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December 4, 2014

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IN REPLY REFER TO FILE NO.

EP-1

Mr. Jordan Fein
UNITE HERE
jfein@unitehere.org

Re: Freedom of Information Act Request

Dear Mr. Fein:

On November 19, 2014, the Village of Elmwood Park received your November 18, 2014, Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for the following records:

1. Every contract between your locality and the WCMC since January 1, 2008
2. Any WCMC bylaws or other governing documents possessed by your locality[.]

Please be advised that your FOIA request is denied because the Village of Elmwood Park maintains no documents which are responsive to your FOIA request.

Pursuant to Section 7(2) of FOIA, your FOIA request also sought documents from the Village of Elmwood Park which you previously requested from WCMC through a FOIA request dated September 10, 2014. As you know, Section 7(2) of FOIA states that:

A public record that is not in the possession of a public body but is in the possession of a party with whom the agency has contracted to perform a governmental function on behalf of the public body, and that directly relates to the governmental function and is not otherwise exempt under this Act, shall be considered a public record of the public body, for purposes of this Act.

Please be advised that this portion of your FOIA request regarding documents that you previously requested from WCMC is denied because there are no public records between the Village of Elmwood Park and WCMC that are responsive to this portion of your FOIA request.

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The Village of Elmwood Park has not entered into a contractual relationship with WCMC to perform a governmental function on behalf of the Village of Elmwood Park concerning services performed by "either The Inland Group or any of its affiliates, Pan American Bank or Inland Bank and Trust from January 1, 2007 to the present." Consequently, this portion of your FOIA request is denied.

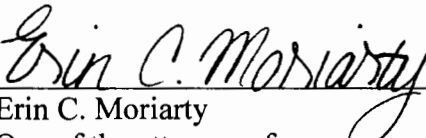
The person responsible for the decision to deny your FOIA request is the Village of Elmwood Park Freedom of Information Officer, Gina Pesko. In accordance with Section 9(a) of FOIA, you are hereby notified that you have the right to file a Request for Review regarding the decision made by the Village 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
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 Public Access Counselor, you must do so within 60 calendar days of the date of this letter. Please note that you must include a copy of your original FOIA request and this letter when filing a Request for Review with the Public Access Counselor.

You are also 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