



August 10, 2018

Dane Placko
Fox 32 Chicago
Dane.Placko@FOXTV.COM

Re: FOIA 18-0215

Dear Mr. Placko:

The Illinois Tollway is in receipt of your FOIA request dated August 2, 2018. In that request, you asked for electronic copies of any Tollway reports, emails or memos relating to an incident which occurred at the Illinois Tollway Board's monthly meeting on Thursday, July 26. Specifically there were allegations made by Executive Director Liz Gorman that she was threatened by Director Joseph Gomez.

Your request is granted in part and denied in part. The responsive records are enclosed with this letter. However, the Tollway has exempted documents under attorney-client privilege. Section (m) states:

“Communications between a public body and an attorney or auditor representing the public body that would not be subject to discovery in litigation, and materials prepared or compiled by or for a public body in anticipation of a criminal, civil or administrative proceeding upon the request of an attorney advising the public body, and materials prepared or compiled with respect to internal audits of public bodies.” 5 ILCS 140/7(m).

Specifically, any communications with and between Tollway staff attorneys and/or the Attorney General's Office regarding these allegations is an attorney client communication and exempt from disclosure.

Additionally, the Tollway has redacted and exempted records pursuant to Section 7(f), which permits redaction and exemption of “preliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are formulated.”

The Tollway is providing the final versions of any and all communications. Any preliminary drafts, notes, or memorandums are exempt from disclosure.

Please note that Gina Sabbia, Freedom of Information Officer, was responsible for the decision made herein. If you disagree with this response, you have a right to appeal to the Public Access Counselor (PAC) at the Office of the Illinois Attorney General. 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to:

Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396
Email: publicaccess@atg.state.il.us

You also have the right to seek judicial review of this response by filing a lawsuit in circuit court. 5 ILCS 140/11.

If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days of the date of this letter. 5 ILCS 140/9.5(a). Please note that you must include a copy of your original FOIA request and this denial letter when filing a Request for Review with the PAC.

Respectfully,

Gina Sabbia
Freedom of Information Officer