

FREEDOM OF INFORMATION ACT OFFICE
UNIVERSITY OF MICHIGAN

November 15, 2013

Douglas Smith
4114 Timber Ridge Dr.
Ann Arbor, Michigan 48108

Re: SMI 0153-12

Dear Dr. Smith:

Thank you for your check in the amount of \$324.85 in payment of the balance due for costs associated with responding to your FOIA request SMI 0153-12.

Enclosed find responsive records. Some material has been withheld pursuant to Section 13 (1) (a) of the Michigan Freedom of Information Act, which allows the University to refrain from disclosing information that would constitute an unwarranted invasion of an individual's privacy. Some material has been withheld pursuant to Section 13 (1) (m) of the Act, which allows the University to refrain from disclosing certain communications and notes of an advisory nature. Some records are exempt from disclosure pursuant to Section 13 (1) (g), which protects from disclosure "information on or records subject to the attorney-client privilege." Some material is withheld pursuant to Section 13 (1) (s), which protects from disclosure "public records of a law enforcement agency, the release of which would . . . (i) [i]dentify or provide a means of identifying an informant;" and/or Section 13 (1) (b), which protects from disclosure "[i]nvestigating records compiled for law enforcement purposes, but only to the extent that disclosure as a public record would . . . (v) [d]isclose law enforcement investigative techniques or procedures."

Please note that within 180 days from the date of this letter, you have the right to appeal the denial of information to the President of the University or seek judicial review in the circuit court to try to compel disclosure. If you elect to appeal and the President upholds the denial, you may still seek judicial review within the 180-day period.

An appeal to the President must be submitted in writing to: President's Office, c/o Liz Barry, The University of Michigan, 2080 Fleming Administration Building, 503 Thompson Street, Ann Arbor, MI 48109-1340. The statement must (1) identify the request and the final determination by the FOIA officer that is being appealed, (2) specifically state the word "appeal," and (3) identify the reason or reasons why the final determination should be reversed.

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If you seek judicial review in the Michigan circuit court and prevail, you will be awarded reasonable attorney's fees, costs and disbursements incurred in maintaining the action. If you prevail in part, you may still be awarded complete or partial reimbursement for those expenses. In addition to actual and compensatory damages, you will be awarded punitive damages in the amount of \$500 if the court finds that the University was arbitrary and capricious in its denial.

A copy of Section 10 of the Michigan FOIA is attached for your information.

Sincerely,

A handwritten signature in cursive script, appearing to read "Patricia J. Sellinger".

Patricia J. Sellinger
Freedom of Information Act Coordinator

Enclosures