

Return Date: No return date scheduled
Hearing Date: 3/7/2019 9:30 AM - 9:30 AM
Courtroom Number: 2305
Location: District 1 Court
Cook County, IL

FILED
11/7/2018 12:10 PM
DOROTHY BROWN
CIRCUIT CLERK
COOK COUNTY, IL
2018CH13891

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION**

CHICAGO PUBLIC MEDIA,)
)
 Plaintiff,)
)
 v.) 2018CH13891
)
 COOK COUNTY OFFICE OF THE)
 PRESIDENT,)
)
 Defendant.)

COMPLAINT

NOW COMES Plaintiff, CHICAGO PUBLIC MEDIA, by its undersigned attorneys, LOEVY & LOEVY, and brings this suit to overturn Defendant COOK COUNTY OFFICE OF THE PRESIDENT’s refusal, in willful violation of the Illinois Freedom of Information Act, to comply with CHICAGO PUBLIC MEDIA’s Freedom of Information Act requests for Cook County Commissioner Bridget Gainer’s county emails regarding her political action committee. In support of its Complaint, CHICAGO PUBLIC MEDIA states as follows:

INTRODUCTION

1. Pursuant to the fundamental philosophy of the American constitutional form of government, it is the public policy of the State of Illinois that all persons are entitled to full and complete information regarding the affairs of government and the official acts and policies of those who represent them as public officials and public employees consistent with the terms of the Illinois Freedom of Information Act (“FOIA”). 5 ILCS 140/1.
2. Restraints on access to information, to the extent permitted by FOIA, are limited exceptions to the principle that the people of this state have a right to full disclosure of information relating to the decisions, policies, procedures, rules, standards, and other aspects of

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government activity that affect the conduct of government and the lives of the people. 5 ILCS 140/1.

3. All public records of a public body are presumed to be open to inspection or copying. Any public body that asserts that a record is exempt from disclosure has the burden of proving by clear and convincing evidence that it is exempt. 5 ILCS 140/3.

4. Under FOIA Section 11(h), “except as to causes the court considers to be of greater importance, proceedings arising under [FOIA] shall take precedence on the docket over all other causes and be assigned for hearing and trial at the earliest practicable date and expedited in every way.”

PARTIES

5. Plaintiff CHICAGO PUBLIC MEDIA (“CPM”) is the FOIA requester in this case. CHICAGO PUBLIC MEDIA serves the public interest by creating and delivering diverse, compelling content that informs, inspires, enriches and entertains. Through a broad range of media platforms—such as the nonprofit radio station WBEZ 91.5fm—it connects diverse audiences in its service area and beyond to one another. It helps them make a difference in our communities, our region, and our world.

6. Defendant COOK COUNTY OFFICE OF THE PRESIDENT (“CCOP”) is a public body located in Cook County, Illinois.

BACKGROUND INFORMATION

7. Cause the Effect Chicago PAC is a registered political action committee with the Illinois State Board of Elections. A true and correct copy of the Statement of Organization is attached as Exhibit A.

8. Cook County Commissioner Bridget Gainer was the Chairman of Cause the Effect Chicago PAC.

9. Katie Sabo, a former employee of the Cook County Board of Commissioners and aide to Gainer, was the Treasurer of Cause the Effect Chicago PAC.

10. Cause the Effect Chicago PAC was formerly known as “Off the Sidelines Chicago.”

JULY 20, 2018 FOIA REQUEST

11. On July 20, 2018, CPM requested “any and all correspondences, written or electronic, that contain the key words ‘Cause the Effect’ or ‘Off the Sidelines’ and were sent by Cook County Commissioner Bridget Gainer or any of the following employees of the Cook County Board of Commissioners: Margaret Cox, Katie Sabo, Abin Kuriakose, Michaela Vargas, Marty Malone.” A true and correct copy of the request is attached as Exhibit B.

12. On July 31, 2018, CCOP responded to the FOIA request by asking for an extension to August 3, 2018, stating that the request was unduly burdensome, and asking CPM to agree to narrow the request. A true and correct copy of the response is attached as Exhibit C.

13. On August 2, 2018, CPM agreed to narrow the request to only search for records from January 1, 2015 to the present.

14. On August 3, 2018, CCOP told CPM that the County Information and Technology Department has identified approximately 88 records and that Commissioner Gainer has identified approximately 3,000 records.

15. On August 10, 2018, CCOP produced 88 responsive records subject to redactions based on FOIA Sections 7(1)(b), 7(1)(c), 2(c-5), and 7(1)(f). A true and correct copy of the response is attached as Exhibit D.

16. None of the 3,000 emails that Commissioner Gainer identified were not produced on August 10, and CCOP has not provided a proper denial of that portion of the request.

AUGUST 1, 2018 FOIA REQUEST

17. On August 1, 2018, CPM requested “any and all correspondences written or electronic, between the Office of the President or its employees and Cook County Commissioner Bridget Gainer or her staff since July 19, 2018 regarding [Dan Mihalopoulos’s] Freedom of Information Act request to the Office of the President file on July 20, 2018.” A true and correct copy of the response is attached as Exhibit E.

18. On August 9, 2018, CCOP produced nine responsive email records subject to redactions based on FOIA Sections 7(1)(b), 7(1)(c), 2(c-5), 7(1)(a), and 7(1)(m). A true and correct copy of the response is attached as Exhibit F.

COUNT I – JULY 20, 2018 FAILURE TO PRODUCE RECORDS

19. The above paragraphs are incorporated by reference.

20. CCOP is a public body under FOIA.

21. The records sought in CPM’s FOIA request are non-exempt public records of CCOP.

22. CCOP violated FOIA by failing to produce all of the responsive records to CPM’s FOIA request and by improperly redacting the records that were produced.

COUNT II – JULY 20, 2018 WILLFUL AND INTENTIONAL VIOLATION OF FOIA

23. The above paragraphs are incorporated by reference.

24. CCOP is a public body under FOIA.

25. The records sought in CPM’s FOIA request are non-exempt public records of CCOP.

26. CCOP willfully and intentionally, or otherwise in bad faith failed to comply with FOIA.

COUNT III – AUGUST 1, 2018 FAILURE TO PRODUCE RECORDS

27. The above paragraphs are incorporated by reference.
28. CCOP is a public body under FOIA.
29. The records sought in CPM's FOIA request are non-exempt public records of CCOP.
30. CCOP violated FOIA by improperly redacting the records that were produced.

COUNT IV – AUGUST 1, 2018 WILLFUL AND INTENTIONAL VIOLATION OF FOIA

31. The above paragraphs are incorporated by reference.
32. CCOP is a public body under FOIA.
33. The records sought in CPM's FOIA request are non-exempt public records of CCOP.
34. CCOP willfully and intentionally, or otherwise in bad faith failed to comply with FOIA.

WHEREFORE, CPM asks that the Court:

- i. in accordance with FOIA Section 11(f), afford this case precedence on the Court's docket except as to causes the Court considers to be of greater importance, assign this case for hearing and trial at the earliest practicable date, and expedite this case in every way;
- ii. declare that CCOP has violated FOIA;
- iii. order CCOP to produce the requested records;
- iv. enjoin CCOP from withholding non-exempt public records under FOIA;
- v. order CCOP to pay civil penalties;
- vi. award Plaintiff reasonable attorneys' fees and costs;

vii. award such other relief the Court considers appropriate.

RESPECTFULLY SUBMITTED,

/s/ Matthew V. Topic

Attorneys for Plaintiff
CHICAGO PUBLIC MEDIA

Matthew Topic
Joshua Burday
LOEVY & LOEVY
311 North Aberdeen, 3rd Floor
Chicago, IL 60607
312-243-5900
foia@loevy.com
Atty. No. 41295

2P



FORM

D-1

STATEMENT OF ORGANIZATION

PLEASE TYPE OR PRINT IN BLACK INK

7 FOR OFFICE USE ONLY

STATE BOARD OF ELECTIONS

Full name and complete mailing address of Political Committee:

Cause the Effect Chicago PAC
9947 S. Damen Ave.
Chicago, Illinois 606 13

POLITICAL COMMITTEE IDENTIFICATION No.

34155-2

E-MAIL ADDRESS:

CHECK HERE IF ADDRESS CHANGE

SEE PAMPHLET "A GUIDE TO CAMPAIGN DISCLOSURE" FOR GUIDANCE.

1. DATE COMMITTEE CREATED: October 4, 2017 2. AMOUNT OF FUNDS AVAILABLE AS OF CREATION DATE: \$0
3. NEW COMMITTEE (MUST BE FILED WITHIN 10 DAYS OF CREATION OR WITHIN 2 DAYS IF CREATED WITHIN 30 DAYS BEFORE AN ELECTION.)
4. POLITICAL COMMITTEE'S DESIGNATION: ALL COMMITTEES CHOOSE ONLY ONE:
5. POLITICAL COMMITTEE'S AREA OF ACTIVITY, SCOPE, AND PARTY AFFILIATION.
6. PURPOSE OF THE POLITICAL COMMITTEE.
7. CANDIDATE(S) THE COMMITTEE IS SUPPORTING OR OPPOSING. (IF AMENDING, LIST ALL AS OF TODAY'S DATE.)

Table with 5 columns: NAME AND ADDRESS, SUPPORT, OPPOSE, OFFICE, PARTY AFFILIATION

IF MORE SPACE FOR INFORMATION IS REQUIRED, PLEASE ATTACH ADDITIONAL SHEETS.

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COMMITTEE NAME:	POLITICAL COMMITTEE IDENTIFICATION No: 34155-02
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8. REQUIRED COMMITTEE OFFICERS.

POSITION	NAME	MAILING ADDRESS, DAYTIME PHONE NUMBER, AND E-MAIL ADDRESS
CHAIRMAN	Bridget Gainer	9947 S. Damen Ave., Chicago, IL 60643 516-655-1490
TREASURER	Katie Sabo	3758 N. Sheffield Chicago, Illinois 606 13 516-655-1490

9. POSITION, NAME & MAILING ADDRESS OF EACH CUSTODIAN OF THE COMMITTEE'S BOOKS AND ACCOUNTS.

POSITION	NAME	MAILING ADDRESS, DAYTIME PHONE NUMBER, AND E-MAIL ADDRESS
Records Custodian	Meghan Christensen	9947 S. Damen Ave., Chicago, IL 60643 516-655-1490

10. LIST OF ALL FINANCIAL INSTITUTIONS AND OTHER REPOSITDRIES OF THE COMMITTEE FUNDS. (IF AMENDING, LIST ALL AS OF TODAY'S DATE.)

NAME	MAILING ADDRESS AND PHONE NUMBER
Chase Bank	10 S. Dearborn Chicago, IL 60603 312-732-1164

11. DISPOSITION OF RESIDUAL FUNDS IN THE EVENT OF DISSOLUTION OR TERMINATION OF THE COMMITTEE:

- RETURN TO CONTRIBUTORS IN AMOUNTS NOT TO EXCEED THEIR INDIVIDUAL CONTRIBUTIONS.
- TRANSFER TO ANOTHER POLITICAL COMMITTEE. _____
- TRANSFER TO A CHARITABLE ORGANIZATION: _____

IF MORE SPACE FOR INFORMATION IS REQUIRED, PLEASE ATTACH ADDITIONAL SHEETS.

VERIFICATION- BALLOT INITIATIVE COMMITTEES ONLY

I DECLARE THAT THIS BALLOT INITIATIVE COMMITTEE IS FORMED FOR THE PURPOSE OF SUPPORTING OR OPPOSING A QUESTION OF PUBLIC POLICY, ALL CONTRIBUTIONS AND EXPENDITURES OF THE COMMITTEE WILL BE USED FOR THE PURPOSE DESCRIBED IN THIS STATEMENT OF ORGANIZATION, THE COMMITTEE MAY ACCEPT UNLIMITED CONTRIBUTIONS FROM ANY SOURCE, PROVIDED THAT THIS BALLOT INITIATIVE COMMITTEE DOES NOT MAKE CONTRIBUTIONS OR EXPENDITURES IN SUPPORT OF OR OPPOSITION TO A CANDIDATE OR CANDIDATES FOR NOMINATION FOR ELECTION, ELECTION, OR RETENTION, AND FAILURE TO ABIDE BY THESE REQUIREMENTS SHALL DEEM THIS COMMITTEE IN VIOLATION OF THIS ARTICLE. (10 ILCS 5/9)

PRINTED AND WRITTEN SIGNATURE OF COMMITTEE CHAIRPERSON _____ DATE _____

VERIFICATION: INDEPENDENT EXPENDITURE COMMITTEES ONLY

I DECLARE THAT (1) THIS INDEPENDENT EXPENDITURE COMMITTEE IS FORMED FOR THE EXCLUSIVE PURPOSE OF MAKING INDEPENDENT EXPEN DITURES, (2) ALL CONTRIBUTIONS AND EXPENDITURES OF THE COMMITTEE WILL BE USED FOR THE PURPOSE DESCRIBED IN THE STATEMENT OF ORGANIZATION, (3) THE COMMITTEE MAY ACCEPT UNLIMITED CONTRIBUTIONS FROM ANY SOURCE, PROVIDED THAT THE INDEPENDENT EXPENDITURE COMMITTEE DOES NOT MAKE CONTRIBUTIONS TO ANY CANDIDATE POLITICAL COMMITTEE, POLITICAL PARTY COMMITTEE, OR POLITICAL ACTION COMMITTEE, AND (4) FAILURE TO ABIDE BY THESE REQUIREMENTS SHALL DEEM THE COMMITTEE IN VIOLATION OF THIS ARTICLE.

PRINTED AND WRITTEN SIGNATURE OF COMMITTEE CHAIRPERSON _____ DATE _____

VERIFICATION: ALL POLITICAL COMMITTEES

I DECLARE THAT THIS STATEMENT OF ORGANIZATION (INCLUDING ANY ACCOMPANYING SCHEDULES AND STATEMENTS) HAS BEEN EXAMINED BY ME AND, TO THE BEST OF MY KNOWLEDGE AND BELIEF, IS A TRUE, CORRECT, AND COMPLETE STATEMENT OF ORGANIZATION AS REQUIRED BY ARTICLE 9 OF THE ELECTION CODE. I UNDERSTAND THAT WILLFULLY FILING A FALSE OR INCOMPLETE STATEMENT IS SUBJECT TO A CIVIL PENALTY OF AT LEAST \$1001 AND UP TO \$2500.

Catherine Sabo _____ *Catherine Sabo* _____
 PRINTED AND WRITTEN SIGNATURE OF TREASURER OR CANDIDATE _____ DATE October 4, 2017

THE ILLINOIS STATE BOARD OF ELECTIONS REQUIRES THE DISCLOSURE OF INFORMATION THAT IS NECESSARY IF YOU QUALIFY AS A POLITICAL COMMITTEE AS OUTLINED UNDER PUBLIC ACT 78-1183. WILLFUL FAILURE TO FILE OR WILLFUL FILING OF FALSE OR INCOMPLETE INFORMATION REQUIRED BY THIS ARTICLE SHALL CONSTITUTE A BUSINESS OFFENSE SUBJECT TO A FINE OF UP TO \$5000. THIS FORM IS IN COMPLIANCE WITH THE FORMS MANAGEMENT PROGRAM ACT.

ALL POLITICAL COMMITTEES RETURN TO:

STATE BOARD OF ELECTIONS
 2329 S MACARTHUR BLVD
 SPRINGFIELD, IL 62704-4503
 fax 217-557-5630
 e-mail: D1@ELECTIONS.IL.GOV (D-1s ONLY)

STATE BOARD OF ELECTIONS
 JAMES R. THOMPSON CENTER
 100 W RANDOLPH ST, STE 14 100
 CHICAGO, IL. 60611-3232
 fax 312-814-6485
 e-mail: D1@ELECTIONS.IL.GOV (D-1s ONLY)

Dan Mihalopoulos

From: Dan Mihalopoulos
Sent: Friday, July 20, 2018 1:33 PM
To: FOIA@cookcountyil.gov
Cc: laura.lechowicz@cookcountyil.gov; 'Frank Shuftan (Presidents Office)'; rachel.dailey@cookcountyil.gov
Subject: FOIA for county board correspondences

Cook County Office of the President
ATTN: Legal Department
Laura Lechowicz Felicione
Special Counsel and FOIA Officer
118 N. Clark Street, Room 537
Chicago, IL 60602
VIA Email: FOIA@cookcountyil.gov

Dear Ms. Lechowicz Felicione:

This is a request for public information under the Illinois Freedom of Information Act (the "Act"). Please provide any and all correspondences, written or electronic, that contain the key words "Cause the Effect" or "Off the Sidelines" and were sent by Cook County Commissioner Bridget Gainer or any of the following employees of the Cook County Board of Commissioners:

- Margaret Cox
- Katie Sabo
- Abin Kuriakose
- Michaela Vargas
- Marty Malone

We understand that the Act permits a public body to charge a reasonable copying fee not to exceed the actual cost of reproduction and not including the costs of any search or review of the records. Please provide us with an estimate of any charges that may be incurred in fulfilling this request. However, we request a waiver of all fees for this request. Disclosure of the requested information to us is in the public interest because it likely to contribute significantly to the public's understanding of the operations or activities of state government.

I look forward to receiving your response within five business days, i.e. before the close of business on July 27, 2018, as required by the Act.

Please confirm receipt of this request.

If you have any questions, please contact me at dmihalopoulos@wbez.org or cell (312) 404-8670.

Thank you in advance for your assistance.

Sincerely,

Dan Mihalopoulos
Reporter, Government & Politics
WBEZ 91.5FM/Chicago Public Media

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Dan Mihalopoulos

From: Laura Lechowicz (Presidents Office) <laura.lechowicz@cookcountyil.gov>
Sent: Tuesday, July 31, 2018 6:59 PM
To: Dan Mihalopoulos
Cc: Rachel Dailey (Presidents Office)
Subject: FOIA #18-713

July 31, 2018

Dan Mihalopoulos

WBEZ 91.5FM/Chicago Public Media

Email: dmihalopoulos@wbez.org

Dear Mr. Mihalopoulos:

The Office of the President of the Cook County Board of Commissioners is in receipt of your request for information under the Freedom of Information Act (the "Act").

On Friday, July 20, 2018 you requested "any and all correspondences, written or electronic, that contain the key words 'Cause the Effect' or 'Off the Sidelines' and were sent by Cook County Commissioner Bridget Gainer or any of the following employees of the Cook County Board of Commissioners:

Margaret Cox

- Katie Sabo
- Abin Kuriakose
- Michaela Vargas
- Marty Malone”

Pursuant to 5 ILCS 140/3(e)(vii) , we extended the deadline to respond to your request, up to and including Friday, August 3, 2018.

Please be advised that your request, as written, is unduly burdensome and compliance with your request could not be completed without interfering with the daily operations of Cook County government. In accordance with section 3(g) of the Act, I ask that you contact me in order to discuss a reasonable reduction of your request. In an effort to make this request more manageable, it is requested that you agree to a six (6) month time frame in which to search said records and further reduce the number of individuals listed in your request.

I will be out of the office on Wednesday, August 1, 2018 but will be available to confer and discuss narrowing this request on Thursday, August 2, 2018 between the hours of 10:00 a.m. and 12:30 p.m. by phone. Per Section 3(g) of the Act, please let me know if you are available this Thursday to confer. Upon confirmation, I will have Rachel Dailey schedule the call.

Thank you in advance for your cooperation.

Laura

Laura Lechowicz Felicione, Esq.
Special Legal Counsel and FOIA Officer
Office of the President
Cook County, Illinois
69 W. Washington, Suite 1415
Chicago, Illinois 60602

Office Phone: (312) 603-6371

E-Mail: Laura.Lechowicz@cookcountyil.gov

PRIVILEGE AND CONFIDENTIALITY NOTICE:

This electronic mail message and any attached files contain information intended for the exclusive use of the individual or entity to whom it is addressed and may contain information that is proprietary, privileged, confidential and/or exempt from disclosure under applicable law. If you are not the intended recipient, you are hereby notified that any viewing, copying, disclosure or distribution of this information may be subject to legal restriction or sanction. Please notify the sender, by electronic mail or telephone, of any unintended recipients and delete the original message without making any copies.

Dan Mihalopoulos

From: Laura Lechowicz (Presidents Office) <laura.lechowicz@cookcountyil.gov>
Sent: Friday, August 10, 2018 2:29 PM
To: Dan Mihalopoulos
Cc: Rachel Dailey (Presidents Office)
Subject: FOIA 18-713 Partial Response - Email 1 of 3
Attachments: 18-713 Cook County Emails File One Disclosure with Redactions 8.10.18.pdf

Email No. 1 of 3 with Attachments - FOIA Request 18-713

August 10, 2018

Dan Mihalopoulos
WBEZ
Email: dmihalopoulos@wbez.org

Re: FOIA Request 18-713

Dear Mr. Mihalopoulos:

The Office of the President of the Cook County Board of Commissioners is in receipt of your request for information under the Freedom of Information Act (the "Act").

On Friday, July 20, 2018 you requested "any and all correspondences, written or electronic, that contain the key words 'Cause the Effect' or 'Off the Sidelines' and were sent by Cook County Commissioner Bridget Gainer or any of the following employees of the Cook County Board of Commissioners:

- Margaret Cox
- Katie Sabo
- Abin Kuriakose
- Michaela Vargas
- Marty Malone"

Pursuant to 5 ILCS 140/3(e)(vii) , we extended the deadline to respond to your request, up to and including Friday, August 3, 2018.

On July 31, 2018 you were informed that your request was unduly burdensome and that compliance with your request could not be completed without interfering with the daily operations of Cook County government. In accordance with section 3(g) of the Act, we discussed by phone on August 2, 2018 narrowing the requested information.

On August 2, 2018 you provided an initial narrow of your request by maintaining the substantive nature of your request but narrowing the time frame for records sent since January, 2015. Per our conversation on August, 3, 2018, we discussed two separate tracks of documents; documents that could be generated by the County's Enterprise Technology Department and documents that were directly in the possession of the Commissioner's Office. We agreed by phone on August 3, 2018 that the County would work with the Commissioner's Office to begin to review the records identified by the County Information Technology Department for responsiveness and apply any necessary redactions; furthermore, you were informed on August 3rd that said County records would be tendered on or before August 10, 2018.

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Attached are the County email records responsive to this request that could be generated by the County's Enterprise Technology Department. Due to the size of the attachments the attachments will be separated into two emails. Please note the following:

- Private E-mail addresses and private cell phones have been redacted pursuant to sections 7(1)(b) and 1(c) of the Act. 5 ILCS 140/7(1)(b); 5 ILCS 140/7(1)(c) and 5 ILCS 140/2(c-5).
- Preliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are formulated have been redacted pursuant to sections 7(1)(f) of the Act. 5 ILCS 140/7(1)(f)

The undersigned is responsible for this partial denial. You have a right to have the partial denial of your request reviewed by 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
E-mail: publicaccess@atg.state.il.us

You also have the right to seek judicial review of your denial by filing a lawsuit in the State 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 denial letter. 5 ILCS 140/9.5(a). Please note that you must include a hard copy of your original FOIA request and this denial letter when filing a Request for Review with the PAC.

As to the remainder of documents in the Commissioner's possession, per our agreement on August 3, 2018, the County asked Commissioner Gainer's Office to (a) determine if the records in her possession could be further broken down by name and year so we could confer at a later date and determine how the request can be further narrowed and (b) determine if a log could be easily printed that would provide the date, sender, recipient and subject of the communication; please note, if such a log can be generated, the County would have to review the log and determine if redactions were required.

Commissioner Gainer's Office has advised that they are working on a log and I anticipate being in touch with you next week regarding the status of such log. It is anticipated that we will confer again following receipt and review of the log.

Thanks for your patience while we continue to work on responding to your request.

Laura Lechowicz Felicione, Esq.
Special Legal Counsel to the President
Legal and Government Affairs | Office of the President
Cook County
6 _____ g _____ l _____ , _____ ite _____
Chicago, IL 60602
(O) 312-603-0002 | (Direct) 312-603-6371
Laura.Lechowicz@cookcountyil.gov

(PRIVILEGE AND CONFIDENTIALITY NOTICE: This e-mail transmission, including all attachments, is confidential information belonging to the sender and the intended recipient, may be protected by the attorney-client privilege or attorney work product privilege, and may constitute non-public pre-decisional FOIA exempt information. This

information is ONLY for the intended recipient. If you are not the intended recipient, you are hereby notified that any unauthorized use, disclosure, distribution (electronic or otherwise), copying or the taking of any action in reliance on this information is strictly prohibited. If you have received this transmission in error, please immediately notify the sender of receipt of the e-mail and then destroy all copies (electronic or otherwise) of the transmission and attachments. Receipt by an unintended recipient does not waive attorney-client privilege, attorney work product privilege or any other legal exemption from disclosure.)

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On Aug 1, 2018, at 7:12 PM, Dan Mihalopoulos <dmihalopoulos@wbez.org> wrote:

Cook County Office of the President
ATTN: Legal Department
Laura Lechowicz Felicione
Special Counsel and FOIA Officer
118 N. Clark Street, Room 537
Chicago, IL 60602
VIA Email: FOIA@cookcountyil.gov

Dear Ms. Lechowicz Felicione:

This is a request for public information under the Illinois Freedom of Information Act (the "Act"). Please provide any and all correspondences, written or electronic, between the Office of the President or its employees and Cook County Commissioner Bridget Gainer or her staff since July 19, 2018 regarding my Freedom of Information Act request to the Office of the President filed on July 20, 2018.

We understand that the Act permits a public body to charge a reasonable copying fee not to exceed the actual cost of reproduction and not including the costs of any search or review of the records. Please provide us with an estimate of any charges that may be incurred in fulfilling this request. However, we request a waiver of all fees for this request. Disclosure of the requested information to us is in the public interest because it likely to contribute significantly to the public's understanding of the operations or activities of state government.

I look forward to receiving your response within five business days, i.e. before the close of business on August 9, 2018, as required by the Act.

Please confirm receipt of this request.

Exhibit E

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If you have any questions, please contact me
at dmihalopoulos@wbez.org or cell (312) 404-8670.

Thank you in advance for your assistance.

Sincerely,

Dan Mihalopoulos

Reporter, Government & Politics

WBEZ 91.5FM/Chicago Public Media

Dan Mihalopoulos | Reporter, Government & Politics

T [@dmihalopoulos](https://twitter.com/dmihalopoulos) E dmihalopoulos@wbez.org P 312.893.8581 C 312.404.8670

WBEZ 91.5 Navy Pier | [848 East Grand Avenue](#) | Chicago, Illinois 60611

Dear Mr. Mihalopoulos:

The Office of the President of the Cook County Board of Commissioners is in receipt of your request for information under the Freedom of Information Act (the "Act").

On Thursday, August 2, 2018 we received your request for "any and all correspondences, written or electronic, between the Office of the President or its employees and Cook County Commissioner Bridget Gainer or her staff since July 19, 2018 regarding my Freedom of Information Act request to the Office of the President filed on July 20, 2018."

Attached are records responsive to your request. Please note the following:

- Private E-mail addresses have been redacted pursuant to sections 7(1)(b) and 1(c) of the Act. 5 ILCS 140/7(1)(b); 5 ILCS 140/7(1)(b) and 5 ILCS 140/2(c-5).
- Attorney communications and work product have been redacted pursuant to section 7(1)(a) and 7(1)(m) of the Act which exempts information prohibited from disclosure under federal or State law and exempts from disclosure "[c]ommunications 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." 5 ILCS 140/7(1)(m) and 5 ILCS 140/7(1)(a.)

The undersigned is responsible for this partial denial. You have a right to have the denial of your request reviewed by 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
E-mail: [publicaccess\[at\]atg.state.il.us](mailto:publicaccess[at]atg.state.il.us)

You also have the right to seek judicial review of your denial by filing a lawsuit in the State 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 denial letter. 5 ILCS 140/9.5(a). Please note that you must include a hard copy of your original FOIA request and this denial letter when filing a Request for Review with the PAC.

If you have any questions, or if there is anything else we can do for you, please do not hesitate to contact me.

Laura Lechowicz Felicione, Esq.
Special Legal Counsel to the President
Legal and Government Affairs | Office of the President
Cook County
69 W. Washington Blvd., Suite 1415
Chicago, IL 60602
(O) 312-603-0002 | (Direct) 312-603-6371
Laura.Lechowicz@cookcountyiil.gov