



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

October 21, 2010

Yolanda Cervantes
Illinois Department of Labor
160 N. LaSalle Street, Suite 6-1300
Chicago, Illinois 60601

Re: Pre-Authorization Request 2010 PAC 9659

Dear Ms. Cervantes:

Thank you for providing the additional information we requested on September 23, 2010 in response to a written notice from the Illinois Department of Labor (IDOL) of its intention to deny disclosure of certain documents, as exempt under Section 7(1)(f) of the Freedom of Information Act. 5 ILCS 140/1 *et seq.*, as amended (FOIA).

In a FOIA request submitted to IDOL on September 10, 2010, [REDACTED] sought, in part, "Hearing Officer's notes and records relating to, and including his official determination dated 6/14/2010" in the matter of [REDACTED] v. *Diamond Bank*, 09-004536.

Determination

Section 7(1)(f) of FOIA exempts from disclosure records that constitute "[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 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).

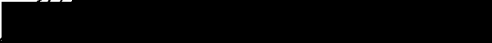
IDOL's proposed application of the exemption found in Section 7(1)(f) of FOIA to deny disclosure of the Hearing Officer's notes provided to the Public Access Counselor on September 29, 2010 is approved. We have reviewed copies of the responsive documents and have determined that the notes are predecisional in nature. Accordingly, IDOL has met its initial burden of demonstrating that the specified notes are exempt from disclosure under Section 7(1)(f) of FOIA.

If you have any questions, please feel free to contact me at (312) 814-1003 or joleary@atg.state.il.us. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By: 


Jessica O'Leary
Assistant Attorney General

cc: 

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