

From: [Doug Corbett](#)
To: [Ronald E. Boyer](#)
Cc: [Julie Clark](#); [Cary Hagen](#); [Ted & Catherine Jensen](#); rbowen@asciinc.net; [Elynor Stagen](#); [bruck30](#); [Dr. Bernadette Ray](#)
Subject: two more FOIA legal issues to consider
Date: Friday, April 05, 2013 5:29:25 PM

Ron - two more items

Requests from news media and from nonprofit, (Watchdogs are nonprofit)scientific, or academic organizations won't be subject to the 'recurrent requester' designation if such requests are mainly for news coverage, opinion or feature articles, or research or education

The above paragraph was taken from page 23
http://paulsimoninstitute.org/index.php?option=com_content&view=article&id=472&Itemid=290

Please also review this statement:

Subsection 3(d) of OMA (5 ILCS 120/3(d)) authorizes the court to assess against any party, except a State's attorney, reasonable attorney fees and costs incurred by any other party who "substantially prevails" in a civil enforcement action. Assessment of fees against a private party however, calls for an additional determination that the action brought by such party was "frivolous or malicious" in nature. If an action is not brought in good faith, then a private party faces the possibility of having to bear legal costs of the public body as well as his or her own.

If and when we need to go to court, if we prevail, under the clause above I would like you to ask the judge to have the watchdogs pay for your legal fees in defending the health dept, its employees in the capacity of, and the board of health. I think the Iroquois County citizens are deserving of that request of the judge.

Have a great weekend.

Doug

-----Original Message-----

From: Ronald E. Boyer [<mailto:ron@lawyerboyer.com>]
Sent: Friday, April 05, 2013 3:16 PM
To: Doug Corbett
Subject: Re: Brumleve FOIA request (2)

Also be alert for "recurrent requester" status. Although newspapers normally are exempt, the requests have to be for disseminating news to be exempt from the status. You probably know all about that, but, if we an put Brumleve or the watchdogs in that category, we can charge up front and can delay 21

days.

-----Original Message-----

From: Doug Corbett
Sent: Friday, April 05, 2013 2:26 PM
To: Ronald E. Boyer ; rbowen@asciinc.net ; Rod Copas ; Elynor Stagen ; bruck30 ; Dr. Bernadette Ray ; Ted & Catherine Jensen
Subject: Brumleve FOIA request (2)

-----Original Message-----

From: Julie Clark
Sent: Friday, April 05, 2013 1:15 PM
To: Doug Corbett
Subject: FW: FOIA request (2)

Here you go

-----Original Message-----

From: Will Brumleve [<mailto:wbrumleve@news-gazette.com>]
Sent: Friday, April 05, 2013 12:46 PM
To: Julie Clark
Subject: FOIA request (2)

RE: FOIA Request
April 5, 2013

Dear Julie Clark:

I am requesting under the provisions of the Illinois Freedom of Information Act to be provided with certain information in the possession of the Ford-Iroquois Public Health Department.

Specifically, I am requesting a copy of the contract between the Ford-Iroquois Public Health Department and attorney Ron Boyer. Also, I am requesting an itemized list of all payments made to Boyer for services provided.

Please provide the information within five business days.

Please either fax it to 217-379-3104 or email it to wbrumleve@paxtonrecord.net.

Please fax a letter back to the Paxton Record office at 217-379-3104 to acknowledge receipt of this letter.

Sincerely,

Will Brumleve
Paxton Record,
208 N. Market St.,
Paxton, IL 60957

Phone: 217-379-2356

Fax: 217-379-3104

Email:

wbrumleve@paxtonrecord.net

Will Brumleve

Paxton Record editor

208 N. Market St.,

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Office phone: 217-379-2356

Cell phone: 217-722-1042

Email: wbrumleve@paxtonrecord.net or will@paxtonrecord.net

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