



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

March 15, 2011

Bridget Wachtel
Village Manager
Village of Flossmoor
2800 Flossmoor Road
Flossmoor, IL 60422-1186

RE: Pre-Authorization Request – 2011 PAC 12828
Requester: Steve Metsch, Southtown Star

Dear Ms. Wachtel:

We have received and reviewed the written notice from the Village of Flossmoor of its intention to deny disclosure of certain information as exempt from disclosure under Section 7(1)(c) of the Freedom of Information Act (FOIA). 5 ILCS 140/7(1)(c).

On February 28, 2011, Mr. Steve Metsch of the Southtown Star requested all FOIA requests received by the Village from March 1, 2010 through February 28, 2011, as well as the identity of each requester and the disposition of each request. In its written notice dated March 4, the Village asserts that a date of birth that appears in one of the responsive documents is exempt from disclosure under Section 7(1)(c) of FOIA.

Determination

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.” 5 ILCS 140/7(1)(c). The exemption defines “[u]nwarranted 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.” *Id.*

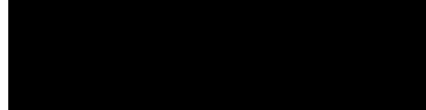
The Village’s use of the exemption in Section 7(1)(c) with regard to the date of birth is approved. We have determined that the disclosure of dates of birth would constitute a clearly unwarranted invasion of personal privacy under Section 7(1)(c). 5 ILCS 140/7(1)(c). This information is

Village of Flossmoor
March 15, 2011
Page 2

highly personal, and the subject's right to privacy outweighs any legitimate public interest in obtaining this information.

Accordingly, the Village may issue a partial denial letter directly to Mr. Metsch and release the document with the appropriate information redacted. If you have any questions, feel free to contact me at (312) 814-2086. This correspondence shall serve to close this matter.

Sincerely,



Sarah Kaplan
Assistant Public Access Counselor

cc: Steve Metsch
Staff Writer
Southtown Star
by email: smetsch@southtownstar.com

12828 preauth al 71c dob mun