



**OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS**

Lisa Madigan
ATTORNEY GENERAL

May 3, 2010

Patricia Dominguez
Department of Law
City of Chicago
121 North LaSalle
Chicago, Illinois 60602

RE: Pre-authorization Request – 2010 PAC 7015

Dear Ms. Dominguez:

We have received and reviewed the written notice from the City of Chicago's Mayor's Office (City of Chicago) of its intention to deny certain information as exempt from disclosure under Section 7(1)(f) of the Freedom of Information Act (FOIA). 5 ILCS 140/1 *et seq.*, as amended.

██████████ submitted a FOIA request to the City of Chicago seeking documents regarding communications among various employees, the Majority In Interest Airlines at O'Hare Airport, and the Federal Aviation Administration with respect to the O'Hare Modernization project. The City of Chicago asserts that it provided responsive, non-exempt documents from the Mayor's Office working files to the requester. In its notice, the City of Chicago asserted that it intended to withhold two documents pursuant to Section 7(1)(f) because these documents are recommendations and memoranda in which opinions are expressed and actions are formulated, and these documents have not been publicly cited by the head of the Mayor's Office. According to the City of Chicago, these documents analyzed and proposed various strategies employed by the City of Chicago with respect to the O'Hare Modernization project.

Section 7(1)(f) allows withholding of:

[p]reliminary drafts, notes, recommendations, memoranda or other documents 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.

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5 ILCS 140/7(1)(f). The City of Chicago's use of the Section 7(1)(f) exemption with regard to recommendations and memoranda in which opinions are expressed and actions are formulated is approved. We have determined that based on the City of Chicago's explanation of the basis for its assertion of exemption 7(1)(f), these two documents fall within the definition of 7(1)(f).

If you have any questions, please call me 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:

