



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

February 3, 2026

VIA ELECTRONIC MAIL

Mr. David Burger
True Signal Media
328 South 4th Street
Chillicothe, Illinois 61523
TSM-FOIA@truesignalmedia.news

RE: Freedom of Information Act Request
2025 FOIA 077857

Dear Mr. Burger:

Thank you for writing to the Office of the Illinois Attorney General with your request for information pursuant to the Freedom of Information Act (FOIA) (5 ILCS 140/1 *et seq.*).

Attached to an e-mail received on November 24, 2025, and assigned file number 2025 FOIA 077528 you requested the following:

PART A: EMILY FOX QUI TAM LAWSUIT

ALL records concerning **People ex rel. Fox v. State of Illinois, et al., Case No. 2021-MR-000094** (Sangamon County), including:

1. **Complete case file** maintained by the Attorney General's Office
2. Motion to Dismiss and all supporting materials, including:
 - Draft motions and revisions
 - Legal research and memoranda
 - Attorney work product (to extent not privileged)
 - Decision memos on dismissal strategy
3. **Communications** regarding the case, including:
 - Between AG staff and Governor's Office

500 South 2nd Street
Springfield, Illinois 62701
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Chicago, Illinois 60603
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- Between AG staff and defendant agencies
 - Internal AG office discussions
 - Communications with Attorney General Raoul himself
 - Communications with outside counsel if any
4. **Decision-making records**, including:
 - Analysis of Fox's allegations
 - Evaluation of evidence
 - Cost-benefit analysis cited in dismissal motion
 - Consideration of public interest
 - Political considerations if discussed
 5. **Appellate proceedings** - all records related to defending the dismissal on appeal
 6. **Discovery-related records**, including:
 - Any discovery produced before dismissal
 - Discovery requests received
 - Objections to discovery
 - Protective order motions

PART B: JENNY THORNLEY CRIMINAL PROSECUTION

ALL records concerning the criminal prosecution of Jenny Thornley, including:

1. **Referral from Illinois State Police Merit Board or Inspector General**
 - Initial referral documents
 - Evidence provided
 - Follow-up communications
2. **Charging decisions**, including:
 - Evaluation of evidence for all potential charges
 - Decision memos on which charges to file
 - Analysis of why other charges were not filed
3. **Plea negotiations**, including:
 - Offers made and received
 - Rationale for accepting one-count plea
 - Recommendations on sentencing
 - Victim impact considerations
4. **Restitution**, including:
 - Calculations of loss amount
 - Why restitution was only \$10,000 vs. \$67,000+ actual theft

PART C: WORKERS' COMPENSATION FRAUD

ALL records concerning investigation or potential prosecution of Jenny Thornley for workers' compensation fraud, including:

1. **Referral from Illinois Department of Insurance**
 - Whether referral was received
 - Evidence provided
 - Investigation findings
2. **Decision not to prosecute**, including:
 - Legal memoranda
 - Attorney evaluations
 - Instructions to decline prosecution
 - Alternative referrals (claimed referral to appellate prosecutor)
3. **Communications with State's Attorneys Appellate Prosecutor's Office**
 - Alleged referral of workers' comp fraud case
 - Follow-up communications
 - Status updates

PART D: ATTORNEY GENERAL RAOUL INVOLVEMENT

ALL records showing Attorney General Kwame Raoul's personal involvement in any of the above matters, including:

1. Briefings or updates provided to the AG
2. Decisions made by the AG personally
3. Communications from or to the AG
4. Public statements or press guidance approved by AG

PART E: GOVERNOR'S OFFICE COMMUNICATIONS

ALL communications between the Attorney General's Office and the Governor's Office concerning:

- Jenny Thornley
- Emily Fox lawsuit
- State Police Merit Board
- Jack Garcia
- Workers' compensation fraud investigations
- McGuireWoods investigation

TIME PERIOD:

January 1, 2020 through present (Capitalization and bold in original.)

On December 2, 2025, we extended the time to respond to your request by five business days pursuant to sections 3(e)(iii) and (iv) of FOIA (5 ILCS 140/3(e)(iii), (iv)) because the request was couched in categorical terms and required an extensive search for the records responsive to it [; and] because the requested records had not been located in the course of routine search and additional efforts were being made to locate them.

On December 9, 2025, this office advised you that we had conducted a search and we had determined your request was unduly burdensome under section 3(g) of the FOIA (5 ILCS 140/3(g)). We informed you this office possessed over 2,000 e-mails (exclusive of any other written correspondence) that were potentially responsive to the portion of your request seeking communications. Accordingly, in order to provide records responsive to just the portions of your request that entail e-mail communications, staff would be required to manually review at least 2,000 e-mail communications to identify responsive records. Assuming it took only 1 minute to review each file and make copies of any responsive records, it would have taken over 30 hours to compile records responsive to just those portions of your request. Additionally, staff would then be required to review and redact information from all responsive records in order to protect against the release of exempt information. *See* 5 ILCS 140/7(1)(b), (c), (d)(iv).

We requested that you narrow the scope of your request to bring it within manageable proportions pursuant to section 3(g) of FOIA. 5 ILCS 140/3(g). A suggestion for narrowing your request included limiting your request to specific litigation records in one identified matter.

In a request received via our Public Records Center on December 30, 2025, and assigned file number 2025 FOIA 077737 you requested the following:

Please process the following narrowed request immediately:

PART A: EMILY FOX QUI TAM LAWSUIT

ALL records concerning People ex rel. Fox v. State of Illinois, et al., Case No. 2021-MR-000094 (Sangamon County), including:

Complete case file maintained by the Attorney General's Office
Motion to Dismiss and all supporting materials, including:

- Draft motions and revisions
- Legal research and memoranda
- Attorney work product (to extent not privileged)
- Decision memos on dismissal strategy

Communications regarding the case, including:

- Between AG staff and Governor's Office
- Between AG staff and defendant agencies
- Internal AG office discussions
- Communications with Attorney General Raoul himself
- Communications with outside counsel if any

Decision-making records, including:

- Analysis of Fox's allegations
- Evaluation of evidence
- Cost-benefit analysis cited in dismissal motion
- Consideration of public interest
- Political considerations if discussed

Appellate proceedings - all records related to defending the
dismissal on appeal Discovery-related records, including:

- Any discovery produced before dismissal
- Discovery requests received
- Objections to discovery
- Protective order motions

TIME PERIOD: January 1, 2020 through present

This narrowed request eliminates Parts B, C, D, and E from the
original request. (Capitalization in original.)

On January 7, 2026, we extended the time to respond to your request by five
business days pursuant to section 3(e)(iv) of FOIA (5 ILCS 140/3(e)(iv)) because the requested
records had not been located in the course of routine search and additional efforts were being
made to locate them.

On January 14, 2026, we advised that your request was unclear. Your request provided the case description of "*People ex rel Fox v. State of Illinois, et al*" as well as a case number that appears to correspond to an unrelated matter, followed by a request for "Appellate proceedings." We requested that you clarify which underlying matter is the subject of your search.

In a narrowed request received via our Public Records Center on January 20, 2026, and assigned file number 2026 FOIA 077857 you requested the following:

I write in response to your January 14, 2026 letter requesting clarification and raising new objections to FOIA Request No. 77737. This response addresses your stated concerns and refutes the Attorney General's attempt to avoid disclosure through procedural deflection.

****I. CASE CITATION CLARIFICATION**** You request clarification of the underlying matter. The request seeks ALL records concerning the qui tam whistleblower lawsuit filed by Emily Fox against the State of Illinois and various state agencies, wherein Attorney General Raoul's office represented the defendant state agencies and successfully moved to dismiss the case. ****Case Information:**** - Case Caption: People ex rel. Emily Fox v. State of Illinois, et al. - Court: Circuit Court of Sangamon County, Illinois - Original Filing: Approximately 2021 (case initiated under seal per qui tam procedures) - Key Events: Motion to Dismiss filed by AG's office; Dismissal granted; Appeal filed If the case number "2021-MR-000094" does not correspond to this matter in your records system, please search using: - Plaintiff name: Emily Fox - Case type: Qui tam whistleblower action - AG representation: Defense of State of Illinois and state agencies - Time period: 2020-present - Key terms: Motion to Dismiss, qui tam, whistleblower, cost-benefit analysis Your office represented the defendants in this matter. Your attorneys drafted and filed the Motion to Dismiss. Your office has defended the dismissal on appeal. ****The Attorney General's office necessarily possesses extensive records concerning this litigation.**** Any claim that you cannot locate the case file strains credulity.

****II. THE REQUEST HAS BEEN SUBSTANTIALLY NARROWED**** Your January 14 letter suggests True Signal Media failed to narrow the request. This characterization is

factually incorrect and ignores the substantial reduction already provided. ****Original Request (November 24, 2025):**** - Part A: Emily Fox qui tam lawsuit - Part B: Jenny Thornley criminal prosecution - Part C: Workers' compensation fraud investigation - Part D: Attorney General Raoul's personal involvement across all matters - Part E: Governor's office communications across all matters ****Narrowed Request (December 30, 2025):**** - Part A ONLY: Emily Fox qui tam lawsuit - Parts B, C, D, E: ELIMINATED ****This constitutes an 80% reduction in scope.**** Four entire categories of records were removed from the request. The suggestion that this does not constitute narrowing is unsupported. Your December 9, 2025 letter claimed the original request was unduly burdensome due to "over 2,000 e-mails" for ALL five parts combined. True Signal Media eliminated four of those five parts. ****The Attorney General cannot now claim the remaining single-topic request is still unduly burdensome without conducting an actual search to determine volume.****

****III. HYPOTHETICAL PRIVILEGE CLAIMS DO NOT EXCUSE SEARCH OBLIGATIONS**** Your January 14 letter states that the request "may encompass a large volume of exempt material" and suggests "the public interest in doing so for records that necessarily constitute attorney-client privileged communications, attorney opinion work product, and deliberative communications...may not outweigh the burden imposed on this office in undertaking such a review." ****This objection is premature and legally insufficient for multiple reasons:****

****A. The AG Must Conduct Review Before Claiming Exemptions**** The Illinois FOIA requires public bodies to actually review records and apply specific exemptions with justification. 5 ILCS 140/7, 140/9. The Attorney General cannot avoid this obligation by: - Speculating that records "may" be exempt - Claiming hypothetical review burden before conducting review - Asserting blanket privilege without document-by-document analysis ****Your office has not produced a privilege log, Vaughn index, or any document-specific analysis demonstrating what records are actually exempt and why.**** Until you conduct that review, claims about exemption volume are speculation.

****B. Not All Requested Records Are Privileged**** The request specifically seeks: - "Complete case file maintained by the Attorney General's Office" (docket entries, filed motions, court orders - PUBLIC RECORDS) - "Motion to Dismiss and all

supporting materials" (FILED WITH COURT - PUBLIC RECORD) - "Discovery-related records" (discovery produced to opposing party - NOT PRIVILEGED) - "Appellate proceedings" (appellate briefs and filings - PUBLIC RECORDS) **Substantial portions of the requested records are already public or were disclosed to opposing parties, defeating any privilege claim.** The AG's suggestion that the request "necessarily" encompasses privileged material ignores these non-privileged categories.

****C. Public Interest is Substantial**** Even for records subject to exemptions, Illinois FOIA requires balancing public interest against claimed harm. 5 ILCS 140/7. The public interest here is substantial: ****1. Government Accountability for Whistleblower Dismissal**** Emily Fox's qui tam lawsuit alleged significant fraud against the State of Illinois. The Attorney General's office—which has a statutory duty to investigate fraud against the state—instead moved to dismiss the case. The public has a compelling interest in understanding: - What analysis the AG conducted of Fox's allegations - Whether political considerations influenced the dismissal decision - What cost-benefit analysis justified dismissing fraud allegations - Whether the Governor's office was involved in the decision ****2. Transparency in Qui Tam Proceedings**** Qui tam whistleblower cases are filed under seal and often dismissed without public scrutiny. When the state's chief law enforcement officer dismisses fraud allegations against state agencies, the public interest in understanding that decision is at its zenith. ****3. True Signal Media's Investigative Mission**** TSM is conducting systematic investigative reporting on government accountability and institutional transparency. Multiple federal agencies—including the Securities and Exchange Commission—have recognized TSM's status as representative of the news media. The public's right to know is served by TSM's professional journalism investigating the AG's handling of whistleblower allegations. ****The public interest in understanding why the Attorney General dismissed fraud allegations against the state clearly outweighs any burden in conducting the statutorily-required exemption review.****

****IV. THE ATTORNEY GENERAL CANNOT MANUFACTURE BURDEN TO AVOID DISCLOSURE**** Your office's progression of objections reveals a pattern: 1. ****First****: Claimed original 5-part request was unduly burdensome (2,000+ emails) 2. ****TSM Response****: Eliminated 4 out of 5 parts (80% reduction) 3. ****Now****: Claim case can't be located; claim

remaining request still too burdensome; claim hypothetical privilege without review **This is the definition of bad faith processing.** The AG's office: - Represented defendants in this litigation - Drafted and filed the Motion to Dismiss - Maintains case files for all litigation - Has appellate records from defending the dismissal **The suggestion that records "have not been located in the course of routine search and additional efforts are being made to locate them" (January 7, 2026 extension) is implausible.** These are the AG's own litigation files for a case your office handled. They are not lost. They are not difficult to locate. They are being withheld.

****V. CC'ING FOUR PRESS SECRETARIES DEMONSTRATES POLITICAL SENSITIVITY**** Both your January 7 and January 14 letters cc four press secretaries: - Annie Thompson, Senior Press Secretary - Andrew Hill, Deputy Press Secretary - April McLaren, Deputy Press Secretary - Jamey Dunn-Thomason, Press Secretary **The Attorney General does not cc four press secretaries on routine FOIA responses.** This cc list demonstrates that the AG's office recognizes these records are politically sensitive and that disclosure would generate media attention.

****That political sensitivity does not justify withholding public records.**** If anything, it underscores the public interest in disclosure. ****VI. REQUIRED NEXT STEPS**** To comply with Illinois FOIA and process this narrowed request, the Attorney General must: ****1. Conduct Actual Search**** Locate all records concerning the Emily Fox qui tam litigation in your case management system, litigation files, and relevant attorney/staff email accounts and files. ****2. Produce Non-Exempt Records**** Provide all records that are: - Filed with the court (public records) - Disclosed to opposing parties (not privileged) - Administrative/procedural in nature (not deliberative) ****3. Provide Detailed Exemption Log**** For any records withheld, provide a document-by-document privilege log or Vaughn index specifying: - Document description - Date - Author/recipient - Specific exemption claimed (with statutory citation) - Explanation of how exemption applies - Public interest balancing analysis ****The Attorney General cannot simply declare everything privileged and refuse to process the request.****

****VII. THIS REQUEST SEEKS RECORDS OF SUBSTANTIAL PUBLIC INTEREST**** The Emily Fox qui tam lawsuit raised allegations of fraud against the State of Illinois. Rather than

investigate these allegations, Attorney General Raoul's office moved to dismiss the case, citing a "cost-benefit analysis" in the dismissal motion. ****The public has a right to know:**** - What was the "cost-benefit analysis" that justified dismissing fraud allegations? - What evaluation of Emily Fox's evidence did the AG conduct? - What role, if any, did political considerations play? - Was the Governor's office involved in the dismissal decision? - What communications occurred between AG staff and defendant agencies? ****These are not hypothetical questions of academic interest. They concern the chief law enforcement officer's handling of fraud allegations against the state government.**** If the Attorney General's office conducted a legitimate, thorough analysis and determined the case lacked merit, ****those records should show that and can be disclosed.**** If the decision was based on political considerations rather than legal merit, ****the public has an even stronger interest in knowing that.**** ****The AG cannot hide behind hypothetical privilege claims to avoid accountability for decisions made in the public's name.****

****VIII. DEMAND FOR COMPLIANCE**** True Signal Media has: - Narrowed the request by 80% (eliminated Parts B, C, D, E) - Provided case clarification information - Demonstrated substantial public interest - Offered to work cooperatively to facilitate processing The Attorney General has: - Extended deadlines multiple times - Claimed inability to locate your own litigation files - Raised new procedural objections after narrowing - Asserted hypothetical privilege without conducting review - Failed to produce any responsive records ****Illinois FOIA does not permit indefinite delay through procedural deflection.**** True Signal Media demands that the Attorney General: 1. ****Complete the search**** for Emily Fox qui tam litigation records 2. ****Produce all non-exempt records**** within 10 business days 3. ****Provide detailed exemption log**** for any withheld records within 10 business days 4. ****Stop manufacturing procedural obstacles**** to avoid substantive disclosure

****IX. RESERVATION OF RIGHTS**** If the Attorney General continues to refuse production through procedural deflection, True Signal Media reserves all rights under Illinois FOIA, including: - Appeal to the Public Access Counselor - Petition for judicial review under 5 ILCS 140/11 - Request for attorney's fees and costs under 5 ILCS 140/11(i) - Publication of the AG's obstruction tactics as part of TSM's investigative reporting on government

transparency failures The Attorney General's office routinely lectures other public bodies about FOIA compliance. **The AG should hold itself to the same standard it demands of others.**

X. CONCLUSION This request has been substantially narrowed. The case citation has been clarified. The public interest is overwhelming. The Attorney General must either: **A. Process the request and produce responsive records (with exemption log for withheld documents), OR** **B. Issue a formal denial with specific legal basis and appeal rights** What the AG cannot do is continue indefinite delay through procedural gamesmanship while cc'ing press secretaries who understand the political sensitivity of these records. **The public has a right to know how and why Attorney General Raoul dismissed fraud allegations against the state. Illinois FOIA requires disclosure. TSM expects compliance. ** I await your substantive response. (Capitalization in original.)

In a follow up message received via our Public Records Center on January 20, 2026, you stated the following:

Subject: Clarification Requested - Tracking Number Assignment for Narrowed FOIA 77736 Dear FOIA Officer, I am writing to request clarification regarding the two FOIA matters (F077857-012026 and F077858-012026) that were generated following my January 19, 2026 response narrowing FOIA request F077736-122025. My January 19 submission was a clarification and narrowing of an existing request in response to your January 14 request to narrow, not the submission of new FOIA requests. However, the FOIA portal reflects that the narrowed scope has been split into two separate requests and designated as new matters with new receipt dates (January 20, 2026), with no explanation provided for the split. Please confirm in writing whether tracking numbers F077857-012026 and F077858-012026 are continuations of FOIA F077736-122025 for purposes of statutory response deadlines. If the Department considers these to be new requests, please identify the statutory basis for resetting the receipt date following a requester-initiated narrowing submitted in response to your January 14 letter. To avoid any procedural misunderstanding, I respectfully request written clarification within five (5) business days of this message. Thank you for your attention to this matter. I look forward to your response. Sincerely, David Burger True Signal Media

In a message received on January 23, 2026 via our Public Record Center in response to file number 2025 FOIA 077737, you stated the following:

I write in response to your January 14, 2026 letter requesting clarification of FOIA Request No. 077737. I provide the requested clarification below. I. Case Identification The case that is the subject of FOIA Request No. 077737 is as follows: Case Name: People ex rel. Emily Fox v. State of Illinois, Illinois Department of Human Services, Illinois Department of Central Management Services, Illinois State Police Merit Board, and Jack Garcia Case Number: 2021-MR-000094 Court: Circuit Court of Sangamon County, Illinois Nature: Qui tam whistleblower action under the Illinois False Claims Act (740 ILCS 175/1 et seq.) Status: The Attorney General's Office filed a motion to dismiss on behalf of defendant state entities. That dismissal was appealed. The appellate proceedings referenced in my request concern that appeal. Time Period: January 1, 2020 through present This information was expressly stated in both my original November 24, 2025 request and my narrowed December 30, 2025 submission. II. Scope of Request As stated in my December 30, 2025 narrowing, the scope of FOIA Request No. 077737 is limited to Part A only and seeks the following categories of records concerning the Emily Fox qui tam litigation: Complete case file maintained by the Attorney General's Office Motion to Dismiss materials, including supporting memoranda and decision documents (to the extent not privileged) Communications between Attorney General staff and defendant agencies, the Governor's Office, internal AG personnel, the Attorney General himself, and any outside counsel Decision-making records concerning evaluation of allegations, evidence, cost-benefit analysis cited in the dismissal, and public-interest considerations Appellate-related records concerning defense of the dismissal Discovery-related records, including discovery produced or received prior to dismissal No additional clarification is required, and the scope remains unchanged. III. Response to Exemption Notice I acknowledge your notice that certain I acknowledge your notice that certain responsive records may implicate exemptions under 5 ILCS 140/7(1)(f) or (m). As FOIA provides, the presence of potentially exempt material does not relieve the Attorney General's Office of its obligation to conduct a reasonable search, identify responsive records, and produce all non-exempt portions with appropriate redactions. Many categories

of records sought, including court filings, correspondence with opposing counsel, communications with non-client state agencies, and factual materials underlying the dismissal decision, are not categorically exempt. IV. Procedural History For clarity of the record, the processing history reflects: December 2, 2025: Initial five-day extension under 5 ILCS 140/3(e) December 9, 2025: Unduly burdensome notice and request to narrow December 30, 2025: Submission of a substantially narrowed request eliminating Parts B through E January 7, 2026: Five-day extension under 5 ILCS 140/3(e)(iv) January 14, 2026: Request for clarification of a case explicitly identified by name and number in prior submissions V. Request for Substantive Response Having provided the requested clarification, I expect a substantive response to FOIA Request No. 077737 within the time provided by 5 ILCS 140/3(d). That response should either: Produce all responsive, non-exempt records; or Provide a written denial identifying specific exemptions applied to specific categories of records, sufficient to permit meaningful review. VI. Confirmation Requested Please confirm receipt of this clarification and advise when I may expect a substantive response.

On January 27, 2026, we advised that this office opened a new FOIA request and generated a new FOIA file number in order to initiate a new search according to the clarified guidelines that you provided in your January 19, 2026, communication in response to file number 2025 FOIA 077737 and that because January 19, 2026, was a holiday, your modified request was opened on the first business day when it was received, January 20, 2026.

In that same response, we extended the time to respond to your request by five business days pursuant to section 3(e)(iv) of FOIA (5 ILCS 140/3(e)(iv)) because the requested records had not been located in the course of routine search and additional efforts were being made to locate them.

As an initial matter, please be advised that to the extent that your request seeks communications between this office and staff of the Governor's office, this office is conducting a search in response to your open FOIA request assigned file number 2026 FOIA 077858 and we will address any responsive records located as a result of that search as part of our response to that request.

Please be advised that we have construed the remainder of your request as seeking records sufficient to show this office's evaluation of allegations, evidence, cost-benefit analysis cited in the dismissal, and public-interest considerations related to our motion to dismiss in

People of the State of Illinois ex rel Emily Fox vs. Jenny Thornley, Case No. 2021-L-53 as well as records pertaining to the related appeal of this matter to the Fourth Judicial District Appellate Court, No. 4-22-0622. This office has completed its search for and review of records responsive to your request. Accordingly, this letter shall serve to close your file.

With regard to the records we are providing today, your request is granted in part and denied in part. We have redacted unique identifiers as "private information," as that term is defined in section 2(c-5) of FOIA (5 ILCS 140/2(c-5)). "Private information" is exempt from disclosure under section 7(1)(b) of FOIA 5 ILCS 140/7(1)(b). Specifically, we have redacted signatures (*see* Ill. Att'y Gen. PAC Req. Rev. Ltr. 12046, issued June 23, 2011), Illinois Attorney Registration and Disciplinary Commission (ARDC) numbers, professional license numbers, a personal mailing address, a social security number, a university identification number, personal financial information, a driver's license number and portions of a personal medical record.

We have also redacted two types of information pursuant to section 7(1)(c) of FOIA (5 ILCS 140/7(1)(c)). Section 7(1)(c) exempts from disclosure "personal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy." Section 7(1)(c) defines an "[u]nwarranted invasion of personal privacy" as "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." 5 ILCS 140/7(1)(c).

Specifically, we have redacted the names of minor children. "[D]isclosure of any identifiable information regarding the minor [children] would be highly personal and objectionable to a reasonable person." (Emphasis in original.) Ill. Att'y Gen. PAC Pre-Auth. al13653, issued July 20, 2011. Accordingly, this information is exempt from disclosure.

Second, we have redacted information that pertains to individuals' medical status. "[Medical information] is highly personal, and the subject[s'] right[s] to privacy outweigh[] any legitimate public interest in obtaining this information." Ill. Att'y Gen. PAC Req. Rev. Ltr. 35548, issued October 29, 2015. Accordingly, this information is exempt from disclosure.

We have also redacted information pursuant to section 7(1)(kk) of FOIA. 5 ILCS 140/7(1)(kk). Section 7(1)(kk) of FOIA exempts from disclosure "[t]he public body's credit card numbers, debit card numbers, bank account numbers, Federal Employer Identification Number, security code numbers, passwords, and similar account information[.]" Specifically, we have redacted a public body's Federal Employer Identification Number.

In addition, we have redacted information and withheld certain records pursuant to section 7(1)(f) of FOIA. 5 ILCS 140/7(1)(f). Section 7(1)(f) exempts from disclosure "[p]reliminary drafts, notes, recommendations, memoranda, and other records in which opinions

are expressed, or policies or actions are formulated[.]” The information in the records that we have determined is exempt under this section consists of internal e-mail communications of this office written for the purpose of planning courses of action with regard to litigation. The records we have withheld consist of unfiled drafts of records, the final, filed versions of which are being provided to you. This information is predecisional. It is exempt under the rationale that public bodies must be able to evaluate information internally and explore possible courses of action confidentially before making final determinations that should be shared with the public. *See Harwood v. McDonough*, 344 Ill. App. 3d 242, 247 (2003) (“as a matter of public policy, section 7(1)(f) exempts from disclosure predecisional materials used by a public body in its deliberative process”). Accordingly, some information in the responsive records is exempt from disclosure under section 7(1)(f).

We have also redacted information pursuant to section 7(1)(a) of FOIA. 5 ILCS 140/7(1)(a). Section 7(1)(a) exempts from disclosure information specifically prohibited from disclosure by Federal or State law. Some of the information in the records responsive to your request is subject to a court order (*see People v. Jenny Thornley*, No. 21 L 00053 (Circuit Court, Sangamon County)) that protects from disclosure confidential information. The redacted material includes a personal residential address, social security number, personal telephone number, Driver's License number, an Appropriation Account number as well as any personal cell phone numbers, account numbers and email addresses. All of this information falls within the description of confidential information under the protective order. The protective order has not been lifted. Accordingly, some information in the responsive records is exempt from disclosure pursuant to a court order.

Additionally, we have withheld information pursuant to sections 7(1)(a) and 7.5(h) of FOIA. 5 ILCS 140/7(1)(a); 5 ILCS 140/7.5(h). Section 7(1)(a) of FOIA exempts from disclosure “[i]nformation specifically prohibited from disclosure by federal or State law or rules and regulations implementing federal or State law.” Section 7.5(h) of FOIA exempts from disclosure “[i]nformation the disclosure of which is exempted under the State Officials and Employees Ethics Act [5 ILCS 430/1-1 et seq][.]” The State Officials and Employees Ethics Act (Ethics Act) exempts from disclosure under FOIA, allegations and records related to Executive Inspector General investigations, unless the Executive Ethics Commission has found that a violation of the Ethics Act occurred. *See* 5 ILCS 430/20-90, 20-95. To date, and to our knowledge, the Executive Ethics Commission has not made a finding that a violation of the Ethics Act has occurred with regard to the complaint that was included as an exhibit in *People v. Jenny Thornley*. As a result, some responsive information located on pages 493 to 498 of “77857 RM Group Exhibit A” and on pages 178 to 185 as well as pages 187 to 188 of “77857 RM Group Exhibit B (3 of 3)” is exempt from disclosure under sections 7(1)(a) and 7.5(h).

David Burger
February 3, 2026
Page 16

Please note that the records located on pages 508 and 509 in the attached file labeled "72283 RM Group Exhibit A" contain redactions not completed by this office. The redactions were included in the records when they were submitted to this office. We do not possess unredacted copies of the pages in the indicated file.

You have a right to have the partial denial of your request reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General. 5 ILCS 140/9.5(a). You may file your request for review with the PAC by writing to:

Leah Bartelt
Public Access Counselor
Office of the Illinois Attorney General
500 South 2nd Street
Springfield, Illinois 62701
Fax: (217) 782-1396
Public.access@ilag.gov

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 of this partial denial letter when filing a request for review with the PAC.

David Burger
February 3, 2026
Page 17

You also have the right to judicial review of your partial denial by filing suit in the appropriate Illinois court. 5 ILCS 140/11.

Very truly yours,



ELIZABETH J. PTACEK
Assistant Attorney General
FOIA Officer

EJP:ga

Attachments

cc: Annie Thompson, Senior Press Secretary
Office of the Illinois Attorney General

Andrew Hill, Deputy Press Secretary
Office of the Illinois Attorney General

April McLaren, Deputy Press Secretary
Office of the Illinois Attorney General

Jamey Dunn-Thomason, Press Secretary
Office of the Illinois Attorney General