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IN REPLY REFER TO FILE NO.

August 19, 2013
Via Electronic Mail

Mr. John Corkill
207 N. Green Street
McHenry, Illinois 60050
John_Corkill@yahoo.com

EP-1

Re: Freedom of Information Act Request

Dear Mr. Corkill:

The Village of Elmwood Park is in receipt of your August 12, 2013 Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) (hereinafter referred to as "FOIA") request for the following:

- 1) All records, including recordings of phone conversations from outside and within the Elmwood Park Police Department regarding the matter, relative to an allegation of abuse of a minor child Maya J. Corkill.
...
- 2) All records, including recordings of phone conversations from outside and within the Elmwood Park Police Department, regarding an allegation of domestic violence by Kevin B. Corkill against Dian Gianfrancisco. The domestic violence was alleged to have occurred in late August / early September of 2013.
- 3) All records of contact between the Elmwood Park Police Department and Dian Gianfrancisco, currently of Elmwood Park, IL, regarding any other matter, for the period from January 1, 2000 through this date.

Please be advised that your request is denied.

The Village of Elmwood Park is denying your request for records sought in paragraphs 1 and 2 of your request pursuant to Section 7(1)(d)(i) of FOIA. Section 7(1)(d)(i) of FOIA provides that, "[r]ecords in the possession of any public body created in the course of administrative enforcement

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proceedings, and any law enforcement or correctional agency for law enforcement purposes ..." are exempt from disclosure, "but only to the extent that disclosure would: ... interfere with pending or actually and reasonably contemplated law enforcement proceedings conducted by any law enforcement or correctional agency that is the recipient of the request." The Village of Elmwood Park Police Department is conducting an investigation into the matters regarding the request for records sought in paragraphs 1 and 2 of your FOIA request. Consequently, disclosure of the records you are requesting in paragraphs 1 and 2 of your request would interfere with the Village of Elmwood Park's pending investigation and have not been provided.

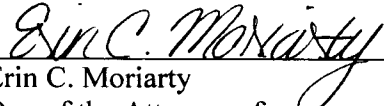
The Village of Elmwood Park is denying your request for records sought in paragraph 3 of your FOIA request because the Village of Elmwood Park does not maintain records responsive to this portion of your request.

The person responsible for the decision to deny your request is the Village of Elmwood Park Freedom of Information Officer, Gina Pesko. In accordance with Section 9(a) of FOIA, you are hereby notified that you have the right to file a request for review regarding the decision made by the Village of Elmwood Park Freedom of Information Officer with the Public Access Counselor at the Illinois Attorney General's Office. You can file your request for review with the Public Access Counselor by writing to:

Sarah Pratt, Acting Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Phone: 312-814-5526
Fax: 217-782-1396
E-mail: publicaccess@atg.state.il.us

Also, you are notified that you have the right to judicial review regarding the decision made by the Village of Elmwood Park Freedom of Information Officer pursuant to Section 11 of FOIA.

Sincerely,


Erin C. Moriarty
One of the Attorneys for
the Village of Elmwood Park