



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

April 21, 2011

Michael Flynn
Assistant Village Administrator
Village of Mundelein Administration
440 East Hawley Street
Mundelein, IL 60060

RE: Pre-Authorization Request – 2011 PAC 13563
Requester: [REDACTED]

Dear Mr. Flynn:

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

On March 3, 2011, [REDACTED] requested all “records and documents relating to, referring to, mentioning, or effecting [sic] the business properties commonly known as 131 E. Maple and 135 E. Maple, Mundelein, IL., generated or originated in the period from November 2008 to the present.” In its written notice dated April 11, 2011, the Village asserts that the text of one email message is exempt from disclosure under Section 7(1)(f).

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 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.” 5 ILCS 140/7(1)(f).

Determination

Based on our review of the email in question, the Village’s use of the exemption in Section 7(1)(f) with regard to this email is approved. The email is a preliminary communication that contains the author’s opinions. The Village has asserted that this email has not been publicly cited or identified by the Mayor. Thus, the Village has sustained its initial burden of showing that this email is exempt from disclosure under Section 7(1)(f).

Village of Mundelein

April 21, 2011

Page 2 of 2

Should you have any questions or concerns, feel free to contact me at (312) 814-2086. This correspondence shall serve to close this matter.

Sincerely,



Sarah Kaplan
Assistant Public Access Counselor

cc:



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