



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

December 7, 2010

Yelana Bowes
Freedom of Information Officer
Village of Homer Glen
14933 S. Founders Crossing
Homer Glen, IL 60491

RE: Pre-Authorization Request – 2010 PAC 11013

Dear Ms. Bowes:

We have received the written notice from the Village of Homer Glen (Village) of its intention to deny disclosure of certain information pursuant to Section 7(1)(f) of the Freedom of Information Act (FOIA).

On November 15, 2010, [REDACTED] submitted a FOIA request to the Village, seeking a copy of the Speedway Gas Station project that was submitted to the planning department. In its written notice, the Village asserts that the requested record is exempt from disclosure under Section 7(1)(f) of FOIA (5 ILCS 140/7(1)(f)).

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 Village’s use of the Section 7(1)(f) exemption with regard to the requested record is approved. We have determined that the record constitutes a pre-decisional material in which opinions are expressed and are being utilized by the Village in formulating an action regarding a specific matter. Further, there is no indication that this information has been publicly cited or identified by the Village’s Board. Accordingly, the Village has met its initial burden of demonstrating that the requested information is exempt from disclosure under Section 7(1)(f) of FOIA.

December 7, 2010 .

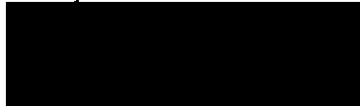
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If you have any questions, please feel free to contact me at (312) 814-6437. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By:



Tola Sobitan
Assistant Public Access Counselor

cc:



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