



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

November 10, 2010

Ms. Rita Elsner
Freedom of Information Act Officer
Village of Schaumburg
101 Schaumburg Court
Schaumburg, Illinois 60193

RE: FOIA Pre-Authorization Request 2010 PAC 10594

Dear Ms. Elsner:

We have received and reviewed the written notice from Village of Schaumburg (Village) of its intention to withhold certain information as exempt from disclosure under Section 7(1)(f) of the Freedom of Information Act (FOIA). 5 ILCS 140/1 *et seq.*, as amended.

Specifically, on October 20, 2010 [REDACTED] submitted a FOIA request to the Village seeking copies of information relating to [REDACTED]

On November 8, 2010, the Village sought our Office's approval to withhold internal documents relating to the property pursuant to Section 7(1)(f) of FOIA (5 ILCS 140/7(1)(f)), which exempts from inspection and copying "preliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies 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."

Determinations

The Village's request for approval of its decision to withhold information pursuant to Section 7(1)(f) is approved.

Section 7(1)(f) exemption is intended to encourage government officials to openly and frankly discuss matters of governmental concern in order to make informed policy decisions. See *N.L.R.B. v. Sears*, 421 U.S. 132 (1975), *Hoffman v. Ill. Dept. of Corrections*, 158 Ill.App.3d 473, 511 N.E.2d 759 (1st Dist. 1987). Our Office has reviewed the internal documents supplied to us by the Village and we have concluded that they reflect the recommendations and opinions of the

the Village with respect to the property. Additionally, there is no evidence that this information has been publicly cited and identified by the head of the public body. 5 ILCS 140/7(1)(f).

Based on this analysis, the Village has met its initial burden under 7(1)(f) and may withhold the documents in question.

Should you have any questions or concerns, please contact me at (312) 814-5383. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By: 

Matthew C. Rogina
Assistant Public Access Counselor
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