



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

Lisa Madigan
ATTORNEY GENERAL

September 23, 2010

Kristine Curran
Freedom of Information Officer
Village of Lisle
925 Burlington Avenue
Lisle, Illinois 60532

RE: Pre-Authorization Request - 2010 PAC 9479

Dear Ms. Curran:

We have received and reviewed the written notice from the Village of Lisle (Village) of its intention to deny disclosure of certain information pursuant to Section 7(1)(f) of the Freedom of Information Act (FOIA), 5 ILCS 140/7(1)(f).

On September 7, 2010, [REDACTED] made a verbal FOIA request to the Village, seeking a copy of a specific TIF Term Sheet.

In its written notice, the Village asserts that the requested TIF term sheet is exempt from disclosure under Section 7(1)(f) of FOIA because it is a preliminary draft of a document that is subject to change.

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 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 Village's use of the Section 7(1)(f) exemption with regards to the draft document is **approved**. We have determined that the Village has met its burden of demonstrating that the requested document is still in the preliminary draft stage, and as such, falls within the scope of Section 7(1)(f) exemption. Further, the Village noted that the requested document has not been publicly cited by the Mayor, but rather, was explained to be in draft form in response to Ms. Zajdel's inquiry about the document during a "Coffee with the Mayor" session.

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Accordingly, the Village may issue a denial letter directly to [REDACTED] Should you have any questions or concerns, please feel free to contact me directly at (312) 814-6437. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By:

[REDACTED]
Tola Adewola
Assistant Public Access Counselor

cc:

[REDACTED]