

February 10, 2015

VIA E-MAIL

Mr. Kirk Allen
P.O. Box 593
Kansas, IL 61933
Kirk@illinoisleaks.com

Dear Mr. Allen:

On January 27, 2015, the College of DuPage ("College") received your Freedom of Information Act ("FOIA") request via email dated January 27, 2015. You requested the following:

1. Copy of correspondence between COD attorney and/or attorney's and Dr. Breuder's attorney in connection with any negotiations as well as any agreements or promises that precede Dr. Breuder's retirement letter.
2. Copy of all legal bills that COD paid for Dr. Breuder's private attorney since being hired.
3. Copy of all payments made for Dr. Breuder's private attorney since being hired.

The College has no documents responsive to your request 1. To the extent that there were any communications between a COD attorney and an attorney for Dr. Breuder that proceeded Dr. Breuder's retirement letter, these are not public records of the College. To the extent that any such correspondence exists that would otherwise be considered a public record, it would be exempt from disclosure under FOIA Section 7(1)(f) as preliminary draft, notes and/or recommendations in which opinions were expressed or actions or policies formulated. 5 ILCS 140/7(1)(f). The FOIA request itself references negotiations which preceded the Breuder retirement letter, and the final retirement letter as well as the Fourth Addendum to the President's Agreement which included the retirement letter, has been publically disclosed by the College.

The college does not have any responsive documents for requests #2 and #3.

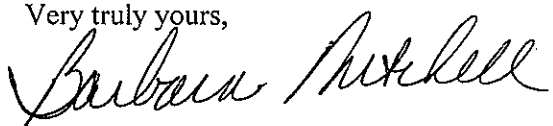
The name of the person responsible for redaction and exemption of the documents is Barbara Mitchell, the College's Freedom of Information Officer, who consulted with the College's legal counsel on this matter.

You may ask the Illinois Attorney General's Public Access Counselor (PAC) to review this decision concerning your records request, by submitting a Request for Review to the PAC by electronic mail or U.S. Mail within 60 days after this response. A request for Review by the PAC should be directed to:

Public Access Bureau
Office of the Attorney General
500 S. 2nd Street
Springfield, IL 62706
publicaccess@atg.state.il.us

The PAC's telephone number is (217) 558-0486. You also have the right to administrative review by a court of law pursuant to Section 11 of the Illinois Freedom of Information Act.

Very truly yours,

A handwritten signature in cursive script that reads "Barbara Mitchell".

Barbara Mitchell
Freedom of Information Officer
College of DuPage
425 Fawell Blvd.
Glen Ellyn, IL 60137
630-942-2373