



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

October 19, 2010

Rita Elsner
FOIA Officer
Village of Schaumburg
101 Schaumburg Court
Schaumburg, Illinois 60193-1899

Re: Pre-Authorization Request - 2010 PAC 9677

Dear Ms. Elsner:

As you know, [REDACTED] submitted a FOIA request to the Village seeking, *inter alia*, "...electronic copies of all written and email communications between Village of Schaumburg Staff, Mayor, and Village Board and the Schaumburg Professional Baseball Corporation since January 1st, 2007." The Village submitted to the Public Access Counselor a notice of its intention to withhold certain responsive documents pursuant to Section 7(1)(f) of FOIA. The Public Access Counselor denied the Village's request, insofar as it pertained to emails between Village representatives and outside organizations or entities. You have requested clarification regarding that determination.

First, you stated that the Village jointly owns the Baseball Stadium, at issue in the underlying FOIA request, with the Schaumburg Park District and therefore, for the purposes of this request, you do not consider the Schaumburg Park District to be an outside organization or entity.

A review of your initial pre-authorization request indicates that communications between the Village and the Schaumburg Park District were not sought in [REDACTED] FOIA request. Accordingly, we offer no advice or opinion as to whether the Schaumburg Park District is an outside organization or entity, for the purposes of this Pre-Authorization request.

Second, you stated that the Schaumburg Flyers baseball organization has signed a lease with the Village for the Baseball Stadium and therefore, for the purposes of this request, you do not consider the Schaumburg Flyers to be an outside organization or entity. In addition, you stated that the responsive emails pertain to monies owed to the Village by the Schaumburg Flyers.

As stated in our previous letter, Section 2.5 of FOIA (5 ILCS 140/2.5) provides that "[a]ll records relating to the obligation, receipt, and use of public funds of the State, units of local government, and school districts are public records subject to inspection and copying by the