

# EXHIBIT L



**City of Aurora Law Department**  
**Alayne Weingartz, Corporation Counsel**  
**44 East Downer Place**  
**Aurora, Illinois 60507**  
**Phone: (630) 844-4777**  
**Fax: (630) 844-4737**

## FAX TRANSMISSION

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To:	Vincent Tessitore	Fax No:	(630) 701-1169
Date:	December 10, 2007	Pages:	<u>3</u> Including cover sheet
From:	Alayne Weingartz	Tel. No.:	(630) 844-4777

Subject:	<i>FOIA 07-724</i>
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Comments:



# City of Aurora

Law Department • 44 East Downer Place • Aurora, Illinois 60507-2067 • (630) 844-4777 • Fax (630) 844-4737

**Corporation Counsel:**  
Alayne M. Weingartz

**Assistant Corp. Counsel:**  
John C. Banbury

December 10, 2007

Mr. Vincent Tessitore  
100 S. River Street  
Aurora, Illinois 60506

**Re: FOIA # 07-724**

Dear Mr. Tessitore:

Your FOIA request dated November 16, 2007 that requests 8 numbered types of categories listed on "Appendix A to Aurora FOIA Request" is granted in part and denied in part. Each numbered request that is denied is listed below with a citation to the applicable exemption from the Freedom of Information Act, 5 ILCS 140/1 *et seq.*

1. Copies of all records consisting of orders, rulings, resolutions, findings, minutes, committee recommendations, staff reports, agendas, notices, motions, applications, hearing minutes, transcripts and submittals concerning any planning or zoning relief sought by any party since January 1, 2004 for the property located at 3051 E. New York Street, Aurora, IL with a former address of 240 N. Oakhurst, Aurora, IL (the "Subject Property").

Denied as to staff reports that are preliminary in nature pursuant to Section 7(1)(f).

3. Copies of all notes, memoranda, emails, facsimiles, letters and all other correspondence between any agent or representative of the City of Aurora and any agent or representative of either Gemini Office Development, LLC, Planned Parenthood Chicago Area.

Denied as to all notes of employees due to the fact that any such notes are preliminary in nature pursuant to Section 7(1)(f).

4. Copies of all notes, memoranda, emails, facsimiles, letters and all other correspondence concerning Planned Parenthood Chicago Area, Gemini Office Development, LLC or the Subject Property from the date of January 1, 2002 to the present date.

Denied as to all notes of employees due to the fact that any such notes are preliminary in nature pursuant to Section 7(1)(f). In addition, any communication between employees or elected officials and corporation counsel or outside counsel are exempt pursuant to Section 7(1)(n) which exempts attorney-client privileged communication.

5. A copy of Mayor Thomas Weisner's calendar from the date of January 1, 2005 to the present date.

Granted, however please be aware that the Mayor's calendar contains many items of a tentative nature or overlapping times, therefore, not all meetings or event shown were in fact attended by the Mayor.

- 6. A copy of Chief of Staff William Wiet's calendar from the date of January 1, 2005 to the present date.

Granted, however and unlike the Mayor's calendar which is an exception, the City's computer system does not store calendar information beyond 6 months. Therefore, you have been given all that was available for the time period you requested.

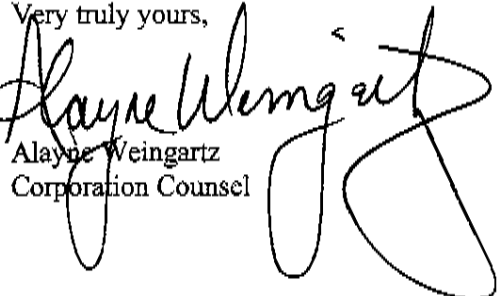
- 8. Copies of all correspondence, memorandum, notes, letters, emails and all other correspondence from the City of Aurora's Zoning Administrator concerning the Subject Property from the date of January 1, 2005 to the present date.

Denied as to all notes of the Zoning Administrator due to the fact that any such notes are preliminary in nature pursuant to Section 7(1)(f).

Documents responsive to all the requests not denied above will be copied, at your expense. Please note that the copying charges for the documents totals \$ 457.50. Please contact Nancy Warren in the Legal Department to make arrangements to pay the copying costs and pick up the copied documents.

The person or persons who made this decision and their title or titles are: Alayne Weingartz, Corporation Counsel

You have the right to appeal this response to the Mayor. If you wish to appeal this response, you must file a written request for an appeal, within **ten (10) days** of the receipt of this letter, by sending your request to Tom Weisner, Mayor, City of Aurora, 44 East Downer Place, Aurora, Illinois 60507-2067. The Mayor will make a decision to either affirm the denial of disclosure to or to allow disclosure within seven working days after you file your notice of appeal. If the decision to deny your request for disclosure was made by the Mayor, you have the right to appeal the Mayor's decision to the Circuit Court of this County pursuant to Section 11 of the Freedom of Information Act.

Very truly yours,  
  
 Alayne Weingartz  
 Corporation Counsel



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To:	Vincent Tessitore	Fax No:	(630) 701-1169
Date:	December 12, 2007	Pages:	<u>1</u> Including cover sheet
From:	Alayne Weingartz	Tel. No.:	(630) 844-4777

Subject:	<i>FOIA Request 07-724</i>
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### Comments:

Mr. Tessitore,

Due to a computational error wherein the number of pages responsive to your FOIA request was not accurately computed, the new amount you will need to pay in order to receive this 2,000 + page response is actually \$557.00, calculated at the usual rate of 25 cents per page. Our apologies for any inconvenience this error may cause you.

Alayne Weingartz