



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

April 23, 2010

Mr. John Costello
FOIA Officer
Illinois Attorney General
500 South Second Street
Springfield, Illinois 62706

RE: Request for Preauthorization - 2010.PAC 6885

Dear Mr. Costello:

The Public Access Counselor's Office has received and reviewed a written notice from the Office of the Attorney General (OAG) of its intent to deny the release of certain information contained in Trotter General Contracting Inc. Illinois Department of Labor Case No. 2009-PWE410-0407 (IDOL Case) as exempt from disclosure under Section 7(1)(f) of the Freedom of Information Act, 5 ILCS 140/1 *et seq.*, as amended (FOIA).

On April 7, 2010, [REDACTED] submitted a FOIA request seeking certain information and records regarding the IDOL Case. In its written notice, OAG asserts that approximately 25 pages of responsive records are exempt under Section 7(1)(f) as preliminary drafts, notes, and recommendations concerning settlement and contain the expression of opinions by staff members as part of an effort to formulate a policy or decide a course of action.

Section 7(1)(f) of FOIA exempts from inspection and copying "[p]reliminary 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." 5 ILCS 140/7(1)(f).

The OAG provided to the Public Access Counselor's office copies of the documents it seeks to withhold. After a careful review of these records, we have determined that OAG's use of exemption 7(1)(f) with regard to these records is appropriate and therefore its request to assert this exemption is approved. These records constitute preliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are formulated.

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If you have any questions, you may contact me directly at (312) 814-5206. This letter shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By:


Amalia Rioja
Chief Deputy Public Access Counselor

cc:

