



August 6, 2018

Steven R. Harry
3125 Tecumseh River Road
Lansing, MI 48906

RE: Freedom of Information Act Request #19-012

Dear Mr. Harry;

The City Attorney FOIA Coordinator has forwarded to my office the communication regarding the FOIA appeal filed by you for a FOIA denial of request #19-012. We understand that this was for a memo dated March 28, 2015 from the City Attorney at the time Janene McIntyre to the Mayor at the time Mayor Benero.

The original FOIA was denied because of three (3) reasons. Those included denial because the document you requested was created in anticipation of litigation and therefore exempt from FOIA; the document you requested is subject to attorney-client privilege and therefore exempt; lastly the document included frank communications regarding retiree healthcare benefits preliminary to a final determination and therefore exempt.

After a review of the communications between the City Attorney office and yourself, it is my decision, as the current City Council President, that we do not need to grant your request for the information to be released because I have been advised by the City Attorney office that the denial is proper and consistent with the applicable law.

If you choose to pursue this thru the Circuit Court and the Court determines that records have been arbitrarily and capriciously denied, it may award actual or compensatory damages, punitive damages (in the amount \$1,000.00), reasonable attorney fees, costs and disbursements.

Sincerely,

Sincerely,

Carol Wood
City Council President

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124 W. Michigan Ave.
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