



October 16, 2020

*Via electronic mail*

Lee Gaines

WILL/Illinois Newsroom

[lvgaines@illinois.edu](mailto:lvgaines@illinois.edu)

Re: FOIA Request 20-786

Dear Lee Gaines:

I am responding to your request dated September 28, 2020, and received in my office on September 29, 2020, under the Illinois Freedom of Information Act (FOIA) in which you requested:

“Copies of correspondence, including but not limited to emails, sent to and from U of I professors Martin Burke, Paul Hergenrother, President Tim Killeen, Chancellor Robert Jones and Gov. J.B. Pritzker, and representatives of the governor's office, for the period Aug. 1, 2020 through today, Sept. 29, 2020.”

Information responsive to your request is available and attached. These are public documents numbering 266 pages.

Portions of these documents have been redacted or withheld pursuant to the following section(s) of the Act:

- 140/7(1)(a) that exempts from disclosure “Information specifically prohibited from disclosure by federal or State law or rules and regulations implementing federal or State law.” Under Rule 1.6 of the Rules of Professional Conduct, documents containing legal advice given by an attorney is confidential under state law.
- 140/7(1)(b) that exempts from disclosure “Private information, unless disclosure is required by another provision of this Act, a State or federal law or a court order.” This includes personal cell phone numbers, personal email addresses and other unique identifiers.
- 140/7(1)(c) that exempts from disclosure “Personal information contained within public records, the disclosure of which, if disclosed, would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information.” This includes private citizen names.

- 140/7(1)(f) that exempts from disclosure “Preliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are formulated, except that a specific record or relevant portion of a record shall not be exempt when the record is publicly cited and identified by the head of the public body.” This includes communications containing drafts, deliberations, opinions, proposed actions and recommendations.
- 140/7(1)(m) that exempts from disclosure “Communications between a public body and an attorney or auditor representing the public body that would not be subject to discovery in litigation, and materials prepared or compiled by or for a public body in anticipation of a criminal, civil or administrative proceeding upon the request of an attorney advising the public body, . . .” Pursuant to this exemption, communications covered under the attorney client privilege and/or the work product doctrine that would not be subject to discovery were redacted or withheld from the responsive records.

You have a right, under the law, to seek a review of this response by the Public Access Counselor (PAC) in the Office of the Attorney General. The PAC may be reached by phone at 877-299-3642, by email to [publicaccess@atg.state.il.us](mailto:publicaccess@atg.state.il.us), or by postal mail at the Public Access Bureau, 500 S. 2nd Street, Springfield, Illinois 62706. You also have the right to seek judicial review under section 11 of this Act.

If you have questions for our office, please contact 217-333-6400.

Sincerely,

Thomas P. Hardy  
Executive Director  
and Chief Records Officer