OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

October 12, 2010

Lola Dada-Olley
Associate General Counsel
Office of the Governor
100 W. Randolph Street
Suite 16-100
Chicago, Illinois 60601

RE: Pre-Authorization Request – 2010 PAC 9916

Dear Ms. Dada-Olley:

We have received and reviewed the written notice from the Office of the Governor (Office) 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 17, 2010, [redacted] submitted a FOIA request to the Office, seeking the following:

> any documentation (i.e. emails, memos, computer records, personnel records of "mine" etc) related to the attached incident where I was threatened to be fired if I didn't go along with a $15,000 salary decrease. This would mean any communication and/or documents inside your agencies or between the OMB, Governor's Office and Corrections, or any other agency. I am especially interested in identifying you this was approved by.

In its written notice, the Office asserts that certain information, within the requested records, has been withheld from disclosure under Section 7(1)(f) of FOIA.

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 Office's use of the Section 7(1)(f) exemption with regards to the withheld portion of the requested records is **approved**. We have determined that the Office has met its burden of demonstrating that the withheld information contains an opinion. Further, there is no indication

that the withheld information has been publicly cited or identified by the Governor. Accordingly, the Office has met its burden of establishing 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 me directly at (312) 814-6437. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By:

Tola Sobitan
Assistant Public Access Counselor

cc: