



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

May 12, 2010

Mr. Jay Stewart
Senior Counsel
Office of the Governor
100 West Randolph Street, 16th Floor
Chicago, Illinois 60601

RE: Pre-Authorization Request – 2010 PAC 7032

Dear Mr. Stewart:

We have received and reviewed the written notice from the Office of the Governor (Office) of its intent to deny disclosure of certain e-mail correspondence and handwritten notes as exempt from disclosure under subsection 7(1)(f) of the Freedom of Information Act. 5 ILCS 140/1 *et seq.*, as amended (FOIA). The Office submitted its written notice in response to a March 24, 2010, FOIA request by [REDACTED]

Subsection 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.”

The Office’s use of the exemption in subsection 7(1)(f) with regard to the aforementioned information is **approved**. According to the Office, which provided us with unredacted copies of the records in question, the records are those in which “government employees ... expressed opinions, gave recommendations, and evaluated actions to be taken”. Additionally, there is no evidence that these records have been publicly cited or identified by the Governor. Thus, the records are exempt from disclosure under subsection 7(1)(f) of FOIA.

As such, the Office should issue a partial denial letter directly to [REDACTED]. Should you have questions or concerns, please feel free to contact me at (312) 793-0865. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

cc: [REDACTED]

By: Sara Gadola Gallagher
Deputy Public Access Counselor