



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

March 30, 2011

Ms. Sarah L. Pratt
FOIA Officer
Office of the Attorney General
500 S. 2nd Street
Springfield, IL 62706

Re: Pre-Authorization Request – 2011 PAC 13095
FOIA Requester: [REDACTED]

Dear Ms. Pratt:

We have received and reviewed the written notice from the Illinois Attorney General's Office of its intention to deny disclosure of a certain information contained in requested documents as exempt from disclosure under Section 7(1)(f) of the Freedom of Information Act (FOIA). 5 ILCS 140/1 *et seq.*, as amended.

On March 7, 2011, [REDACTED] submitted a FOIA request to the Attorney General's Office seeking:

1. To view and obtain a copy of "all emails sent or received between John Simpson, an attorney with the office of the Illinois Attorney General and Jeffery Eisner, a supervisor with the Illinois Department of Revenue, during the period October 1st, 2009 and June 30th, 2010, concerning or referencing the person, conduct or alleged conduct or character or alleged character of [REDACTED] (the Requester)."
2. All names and/or email addresses copied or blind copied on the emails.
3. To view and have a copy of "any document, such as a note or memorandum, concerning or referencing the person, conduct or alleged conduct or character or alleged character of [REDACTED] (the Requester) that may be contained in the Illinois Attorney General's file regarding the estate of Carol Noel, Probate 09 P 000032, a probate filed in Champaign County Illinois."

In its written notice, the Attorney General's Office asserts that the sole responsive record has been withheld from disclosure under Section 7(1)(f) of FOIA. The pre-authorization request did not contain a detailed factual basis for the exemption, but did contain a copy of the responsive record.

Determination

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

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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 Attorney General’s Office’s use of the Section 7(1)(f) exemption with regard to the withheld document is **approved**. After review of the email in question, our office has determined that the withheld record is one in which opinions were expressed and policies or actions were formulated. Further, the document has not been publicly cited by the head of the public body. Accordingly, the Attorney General’s Office has met its initial burden of demonstrating that the withheld information is exempt from disclosure under Section 7(1)(f) of FOIA.

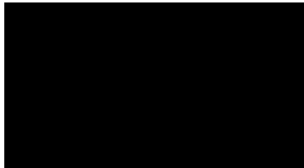
If you have any questions or concerns, please feel free to contact our office at (877) 299-3642. This correspondence shall serve to close this matter.

Sincerely,

A solid black rectangular redaction box covering the signature of Rebecca Riddick.

Rebecca Riddick
Assistant Public Access Counselor

cc:

A solid black rectangular redaction box covering the list of recipients for the email.