



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

Lisa Madigan
ATTORNEY GENERAL

October 27, 2010

Gary Frisch
Freedom of Information Officer
Barrington Community Unit School District 220
310 East James Street
Barrington, Illinois 60010-6337

RE: Pre-Authorization Request – 2010 PAC 10257

Dear Mr. Frisch:

We have received and reviewed the written notice from Barrington Community Unit School District 220 (School District) 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 October 1, 2010, Ms. Jessica Baer submitted a FOIA request to the School District, seeking information relating to tax assessments of the property commonly known as “the Garlands of Barrington” for the years 2008, 2009 and 2010.

In its written notice, the School District asserts that certain emails and memoranda, contained within the requested records, have been withheld from disclosure pursuant to Section 7(1)(f) of FOIA because the emails and memoranda contain opinions of the School District’s attorney and were prepared as internal pre-decisional information for the School District’s decision process in regards to the tax assessment appeals.

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 School District’s use of the Section 7(1)(f) exemption with regard to the withheld emails and memoranda is **approved**. Based on our review of the records, we have determined that the withheld documents, prepared by the School District’s attorney, contain opinions and recommendations that were relied upon by the School District in formulating actions or policies regarding various matters. As such, the School District has met its burden of demonstrating that the withheld documents are exempt from disclosure under Section 7(1)(f) of FOIA.

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If you have any questions, please feel free to contact me at (312) 814-6437. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By:

A black rectangular redaction box covering the signature of Tola Sobitan.

Tola Sobitan
Assistant Public Access Counselor

cc: Jessica Baer
K&L Gates LLP
70 W. Madison Street
Ste. 3100
Chicago, IL 60602-4207

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