

From: [Wozniak, Joseph - 1](#)
To: [Mitchell, Barbara Jo](#)
Subject: Re: #118 Kirk Allen FOIA
Date: Monday, October 05, 2015 8:51:47 AM

Barb,

I am responding to the FOIA request you forwarded to me last week, which requests copies of communications between myself and Trustee McGuire. Under the cases Quinn v. Stone and City of Champaign v. Madigan I do not believe that an individual trustee is a "public body" whose email communications or other records are subject to disclosure under the Freedom of Information Act. Therefore, to the extent such communications exist, they are not subject to disclosure.

Further, assuming such records were subject to FOIA requests, section 7(1)(f) of the FOIA act exempts from disclosure "Preliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are formulated." Communications between trustees, even if subject to FOIA, would fall under this exemption.

I ask that your response to the FOIA request assert these and all other arguments against the legality of the request made.

Sincerely,

Joe Wozniak

On Thursday, October 1, 2015 12:16 PM, "Mitchell, Barbara Jo" <mitchell@cod.edu> wrote:

Hello,

I have received a FOIA from Kirk Allen requesting copies from the Sept. 28 Board Meeting. Please see below and let me know if you have any documents and if you do would

Request: **Copy of all communications provided by Trustee McGuire to Trustee Wazniak pertaining to the September 28th, 2015 Special meeting. Trustee Wazniak expressed he had been provided things to read on behalf of McGuire. I am asking for ALL of those documents to include any that were not read during the meeting.**

To facilitate the College's response to this request, please provide responses to the following:

1. Are you currently in possession of any such documents?
2. If the answer is “yes,” please confirm whether you will provide copies of those messages to Barb Mitchell, the College’s FOIA officer

Thanks

Barb