



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

Lisa Madigan
ATTORNEY GENERAL

October 13, 2010

Via E-mail

Lola Dada-Olley
Associate General Counsel
Office of Governor Pat Quinn
State of Illinois
100 W. Randolph, 16th Floor
Chicago, Illinois 60601
Lola.Dada-Olley@Illinois.gov

RE: Pre-authorization Request – 2010 PAC 9947

Dear Ms. Dada-Olley:

We have received and reviewed the written notice from the Office of the Governor of its intention to deny certain information as exempt from disclosure under Section 7(1)(c) of the Freedom of Information Act (FOIA). 5 ILCS 140/1 *et seq.*, as amended.

On September 24, 2010, [REDACTED] requested the daily calendar for the following individuals and dates:

1. John Schomberg – August 31, 2009 through September 4, 2009
2. Theodore Chung - August 31, 2009 through September 4, 2009
3. Jack Levin – September 11, 2009 and November 24, 2009
4. Jerry Stermer - September 11, 2009, November 16, 2009 and November 24, 2009
5. Jay Stewart – September 11, 2009
6. Jennifer Koehler – September 11, 2009

In its written notice, the Office of the Governor asserted that it intended to redact the names of unsuccessful job candidates who are identified in the requested records pursuant to Section 7(1)(c).

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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 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 Office of the Governor’s use of the exemption in Section 7(1)(c) with regard to personnel decisions relating to applicants who were not hired is approved. After reviewing the un-redacted documents, we have determined that the Office of the Governor has met its initial burden to show that the disclosure of the redacted information would constitute a clearly unwarranted invasion of personal privacy under Section 7(1)(c). 5 ILCS 140/7(1)(c). Information regarding an individual who applied for a position but was not ultimately hired is highly personal and the subject’s right to privacy outweighs any legitimate public interest in disclosing this information.

If you have any questions, please call me at 312-814-5206. This correspondence shall serve to close this matter.

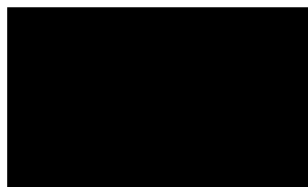
Sincerely,

Cara Smith
Public Access Counselor

By:


Amaria Kioja
Chief Deputy Public Access Counselor

cc:



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