

LAW OFFICES

**STORINO, RAMELLO & DURKIN**

9501 WEST DEVON AVENUE  
ROSEMONT, ILLINOIS 60018

DONALD J. STORINO  
MICHAEL K. DURKIN  
RICHARD J. RAMELLO  
NICHOLAS S. PEPPERS  
THOMAS M. BASTIAN  
ANGELO F. DEL MARTO  
JAMES E. MACHOLL  
BRIAN W. BAUGH  
ANTHONY J. CASALE  
ANDREW Y. ACKER  
PETER A. PACIONE  
MELISSA M. WOLF  
MATTHEW G. HOLMES  
MICHAEL R. DURKIN

(847) 318-9500

FACSIMILE (847) 318-9509

April 15, 2015

THOMAS J. HALLERAN  
ERIN C. TINAGLIA  
ADAM R. DURKIN

JOSEPH G. KUSPER  
MARK R. STEPHENS  
BRYAN J. BERRY  
ANN M. WILLIAMS  
LEONARD P. DIORIO  
RICHARD F. PELLEGRINO  
DONALD J. STORINO II

OF COUNSEL

IN REPLY REFER TO FILE NO.

Mr. Lenny D. Asaro  
Neal & Leroy, LLC  
120 N. LaSalle Street, Suite 2600  
Chicago, Illinois 60602  
[lasaro@nealandleroy.com](mailto:lasaro@nealandleroy.com)

EP-1

**Re: Freedom of Information Act Request**

Dear Mr. Asaro:

On February 17, 2015, the Village of Elmwood Park received your Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for the records set forth in Exhibit "A" TO THE FREEDOM OF INFORMATION REQUEST FOR PUBLIC RECORDS, which is attached hereto.

On February 24, 2015, I sent you correspondence stating that the Village of Elmwood Park was treating your FOIA request as a "voluminous request," pursuant to Section 3.6(a) of FOIA. This correspondence dated February 24, 2015, offered you the opportunity to amend your FOIA request so that it would no longer be considered a "voluminous request." On March 2, 2015, you sent me correspondence indicating that you had no objection to the Village of Elmwood Park treating your FOIA request as a "voluminous request." Thereafter, on April 6, 2015, I sent you electronic correspondence indicating that the documents responsive to your FOIA request would be made available by today, April 15, 2015. On April 6, 2015, you sent me electronic correspondence agreeing to the proposed April 15, 2015, response date.

Your FOIA request is granted in part and denied in part. Enclosed please find records responsive to paragraphs 1-2, 5, 9-11, 18, 19, and 22-31 of your FOIA request. However, please be advised that certain information in the records being provided has been determined to be exempt from disclosure under FOIA, and that information has been redacted from the records being provided.

Section 7(1)(b) of FOIA provides that "private information" is exempt from disclosure. "Private information" is defined in FOIA 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

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numbers, and personal email addresses. Private information also includes home address and personal license plates, except as otherwise provided by law or when compiled without possibility of attribution to any person.” 5 ILCS 140/2(c-5). Consequently, certain unique identifiers, including signatures, have been redacted from the records being provided.

Please be advised that the Village of Elmwood Park maintains no documents responsive to paragraphs 3-4, 6-8, 12-17, 20-21, and 32-33 of your FOIA request. Accordingly, those paragraphs of your FOIA request are denied.

The person responsible for the decision to deny a portion of 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 2<sup>nd</sup> Street  
Springfield, Illinois 62706  
Fax: 217-782-1396  
E-mail: [publicaccess@atg.state.il.us](mailto: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,

STORINO, RAMELLO & DURKIN  
Attorneys for the Village of Elmwood Park

  
Erin C. Tinaglia

Enclosures