



September 19, 2018

Joe Mahr  
Chicago Tribune  
505 Northwest Ave.  
Northlake, Illinois 60164

**Re: FOIA 18-0253**

Dear Mr. Mahr:

The Illinois Tollway is in receipt of your FOIA request dated September 12, 2018. In that request, you asked for the following items:

1. Any records that discuss or denote your agency's current policies and procedures for creating and filling Rutan-exempt job positions, as well as any former policies and procedures for such that were in effect at any point since Jan. 12, 2015.
2. Any records – created, received or retained since Jan. 12, 2015 – of any complaints filed with your agency, internal investigations conducted, and/ or discipline imposed regarding any aspect of the process to fill Rutan-exempt positions. This would include, but is not limited to, complaints to or investigations conducted by the agency's inspector general's office.
3. If not included in the above, any correspondence, including but not limited to memos, emails and texts, sent or received by any tollway executive staff and/ or agency board members that discuss or denote any internal investigations sought or conducted, since Jan. 12, 2015, regarding the creation or filling of Rutan-exempt job positions. Please note this aspect of the request defines tollway executive staff and board members as those holding such a position at any point since Jan. 12, 2015, including those who may no longer hold such positions. If your agency seeks key words to search for potentially responsive records (such as emails and texts), please use – within the timeframe specified above – each of the following key words: audit, inspector general, IG, Rutan, internal investigation, patronage, and internal probe. If, in using those key words, your agency produces a volume of potentially responsive records it deems too voluminous to review, please provide me a statistical breakdown of the number of potentially responsive records for each key word to provide me the opportunity to cull the list of potentially responsive records to a level that can be reviewed by your agency. Note that electronic records sent from or received on personal devices are considered public records if the content involves public business. (See AG Opinion 16 PAC 006.)

Under the Freedom of Information Act (FOIA), a public body may extend the time to respond to a FOIA request by up to five (5) business days for a limited number of reasons. 5 ILCS 140/3(e). With this letter, we are extending the time to respond to your request by five (5) business days for the following reason: “there is a need for consultation, which shall be conducted with all

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practicable speed, with another public body or among two or more components of a public body having a substantial interest in the determination or in the subject matter of the request.” 5 ILCS 140/3(e)(vii).

We are working with the Tollway’s Departments of Information Technology, Legal, and Administration to complete our review and respond to your request.

As such, we will respond to your request on or before September 26, 2018.

Respectfully,

Gina Sabbia  
Freedom of Information Officer