



January 12, 2017

**VIA EMAIL**

Mr. Andrew G. Schroedter

CBS2

Email: [agschroedter@cbs.com](mailto:agschroedter@cbs.com)

RE: 16-FOIA-314 ED Info; Vendor Payments

Dear Mr. Schroedter:

We are in receipt of your request under the Illinois Freedom of Information Act, 5 ILCS 140/1 *et seq.* (“FOIA”).

**I. Background**

On December 15, 2016, we received your request for:

1. Copies of documents sufficient to show [REDACTED]’s total compensation in 2014, 2015 and 2016. Total should include, but is not limited to: salary, bonuses, vehicle, housing, and cell phone allowances;
2. Copies of documents sufficient to show any and all travel related reimbursements Mr. [REDACTED] received in 2014, 2015 and 2016. This is to include, but is not limited to: airfare, lodging, transportation, and meals; including copies of supporting documentation such as invoices, receipts and checks; and
3. Copies of documents sufficient to show any and all vendors that were paid a total of at least \$10,000 in the following calendar years: 2014, 2015 and 2016; including the vendor name and total amount paid in each of the years; provide the information in an Excel spreadsheet, if possible

(“Request”).

We contacted you by email on December 29, 2016, to advise that due to the holidays and vacation schedules of the staff tasked with providing the requested documents, we anticipated that we would need additional time to respond to your Request. We estimated that we could provide your requested documents by January 11, 2017. You responded to our email on January 2, granting us this additional time.

**II. Responsive Documents**

In response to your Request, Metra is providing you with the following:

1. Two spreadsheets. One, outlining Mr. [REDACTED]’s taxable income for 2014, 2015, and 2016. The second displays the employer-paid benefits provided to Mr. [REDACTED];

2. Records showing all travel related reimbursements made to Mr. [REDACTED] for 2014, 2015 and 2016, with supporting documentation; and
3. A spreadsheet showing the vendors that were paid a total of at least \$10,000 for 2014, 2015 and 2016

(“Responsive Documents”).

### **III. Partial Denial**

While FOIA requires public bodies to provide access to public records generally, FOIA also authorizes units of government to withhold certain information. Therefore, Attorney Thomas Stuebner has determined that the following portions of the Responsive Documents are exempt from disclosure under certain provisions of FOIA:

1. The social security number, employee identification number, personal financial information, passwords or other access codes, personal telephone number, personal email address, home address and personal license plate number of the parties mentioned in the Responsive Documents are being redacted because they are exempt from disclosure under Section 7(1)(b) of FOIA, which exempts “private information.” “Social security numbers,” “employee identification numbers,” “personal financial information,” “passwords,” “access codes,” “personal telephone numbers,” “personal email addresses,” “home addresses,” and “personal license plate numbers” are specifically mentioned within the definition of “private information” found in Section 2(c-5) of FOIA.
2. The date of birth of the party mentioned in the Responsive Documents, as well as the names of third-parties are being redacted because they are exempt from disclosure under Section 7(1)(c) of FOIA, which exempts “personal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy....” Section 7(1)(c) goes on to say that, “‘Unwarranted invasion of personal privacy’ means the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information.” It has been determined that the aforementioned data falls squarely within that definition and its redaction is appropriate under FOIA.
3. Pages containing draft documents are redacted because they are exempt from disclosure under Section 7(1)(f) of FOIA, which states records that are, “[p]reliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are formulated . . . [.]” are exempt from disclosure. 5 ILCS 140/7(1)(f). The redacted pages are preliminary drafts and as such, Attorney Thomas Stuebner has determined that these draft pages are properly denied from disclosure.

### **VI. Right of Review**

You have the right to have the partial denial of your Request reviewed by the Public Access Counselor (“PAC”) of the Illinois Attorney General’s Office. 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to:

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](mailto:publicaccess@atg.state.il.us).

If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days of the date of this partial denial letter. 5 ILCS 140/9.5(a). Please note that you must include a copy of your original FOIA request and this partial denial letter when filing a Request for Review with the PAC.

You also have the right to seek judicial review of your partial denial by filing a lawsuit in the circuit court. 5 ILCS 140/11.

If I can be of further assistance to you, please do not hesitate to contact me.

Sincerely,



Kathleen E. Haton  
Freedom of Information Officer  
[FOIA@metrarr.com](mailto:FOIA@metrarr.com)

Attachments