrow his request.<sup>1</sup> In a telephone conversation today you confirmed that [REDACTED] has not yet responded to the County's request. You also confirmed that you would send follow-up correspondence to [REDACTED] reiterating the County's request that he reduce his FOIA request to manageable portions in accordance with section 3(g) of FOIA. *See* 5 ILCS 140/3(g)(West 2010).

While the County's request to [REDACTED] is pending, we decline to determine whether certain information responsive to [REDACTED] FOIA request is exempt from disclosure

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<sup>1</sup> The County asserted that Mr. Avello's FOIA request, "on its face, requests each and every County document pertaining to the total value of FEMA/IEMA funds received by DuPage County throughout the County's history, \* \* \* [which would require] the County staff to search and review, potentially, thousands of documents dating back 30+ years."

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under section 7(1)(c) of FOIA. If you have any questions, please contact me at 312-793-0865.  
This correspondence will serve to close this matter.



SARA GADOLA GALLAGHER  
Assistant Attorney General  
Public Access Bureau

cc:

