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Ross D. Secler
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November 12, 2020

VIA EMAIL: [REDACTED]

Ms. Bonnie Kurowski

RE: Response to November 1, 2020 Email Correspondence

Dear Ms. Kurowski:

As you know, the undersigned serves as Township Attorney for DuPage Township. My office has reviewed your correspondence with Deputy FOIA Officer, Linda Youngs (the “Complaint” email) and your email to the Township Supervisor and Board of Trustees (the “Security Breach email”), both dated November 10, 2020. These documents contain several factual inaccuracies, unsupported allegations, and threats regarding litigation. Because these threats are taken very seriously, the Township is providing the following response. However, please advised that, beyond responding to statutory or administrative requests, the Township shall now only communicate with you through an attorney or through court filings.

The general nature of your various allegations and inaccuracies are each addressed, in turn, as follows.

The November 1, 2020 FOIA Request

You sent a FOIA request on November 1, 2020 to the DuPage Township FOIA Officer stating:

- “1. Please send me all emails from Edgar County Watchdogs requesting my Foia [*sic*] requests or any of my information.

2. All emails to Edgar County Watchdogs showing my employment or other contact information.

3. All communications showing why the Township Attorney sent a Ceise [sic] letter to my WORK email address.”

Your November 1, 2020 request did **not** ask for records regarding “whom requested” your FOIA, as stated in your Complaint email. Your November 1, 2020 request did **not** request “by FOIA who FOIAed [sic] my FOIA request,” as stated in your Security Breach email. Your November 1, 2020 FOIA request is copied verbatim above and speaks for itself.

The Township responded that it did not have any records responsive to your request. You were provided with the written requisite avenues to pursue if you felt this denial was in error. Representing anything to the contrary is, simply, false.

Conclusory Allegations of Misconduct

The Security Breach email concludes that, because the Township did not have any responsive records to your request, “someone bypassed the process, disregarded FOIA laws, stepped on the duties of your FOIA officer,” etc. You have supplied no facts to support the allegation that someone affiliated with the Township violated the law.

Both your Complaint and Security Breach emails go on to name Trustee Alyssia Benford as the person who unlawfully obtained and “leaked” your FOIA request for public records and who purportedly violated numerous other laws. Again, neither the Security Breach email nor the Complaint email contain **ANY** factual information to suggest: (1) your FOIA request was unlawfully obtained and (2) any wrongdoing by Township personnel and/or elected officials, let alone anything specific to Trustee Benford. Merely because the Township responded specifically to your FOIA request in the manner required by law, as it does for *all* requests made pursuant to FOIA, does not, somehow, create civil or criminal violations.

Threats of Litigation

You are always free to express your public comments at Township meetings pursuant to the Township’s adopted policies, rules, and procedures and to exercise all the rights afforded to you under the Constitution and State laws. However, to the



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extent your communications threaten litigation, the Township will only communicate with your attorney or through court filings.

Referral to Other Agencies

The Township is not an investigatory or prosecutorial body. It looks forward to the results and findings of any relevant investigative body and intends to cooperate with all lawful agency requests. However, it is unclear how the alleged wrongful disclosure of your work email address used to make a FOIA request for public records is a matter of national security and subject to investigation by the Federal government. Please be further advised it is factually inaccurate to assert that “you have a Federal Employee [leaking information] for political gain”, as I am unaware of any Federal employees currently employed by the Township.

We hope that this response provides clarification and puts this matter to rest. If you are represented by counsel, please advise accordingly.

Yours very truly,
**ODELSON, STERK, MURPHEY,
FRAZIER, & MCGRATH, LTD.**



Ross D. Secler
Township Attorney, DuPage Township

CC: Township Supervisor (via Email)
Township Board of Trustees (via Email)