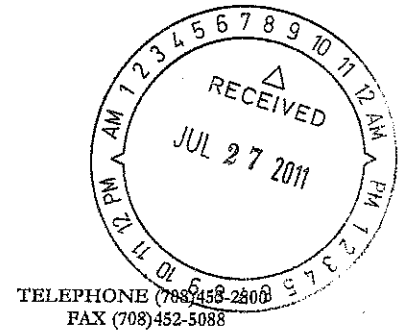


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July 27, 2011

Kathleen M. Reifsnyder
Storino Ramello & Durkin
9501 W. Devon Avenue
Rosemont, IL 60018

RE: 7-19-2011 FOIA Request

Dear Ms. Reifsnyder:

I received your July 26, 2011 letter and the attached documents tendered in response to my July 19, 2011 FOIA request. I have reviewed your letter and the documents provided and do not believe the Village has responded fully.

In particular,

Requests #1 - #3:

These requests clearly stated that they were not limited to the "Utility Billing Account History" reports that were provided. The request, as made, also includes (1) copies of the actual bi-monthly bills issued, (2) copies of receipts issued for payments made; (3) copies of the bottom ½ of the water bill that is submitted by the customer when payment is made; and (4) any other record that the Village maintains relative to this address for the periods in question.

In addition, Ms. Parilli's July 19, 2011 letter to Jay Dalicandro states:

"In this case, there was an issue with the final bill, and the final bill was reversed, leaving account #029136-000 in delete status for Mr. Forte (the new owner) and Mr. Curatolo's account was reversed back in to active status. Once the final process was repeated with the correct water readings, a new customer account was created for Mr. Forte, account #029144-000. Mr. Curatolo's account was then finalized out and committed with the correct information as shown on document C dated 5/25/2005."

This explanation would leave me to conclude that: (1) Mr. Curatolo's incorrect final

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billing and his corrected final billing exist, (2) some document(s) setting forth the incorrect and correct final water readings exist, and (3) the water billing affidavit that is part of the transfer stamp declaration exists. All of these documents, or whatever other documents Ms. Parrilli reviewed to discover the cause of the two accounts, also fall within the request as written. None were produced.

In addition, no documents were produced that identify when and how the large garbage container(s) was/were initially placed at the address in question. Some request for it had to be made by someone at some time, no? No such documents were produced.

I also have a question. If, as Ms. Parrilli states, "*adjustments would then show up in the account history*", then why doesn't Mr. Curatolo's account show adjustments concerning the incorrect and the correct final bills that lead to the creation of account #029144 000?

Request #4:

No back-up disc(s) was/were provided nor was any objection made to this request. Does that mean the Village maintains no computer back-up system of its computer records or does the Village object to this request?

Request #6:

This request was specific. It asked for "all emails" sent from or received by the Village manager on April 28, 2011. In spite of this, only two emails were produced. Does the Village object to producing the remainder of his emails, or is the Village stating that Mr. Dalicandro only sent and received two emails the entire day, or is the Village stating that it maintains no other responsive documents?

Requests #7 and #8:

These requests were specific. No responsive emails were provided. No objection was made to these requests. Does that mean the Village maintains no responsive records or does the Village object to these requests?

Request #10:

The response, as written, seems to state the names of the persons who have access to the passwords assigned to various users of the system. This was not the question. The request seeks the names of the user(s) that, when they enter their assigned password, are granted the ability by the system to adjust and/or delete an account. For example; if someone enters the system with the user name "code" can that user access the portion of

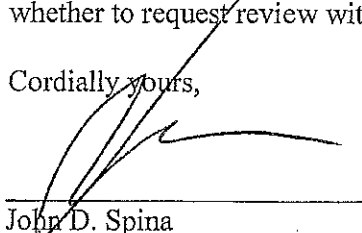
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the system that allows an adjustment of an account?

I do not wish to engage in a debate over whether the above referenced documents did, or did not, fall within the purview of the initial FOIA request. Accordingly, without waiving any of my rights under the FOIA relative to the Village's failure to comply, I will allow you consider this letter a new request under the FOIA and to take an additional five (5) business days to produce the missing responsive documents to requests 1, 2, and 3.

Concerning requests 4, 6, 7 and 8, please clarify whether the Village does not maintain the documents or whether the Village objects to their production so I know whether to request review with the Attorney General's office on those issues.

Cordially yours,



John D. Spina

CC: Eslie Sutter, Village Clerk c/o esutter@elmwoodpark.org
Peter Silvestri, Village President c/o psilvestri@elmwoodparl.org