

December 22, 2015

VIA E-MAIL

Mr. Kevin Sheehy
[REDACTED]

RE: 15-FOIA-261 Edison Park Chamber of Commerce

Dear Mr. Sheehy:

We are in receipt of your request for information pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/1 *et seq.* (“FOIA”).

I. Background

On December 15, 2015, we received your request for:

- A list of names, contact phone numbers, and mailing addresses of all current Officers and Board of directors for the Edison Park Chamber of Commerce;
- Information on the insurer of the Edison Park Fest, Chamber office and any other event;
- Information on the lease agreement between Metra and the Chamber, on any and all matters including, but not limited to, the Edison Park Fest, Farmers Market and day-to-day activities and the monthly rent and liability requirements, if any;
- If Metra has officially been notified of any vendors doing business on land owned by Metra including but not limited to Jump Guy Inc., or any valet companies and what those sublet agreements are, if any; and
- Correspondence with Chamber during this period of discovery and issues related to your request

(“Request”). Your Request is granted in part and denied in part.

On December 18, FOIA Officer Jamie Harrmann contacted you to clarify the time frame for the requested correspondence. You informed Ms. Harrmann that you were interested in receiving correspondence between Metra and the Edison Park Chamber of Commerce from October 23, 2015 to the present.

II. Responsive Documents

In response to your Request, Metra is providing you with the following information / records:

- After performing a diligent search of Metra’s records, we have been unable to locate any records responsive to your Request regarding a list of names, contact phone numbers, and mailing addresses of all current Officers and Board of directors for the Edison Park Chamber of Commerce. Metra does however, send notices to: Ms. Melissa McIntyre-Panizzi, Executive Director, Edison Park Chamber of Commerce, 6730 N. Olmsted Ave., Chicago , IL 60631;
- Insurance certificates containing information on the insurers of the Edison Park Fest;

- See attached Edison Park Chamber of Commerce Agreement #C40331;
- Metra's Real Estate Department has advised that they do not have any record of any notices or sublet agreements;
- Three (3) emails discussing the incident at Edison Park Fest

(“Responsive Documents”).

You may access these Responsive Documents via Metra's file transfer protocol (“FTP”) site. Direct your browser to <https://ftp.metrarr.com/>. The user name is: [REDACTED] and the case sensitive password is: [REDACTED]. Access to this FTP site will expire January 5, 2016. *If you require additional time to download these documents, please let us know prior to the expiration date.*

III. Partial Denial

While FOIA requires public bodies to provide access to public records generally, FOIA also authorizes units of government to withhold certain information. Therefore, Attorney Thomas Stuebner has determined that the following portions of the Responsive Documents are exempt from disclosure under certain provisions of FOIA:

1. The personal financial information (insurance policy numbers) of the parties mentioned in the Responsive Documents are being redacted because they are exempt from disclosure under Section 7(1)(b) of FOIA, which exempts “private information.” “Private information” is defined as unique identifiers, including a person's social security number, driver's license number, employee identification number, biometric identifiers, personal financial information, passwords or other access codes, medical records, home or personal telephone numbers, and personal email addresses. Private information also includes home addresses and personal license plates which are specifically mentioned within the definition of “private information” found in Section 2(c-5) of FOIA. (5 ILCS 140/2(c-5)).
2. Certain personal information of a party mentioned in the Responsive Documents is being redacted because it is exempt from disclosure under Section 7(1)(c) of FOIA, which exempts “personal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy....” Section 7(1)(c) goes on to say that, “‘Unwarranted invasion of personal privacy’ means the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information.” It has been determined that the aforementioned information falls squarely within that definition and its redaction is appropriate under FOIA.
3. Portions of the Responsive Documents contain certain opinions which have been redacted under section 7(1)(f) of FOIA. Section 7(1)(f) exempts from disclosure any “[p]reliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are formulated . . . [.]” 5 ILCS 140/7(1)(f). Accordingly, the aforementioned opinions are exempt from release under Section 7(1)(f).
4. Insurance information contained within the Responsive Documents is being redacted because it is exempt from disclosure under Section 7(1)(s) of FOIA, which exempts “[a]ny and all

proprietary information and records related to the operation of an intergovernmental risk management association or self-insurance pool or jointly self-administered health and accident cooperative or pool Insurance or self-insurance (including any intergovernmental risk management association or self-insurance pool) claims, loss or risk management information, records, data, advice or communications.” 5 ILCS 140/7(1)(s). Accordingly, per Attorney Thomas Stuebner, all information regarding insurance within the Responsive Document has been redacted.

IV. **Right of Review**

You have the right to have the partial denial of your Request reviewed by the Public Access Counselor (“PAC”) of the Illinois Attorney General’s Office. 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to:

Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396
E-mail: publicaccess@atg.state.il.us.

If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days of the date of this partial denial letter. 5 ILCS 140/9.5(a). Please note that you must include a copy of your original FOIA request and this partial denial letter when filing a Request for Review with the PAC.

You also have the right to seek judicial review of your partial denial by filing a lawsuit in the circuit court. 5 ILCS 140/11.

If I can be of further service to you, please do not hesitate to contact me.

Sincerely,



Kathleen E. Haton
Freedom of Information Officer
foia@metrarr.com
FOIA Hotline #312-663-3642