



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

**Lisa Madigan**  
ATTORNEY GENERAL

May 6, 2011

Ana Vainisi  
Deputy City Clerk  
City of Warrenville  
28W701 Stafford Place  
Warrenville, Illinois 60555

RE: FOIA Pre-Authorization Request – 2011 PAC 13885

Dear Ms. Vainisi:

We have received and reviewed the written notice from the City of Warrenville 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) (West 2009 Supp.), as amended by Public Act 96-1378, effective July 29, 2010).

On April 21, 2011, [REDACTED] submitted a request for “the overview and end conclusion for [the] Strands Fawell Dam Gates Full Open study.” In its written notice, the City asserts that the responsive document is exempt 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.”

**DETERMINATION**

The City’s use of the exemption in section 7(1)(f) to withhold the draft study is **approved**. The City’s notice states that the requested parts of the study are not yet finalized, meaning that they are subject to revision before being released. The City asserts that the draft study has not been publicly cited or identified by the Mayor. Therefore, we have determined that the City has met its initial burden to demonstrate that the requested document is exempt under section 7(1)(f).

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Accordingly, the City may issue a denial letter directly to Mr. Hoffmann, if it has not already done so.

If you have any questions, please contact me at (312) 814-2086. This correspondence shall serve to close this matter.

Very truly yours,



SARAH KAPLAN  
Assistant Attorney General  
Public Access Bureau

cc:

