

U.S.C.A. - 7th Circuit
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APR 16 2025

tcamarda@gmx.com

From: tcamarda@gmx.com
Sent: Thursday, April 10, 2025 4:33 PM
To: 'FOIA'; 'civilrights.justice@usdoj.gov'; 'hhsoig@oig.hhs.gov'; 'oeig.general@illinois.gov'; 'information@iadc.org'; 'osc.whistleblower@osc.gov'; 'hfs.mru@illinois.gov'; 'hfs.dcscaru@illinois.gov'
Cc: 'CA07_pro_se_filings@ca7.uscourts.gov'
Subject: NOTICE OF TREASURY FOIA NON-RESPONSE CONFIRMING ABSENCE OF LAWFUL BONDING AND LIABILITY FRAMEWORK
Attachments: Non-Responsive-2025_04_10 Camarda FOIA Response.pdf
Importance: High

**IN THE UNITED STATES COURT OF APPEALS FOR THE SEVENTH
CIRCUIT**

Thomas E. Camarda
Plaintiff-Appellant, Pro Se

v.

Elizabeth Whitehorn, et al.
Defendants-Appellees

Case No. 24-3244

**NOTICE OF TREASURY FOIA NON-RESPONSE CONFIRMING ABSENCE
OF LAWFUL BONDING AND LIABILITY FRAMEWORK**
Pursuant to 5 ILCS 140, 28 U.S.C. § 1691, and 42 U.S.C. § 1983

TO THE HONORABLE CLERK AND PANEL:

Plaintiff-Appellant, Thomas E. Camarda, respectfully enters this Notice into the post-judgment federal record in preservation of the constitutional enforcement posture and the prevailing judgment under Rule 56(a) and FRAP 31(c). This Notice arises from a FOIA response received April 10, 2025 from the Office of the Illinois State Treasurer, in response to Plaintiff's formal FOIA request submitted on March 29, 2025.

I. FOIA RESPONSE CONFIRMS THE FOLLOWING:

1. **No records exist** identifying a lawful surety bond, indemnification file, or bonding registration for:
 - **Elizabeth Whitehorn** (Director, HFS/DCSS)
 - **Christopher Gange** (Assistant State's Attorney, McHenry County)
 - **Randi Freese** (Enforcement Agent, McHenry County)

- **Any affiliated Title IV-D enforcement agent or prosecutorial officer named in this case**
- 2. The Office of the Illinois State Treasurer **did not assert any exemption, legal privilege, or valid reason for nondisclosure—indicating no such lawful bonding exists or no attempt has been made to secure one.**
- 3. The Treasurer's Office suggested narrowing the request concerning internal communication logs—**an implicit admission** that liability discussions and inter-agency review may exist concerning Plaintiff's federal litigation and the related misconduct by state actors.

II. LEGAL SIGNIFICANCE

Pursuant to:

- **28 U.S.C. § 1691** – No judicial authority may lawfully proceed without a signed, sealed instrument backed by legal capacity
- **42 U.S.C. § 1983** – Civil liability for deprivation of constitutional rights under color of law
- **UCC Article 9 & 5 ILCS 140** – Financial bonding and fiduciary responsibility for public officers

This FOIA response affirms that **named state actors are unbonded, unindemnified, and therefore unlawfully exercising coercive power** over a federally prevailing litigant, while violating constitutional supremacy and due process rights.

III. IMPACT ON ENFORCEMENT POSTURE

- These findings **confirm a breach** of administrative compliance and procedural legitimacy in the underlying and ongoing retaliation by McHenry County actors.
- The **absence of bonding and lawful liability coverage** exposes these actors to **personal financial exposure and direct civil rights litigation.**
- Continued suppression of this truth—after formal FOIA requests and federal default—constitutes a **due process violation and obstruction of record clarity.**

IV. PRESERVATION OF FEDERAL NOTICE AND NEXT STEPS

Plaintiff-Appellant reserves all rights to:

- File a formal **judicial complaint** with the PAC (Public Access Counselor)
- Initiate enforcement under **5 ILCS 140/11**
- Elevate this failure to respond as evidence of **structural concealment and maladministration**
- Include this notice in all further federal actions and administrative filings, including judicial oversight boards and the U.S. Department of Justice

This Notice shall serve as a formal preservation of the breakdown in lawful indemnification and confirmation that **no valid enforcement framework exists** behind the retaliatory actions directed at Plaintiff by state actors currently operating in procedural defiance of this Court's perfected judgment.

Respectfully submitted,

Thomas E. Camarda
Plaintiff-Appellant, Pro Se
Case No. 24-3244
United States Court of Appeals – Seventh Circuit

Dated: April 10, 2025



OFFICE OF THE ILLINOIS STATE TREASURER
MICHAEL W. FRERICHS

April 10, 2025

VIA EMAIL ONLY

Thomas Edward Camarda
tcamarda@gmx.com

Re: FOIA Request

Dear Thomas Edward Camarda:

I am writing in response to your March 29, 2025, request made to the Office of the Illinois State Treasurer ("Treasurer") pursuant to the Illinois Freedom of Information Act ("FOIA"), 5 ILCS 140/1 et seq. In your request you sought the following:

1. Copies of all surety bonds, fidelity bonds, or public official liability instruments held by the following individuals, for the time period January 1, 2020 through present:

- Elizabeth Whitehorn (Director, Illinois Department of Healthcare and Family Services)
- Christopher Gange (Assistant Attorney General)
- Any current or former employees of HFS or DCSS involved in enforcement actions related to *Camarda v. Whitehorn*, 7th Cir. Case No. 24-3244
- Any bonding or indemnity record for agents involved in McHenry Co. Case No. 24CM000976

2. All documents showing the issuer(s) of the above bonds (i.e., insurance companies or bonding authorities), including policy numbers, claim filing procedures, and terms of coverage.

3. Any treasury logs, claim histories, or internal correspondence documenting:

- Notifications of potential liability or misconduct
- Bond challenges or red-flag review
- Treasury actions taken in response to FOIA or federal litigation inquiries

State Capitol
Room 219
Springfield, IL 62706
Phone: (866) 458-7327
Fax: (217) 785-2777
TTY: (866) 877-6013

555 West Monroe Street
14th Floor
Chicago, IL 60661
Phone: (866) 458-7327
Fax: (312) 814-5930
TTY: (866) 877-6013

Marine Bank Building
1 East Old State Capitol Plaza
Springfield, IL 62701
Phone: (866) 458-7327
Fax: (217) 524-3822
TTY: (866) 877-6013

Thomas Edward Camarda

April 10, 2025

Page 2

4. Any memoranda of understanding (MOUs), inter-agency agreements, or indemnification policies between the Illinois Treasurer's Office and HFS, DCSS, the Office of the Attorney General, or IDOR concerning the administration or defense of public official liability claims.

5. All prior FOIA requests, responses, or legal inquiries made by third parties related to the bonding of HFS, DCSS, or Title IV-D official in the last 5 years.

Attached please find records responsive to your request. Please note that the Treasurer does not have records responsive to your requests #1, 2, or 4. With respect to your request for "[a]ny treasury logs, claim histories, or internal correspondence documenting: notifications of potential liability or misconduct, bond challenges or red-flag review, treasury actions taken in response to FOIA or federal litigation inquiries," the Treasurer hereby extends the opportunity to reduce the request to manageable proportions as required under FOIA, 5 ILCS 140/3(g).

Pursuant to Section 9 of FOIA, I am the person responsible for this determination. You may seek review by the Public Access Counselor at the Office of Attorney General (the "PAC"), in accordance with Section 9.5 of FOIA. You may reach the PAC at:

Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396
E-mail: public.access@ilag.gov

You may also seek judicial review of this determination in accordance with Section 11 of FOIA.

Sincerely,

/s/ Erica Tremble
FOIA Officer
Assistant General Counsel

tcamarda@gmx.com

From: tcamarda@gmx.com
Sent: Thursday, April 10, 2025 4:36 PM
To: 'FOIA'
Cc: 'foia.publicaccess@ilag.gov'; 'civilrights.justice@usdoj.gov'
Subject: RE: FOIA Request #4 - Public Official Surety Bonds, Treasury Risk Records, and Indemnity Instruments

Importance: High

Thomas E. Camarda
500 Cunat Blvd #2B
Richmond, IL 60071
tcamarda@gmx.com
(224) 279-8856

April 11, 2025

**RE: FOIA FOLLOW-UP – DEMAND FOR FULL DISCLOSURE, NOTICE OF
FEDERAL CONSEQUENCE FOR NONCOMPLIANCE**

TO:
Illinois State Treasurer's Office
Attn: FOIA Officer
James R. Thompson Center
100 W Randolph St, Suite 15-600
Chicago, IL 60601
foia@illinoistreasurer.gov

CC:
Public Access Counselor (PAC), Office of the Illinois Attorney General
foia.publicaccess@ilag.gov
U.S. Department of Justice – Civil Rights Division
civilrights.justice@usdoj.gov

Dear FOIA Officer:

This is a **formal demand for full compliance** with Plaintiff-Appellant's FOIA request dated **March 29, 2025**, and a formal **rebuttal of your April 10, 2025 response**, which failed to disclose material records and failed to properly comply with the letter and intent of **5 ILCS 140**.

I. YOUR AGENCY'S RESPONSE IS NONCOMPLIANT

You stated that no responsive records exist for items directly referencing:

- Surety bonds, liability instruments, or indemnification records for:

- Elizabeth Whitehorn
- Christopher Gange
- Randi Freese
- HFS/DCSS or McHenry County enforcement agents

You also suggested a narrowed scope regarding internal discussions and system liability logs. This is **procedurally improper** and **legally evasive**, for the following reasons:

II. YOU ARE LEGALLY REQUIRED TO DISCLOSE THESE RECORDS

Pursuant to:

- **5 ILCS 140/1 et seq.** – Full transparency required for matters of public record and fiduciary authority
- **FOIA § 3(c)–(g)** – You must search, produce, and document access, not merely declare absence
- **28 U.S.C. § 1691** – No enforcement action or judicial command may lawfully issue without lawful bonding, signature, and authority
- **U.S. Constitution, Article VI (Supremacy Clause)** – State actors involved in federal litigation are subject to strict transparency and record production requirements

There are **no valid exemptions** for avoiding disclosure of:

- Public bonding and indemnification structures
- Enforcement agent liability and bonding status
- Internal records concerning FOIA litigation or oversight activity

III. YOU ARE HEREBY INSTRUCTED TO:

1. **Immediately produce** any and all records responsive to the original request.
2. If no such records exist, **formally confirm**:
 - That **no state actor** named in **Camarda v. Whitehorn et al., Case No. 24-3244** holds or has held any surety bond, fiduciary liability plan,

or indemnification agreement under Illinois law or Title IV-D participation conditions.

- That your office has not conducted a single internal audit or discussion related to enforcement liability arising from this case.
- 3. If you maintain your non-response, you must issue a **detailed explanation of the search methods used**, as required under **FOIA § 9(a)** and **Illinois Appellate precedent**.

IV. NOTICE OF FEDERAL INTEREST AND PRESERVATION OF RIGHTS

As this FOIA is directly tied to **an active federal civil rights case**, failure to fully comply will result in:

- Formal complaint to the **Public Access Counselor (PAC)**
- Inclusion of this violation in all filings before the **U.S. Court of Appeals – Seventh Circuit**
- Referral to the **U.S. Department of Justice – Civil Rights Division**
- Possible injunctive relief under **42 U.S.C. § 1983** for obstruction of access to public records essential for enforcing constitutional protections

V. DEADLINE FOR RESPONSE

You are hereby given **five (5) calendar days** to produce full responsive documents or issue formal confirmation of absence of records, search method disclosure, and nonexistence justification. Failure to do so will result in escalation without further notice.

Respectfully,

Thomas E. Camarda

Plaintiff-Appellant, Pro Se

Camarda v. Whitehorn et al. – Case No. 24-3244

United States Court of Appeals for the Seventh Circuit

From: FOIA <FOIA@illinoistreasurer.gov>

Sent: Thursday, April 10, 2025 4:17 PM

To: tcamarda@gmx.com

Cc: FOIA <FOIA@illinoistreasurer.gov>

Subject: RE: FOIA Request #4 - Public Official Surety Bonds, Treasury Risk Records, and Indemnity Instruments

Dear Thomas Edward Camarda,

Please find a response to your request attached.

Best,
Erica



ERICA TREMBLE
FOIA OFFICER & ASST. GENERAL COUNSEL
Illinois State Treasurer Michael W. Frerichs
555 W. Monroe, 14th Floor, Chicago, IL 60661
She/Her



Keep Informed! Sign up to learn more about the products and services Treasurer Frerichs provides to constituents throughout Illinois by signing up for our [newsletter](#) by clicking [here](#).

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From: tcamarda@gmx.com <tcamarda@gmx.com>

Sent: Saturday, March 29, 2025 3:49 PM

To: FOIA <FOIA@illinoistreasurer.gov>

Subject: FOIA Request #4 - Public Official Surety Bonds, Treasury Risk Records, and Indemnity Instruments

Importance: High

Freedom of Information Act Request

FOIA Request #4 – Public Official Surety Bonds, Treasury Risk Records, and Indemnity Instruments

To:

FOIA Officer

Illinois State Treasurer's Office

James R. Thompson Center

100 W. Randolph St., Suite 15-600

Chicago, IL 60601

Email: FOIA@illinoistreasurer.gov

From:

Thomas Edward Camarda
500 Cunat Blvd #2B
Richmond, IL 60071

Date: March 29, 2025

RE: Request for Public Records Pertaining to Surety Bonds, Treasury Liability Instruments, and Indemnity Coverages for Title IV-D Officials

Pursuant to the **Illinois Freedom of Information Act (5 ILCS 140/1 et seq.)**, I am requesting access to the following public records relating to surety bonds, indemnity insurance, and financial instruments covering public officials involved in Title IV-D enforcement:

Records Requested

1. **Copies of all surety bonds, fidelity bonds, or public official liability instruments** held by the following individuals, for the time period **January 1, 2020 through present**:
 - Elizabeth Whitehorn (Director, Illinois Department of Healthcare and Family Services)
 - Christopher Gange (Assistant Attorney General)
 - Any current or former employees of HFS or DCSS involved in enforcement actions related to *Camarda v. Whitehorn*, 7th Cir. Case No. 24-3244
 - Any bonding or indemnity record for agents involved in McHenry Co. Case No. 24CM000976
2. **All documents showing the issuer(s)** of the above bonds (i.e., insurance companies or bonding authorities), including policy numbers, claim filing procedures, and terms of coverage.
3. **Any treasury logs, claim histories, or internal correspondence** documenting:
 - Notifications of potential liability or misconduct
 - Bond challenges or red-flag reviews
 - Treasury actions taken in response to FOIA or federal litigation inquiries

4. **Any memoranda of understanding (MOUs), inter-agency agreements, or indemnification policies** between the Illinois Treasurer's Office and HFS, DCSS, the Office of the Attorney General, or IDOR concerning the administration or defense of public official liability claims.
5. **All prior FOIA requests, responses, or legal inquiries** made by third parties related to the bonding of HFS, DCSS, or Title IV-D officials in the last 5 years.

Format Requested

Electronic copies in PDF format delivered via email to tcamarda@gmx.com. If you require physical delivery, please notify me.

If any part of this request is denied, please specify the statutory exemption claimed and provide instructions for appeal.

Fee Waiver Justification

I respectfully request a full waiver of all fees pursuant to FOIA statute, as this request is made in the **public interest**. The requested documents pertain to active **federal litigation** (Seventh Circuit Case No. 24-3244) and are vital to ensuring public accountability for **misconduct under color of law** and **constitutional deprivations**. This request directly supports lawful oversight, potential claims, and whistleblower integrity.

Purpose of Request

To determine the **personal and institutional liability structure** behind state officials who have executed or overseen unlawful acts—including illegal seizures, wage garnishments, and retaliatory prosecutions—in violation of federal rights. These records are being collected to support constitutional enforcement actions, formal agency claims, and public interest protections under 42 U.S.C. § 1983 and related doctrines.

Respectfully,

Thomas Edward Camarda

Plaintiff-Appellant, *Camarda v. Whitehorn et al.*

Seventh Circuit Court of Appeals, Case No. 24-3244

tcamarda@gmx.com

Constitutionally Secured Party

Prevailing Party Under Federal Summary Judgment

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