

IN THE CIRCUIT COURT OF CHAMPAIGN, ILLINOIS  
COUNTY DEPARTMENT, CHANCERY DIVISION

STEVEN SALAITA, )  
CENTER FOR CONSTITUTIONAL )  
RIGHTS, )  
 )  
Plaintiffs, )  
 )  
v. )  
 )  
THE BOARD OF TRUSTEES OF THE )  
UNIVERSITY OF ILLINOIS, )  
 )  
Defendant. )

2014 MR 920

FILED  
SIXTH JUDICIAL CIRCUIT  
12 FEB 27 2015  
Clerk of the Circuit Court  
Champaign County, Illinois

**AMENDED COMPLAINT**

NOW COME Plaintiffs, STEVEN SALAITA and CENTER FOR CONSTITUTIONAL RIGHTS, by their undersigned attorneys, LOEVY & LOEVY, and bring this Freedom of Information Act suit to force Defendant THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS to produce public records about its highly publicized firing of SALAITA from a tenured faculty position at the University of Illinois Urbana-Champaign (“University”) for exercising his free speech rights.

**INTRODUCTION**

1. Pursuant to the fundamental philosophy of the American constitutional form of government, it is the public policy of the State of Illinois that all persons are entitled to full and complete information regarding the affairs of government and the official acts and policies of those who represent them as public officials and public employees consistent with the terms of the Illinois Freedom of Information Act (“FOIA”), 5 ILCS 140/1.

2. Restraints on access to information, to the extent permitted by FOIA, are limited exceptions to the principle that the people of this state have a right to full disclosure of information relating to the decisions, policies, procedures, rules, standards, and other aspects of government activity that affect the conduct of government and the lives of the people. *Id.*

3. All public records of a public body are presumed to be open to inspection or copying. Any public body that asserts that a record is exempt from disclosure has the burden of proving by clear and convincing evidence that it is exempt. 5 ILCS 140/1.2.

4. While a public body may object to a request on the basis that it is unduly burdensome, it may do so only if the burden outweighs the public interest in disclosure, and may not assert the provision if it did not properly respond to the request in writing by the statutorily required deadline. 5 ILCS 140/3(d), (g).

5. If the court determines that a public body willfully and intentionally failed to comply with FOIA, or otherwise acted in bad faith, the court shall impose upon the public body a civil penalty of not less than \$2,500 nor more than \$5,000 for each occurrence. 5 ILCS 140/11(j).

6. Under FOIA Section 11(h), “except as to causes the court considers to be of greater importance, proceedings arising under [FOIA] shall take precedence on the docket over all other causes and be assigned for hearing and trial at the earliest practicable date and expedited in every way.”

7. FOIA’s underpinnings of government transparency and citizen oversight of public officials strongly favor the public disclosure of documents related to SALAITA’S firing.

#### **PARTIES**

8. Plaintiff STEVEN SALAITA is a resident of Virginia.

9. Plaintiff CENTER FOR CONSTITUTIONAL RIGHTS is a New York non-profit organization.

10. Defendant THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS is a public body located in Champaign County, Illinois.

### **FOIA REQUESTS AND DENIALS**

11. On September 17, 2014, the University received a request for a variety of records concerning the University's decision to terminate SALAITA, and concerning academic freedom and faculty governance issues more generally at the University ("First Request"). Exhibit A.

12. The First Request was made by SALAITA.

13. In the alternative, the First Request was made by CENTER FOR CONSTITUTIONAL RIGHTS.

14. The records requested in the First Request all concern University policies and actions regarding academic hiring and firing, and fall within the scope of FOIA.

15. After taking a five-day extension to respond, the University asserted Section 3(g) in response to the First Request, claimed that the request was unduly burdensome, and invited the requester to narrow the First Request. Exhibits B and C. The responses did not address the public's interest in the records, even though Section 3(g) applies only if the burden outweighs the public interest in disclosure.

16. Upon information and belief, collecting, reviewing, and producing the records sought in the First Request will take less than the equivalent of one full-time month of work.

17. On October 15, 2014, the University received a new request that cut eight of the nine categories of records sought in the First Request, and left only a single category: the email communications of 15 University officials from a three-month period. The Second Request was further limited to only the email communications that contained one of 14 keywords specifically

selected to target emails related to outside influences that affected the decision to fire SALAITA. Moreover, at the University's request, the Second Request was further limited to exclude email domains that likely contained form protest emails sent by individuals through political action websites ("Second Request"). Exhibit D.

18. The Second Request was made by SALAITA.

19. In the alternative, the Second Request was made by CENTER FOR CONSTITUTIONAL RIGHTS.

20. Upon information and belief, collecting, reviewing, and producing the records sought in the Second Request will take less than the equivalent of one full-time month of work.

21. SALAITA's attorneys reached out by phone and email to the University and the University's outside counsel Perkins Coie (a 950-lawyer firm with 19 offices) once the University instructed SALAITA's attorneys that communications about his FOIA request would be handled by outside counsel, on October 20, October 23, October 29, October 31, and November 4, 2015, to try to reach an agreement regarding the Second Request, or at least obtain a written response from the University as required by FOIA. Exhibit E.

22. The University has not provided a written response to the Second Request that complies with FOIA Section 3(d). Instead, the University has stated orally that the Second Request would require the review of 8,000-10,000 emails. The University's estimated number of emails to review does not reflect the de-duplication of emails using commonly available software.

23. On November 5, 2014, SALAITA's counsel asked the University to identify the actual number of emails for review after de-duplicating the 8,000-10,000 emails, and offered to be flexible in providing the University the time it needed to comply with the request. To that



end, the University received on November 5, 2014, an additional narrowed request (“Third Request”). Exhibit F.

24. For 14 of the 15 custodians, the Third Request limited the timeframe of the request from three months to just over two months. For the only other custodian, Chancellor Wise, the additional narrowed request reduced the timeframe from three months to just over one month. SALAITA’s counsel also expressed a willingness to make further modifications if the University had a proposal to narrow the requests to address specific burden concerns with any of the 14 keywords.

25. The University has not responded orally or in writing to the Third Request.

26. The Third Request was made by SALAITA.

27. In the alternative, the Third Request was made by CENTER FOR CONSTITUTIONAL RIGHTS.

28. Upon information and belief, collecting, reviewing, and producing the records sought in the Third Request will take less than the equivalent of one full-time month of work.

29. As a result of its failure to provide the required written responses to the Second and Third Requests, under FOIA Section 3(d), the University has waived the right to assert the undue burden provision of Section 3(g).

30. In response to the parties’ dispute regarding SALAITA’s standing to enforce the First, Second, and Third Requests, on January 13, 2015, SALAITA requested from the University the same records requested in the Third Request (“Fourth Request”). Exhibit G.

31. The University denied the Fourth Request on the basis of undue burden. Exhibit H.

32. Upon information and belief, collecting, reviewing, and producing the records sought in the Fourth Request will take less than the equivalent of one full-time month of work.

33. The requested records sought in each of the First, Second, Third, and Fourth Requests are public records subject to FOIA.

34. The requested records sought in each of the First, Second, Third, and Fourth Requests relate to the receipt and use of public funds.

35. The requested records sought in each of the First, Second, Third, and Fourth Requests relate to an issue that has been covered in local, national, and international press.

36. Journalists intend to review any records produced in response to the First, Second, Third, and Fourth Requests for possible publication of stories regarding some or all of the content.

**COUNT I – WILLFUL VIOLATION OF FOIA – FIRST REQUEST - SALAITA**

37. The above paragraphs are incorporated by reference.

38. THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS is a public body under FOIA.

39. The First Request was made by SALAITA.

40. The records sought in the First Request are public records of THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS.

41. THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS has violated FOIA by refusing to produce the requested records and by refusing to produce a timely, written response as required.

42. The public interest in disclosure of the requested records outweighs the burden on THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS to collect and produce them.

43. THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS' violation was willful and intentional and in bad faith.

**COUNT II (ALTERNATIVE) – WILLFUL VIOLATION OF FOIA – FIRST REQUEST – CENTER FOR CONSTITUTIONAL RIGHTS**

44. The above paragraphs are incorporated by reference.

45. THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS is a public body under FOIA.

46. The First Request was made by CENTER FOR CONSTITUTIONAL RIGHTS.

47. The records sought in the First Request are public records of THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS.

48. THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS has violated FOIA by refusing to produce the requested records and by refusing to produce a timely, written response as required.

49. The public interest in disclosure of the requested records outweighs the burden on THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS to collect and produce them.

50. THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS' violation was willful and intentional and in bad faith.

**COUNT III – WILLFUL VIOLATION OF FOIA – SECOND REQUEST - SALAITA**

51. The above paragraphs are incorporated by reference.

52. THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS is a public body under FOIA.

53. The Second Request was made by SALAITA.

54. The records sought in the Second Request are public records of THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS.

55. THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS has violated FOIA by refusing to produce the requested records and by refusing to produce a timely, written response as required.

56. The public interest in disclosure of the requested records outweighs the burden on THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS to collect and produce them.

57. THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS' violation was willful and intentional and in bad faith.

**COUNT IV (ALTERNATIVE) – WILLFUL VIOLATION OF FOIA – SECOND REQUEST – CENTER FOR CONSTITUTIONAL RIGHTS**

58. The above paragraphs are incorporated by reference.

59. THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS is a public body under FOIA.

60. The Second Request was made by CENTER FOR CONSTITUTIONAL RIGHTS.

61. The records sought in the Second Request are public records of THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS.

62. THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS has violated FOIA by refusing to produce the requested records and by refusing to produce a timely, written response as required.

63. The public interest in disclosure of the requested records outweighs the burden on THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS to collect and produce them.

64. THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS' violation was willful and intentional and in bad faith.

**COUNT V – WILLFUL VIOLATION OF FOIA – THIRD REQUEST - SALAITA**

65. The above paragraphs are incorporated by reference.

66. THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS is a public body under FOIA.

67. The Third Request was made by SALAITA.

68. The records sought in the Third Request are public records of THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS.

69. THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS has violated FOIA by refusing to produce the requested records and by refusing to produce a timely, written response as required.

70. The public interest in disclosure of the requested records outweighs the burden on THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS to collect and produce them.

71. THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS' violation was willful and intentional and in bad faith.

**COUNT VI (ALTERNATIVE) – WILLFUL VIOLATION OF FOIA – THIRD REQUEST – CENTER FOR CONSTITUTIONAL RIGHTS**

72. The above paragraphs are incorporated by reference.



73. THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS is a public body under FOIA.

74. The Third Request was made by CENTER FOR CONSTITUTIONAL RIGHTS.

75. The records sought in the Third Request are public records of THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS.

76. THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS has violated FOIA by refusing to produce the requested records and by refusing to produce a timely, written response as required.

77. The public interest in disclosure of the requested records outweighs the burden on THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS to collect and produce them.

78. THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS' violation was willful and intentional and in bad faith.

**COUNT VII – WILLFUL VIOLATION OF FOIA – FOURTH REQUEST - SALAITA**

79. The above paragraphs are incorporated by reference.

80. THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS is a public body under FOIA.

81. The Fourth Request was made by SALAITA.

82. The records sought in the Fourth Request are public records of THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS.

83. THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS has violated FOIA by refusing to produce the requested records and by refusing to produce a timely, written response as required.

84. The public interest in disclosure of the requested records outweighs the burden on THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS to collect and produce them.

85. THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS' violation was willful and intentional and in bad faith.

**WHEREFORE**, SALAITA and CENTER FOR CONSTITUTIONAL RIGHTS ask that the Court:

- i. in accordance with FOIA Section 11(f), afford this case precedence on the Court's docket except as to causes the Court considers to be of greater importance, assign this case for hearing and trial at the earliest practicable date, and expedite this case in every way;
- ii. declare that THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS has violated FOIA;
- iii. order THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS to produce the requested records under FOIA;
- iv. enjoin THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS from withholding non-exempt public records under FOIA;
- v. order THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS to pay civil penalties for its willful and intentional violations;
- vi. award SALAITA and CENTER FOR CONSTITUTIONAL RIGHTS reasonable attorneys' fees and costs; and
- vii. award such other relief the court considers appropriate.

RESPECTFULLY SUBMITTED,

*Anand Swaminathan* AC)  
Attorneys for Plaintiffs

Jon Loevy  
Anand Swaminathan  
Gretchen Helferich  
LOEVY & LOEVY  
312 North May St., Suite 100  
Chicago, IL 60607  
(312) 2435900  
anand@loevy.com  
gretchen@loevy.com  
Atty. No. 6305088

**EXHIBIT A**

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## Salaita FOIA request

1 message

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**Maria LaHood** <Mlahood@ccrjustice.org>

Wed, Sep 17, 2014 at 2:51 PM

To: "foia@uillinois.edu" <foia@uillinois.edu>

Cc: "Anand Swaminathan (anand@loevy.com)" <anand@loevy.com>

Please find attached a request under the Illinois Freedom of Information Act by the Center for Constitutional Rights. Please do not hesitate to contact me if you have any questions.


Best,

Maria LaHood

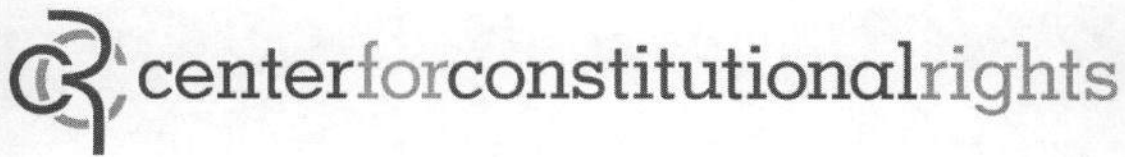
MARIA C. LAHOOD | SENIOR STAFF ATTORNEY | CENTER FOR CONSTITUTIONAL RIGHTS

666 BROADWAY, 7TH FL., NEW YORK, NY 10012 | T: 212-614-6430 | F: 212-614-6499

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 **9.17.14 Salaita FOIA request.pdf**  
130K





September 17, 2014

By Email

Thomas P. Hardy  
108 Henry Administration Building  
506 South Wright St, MC-370  
Urbana, IL 61801

Re: Request for documents under the Illinois Freedom of Information Act

Dear Mr. Hardy:

The Center for Constitutional Rights (CCR), which is representing Steven Salaita, requests the following documents under the Illinois Freedom of Information Act:

1. All public records concerning Steven Salaita – including but not limited to public records related to the decision making relating to his hiring, cessation of appointment, and denial of appointment. This should include the records of the University of Illinois (including all of its boards, commissions, departments, and other bodies), its foundation, and its alumni foundation, including the employees, board members, and consultants or advisors to those bodies, as well as all entities performing a governmental function related to this subject matter on behalf of those bodies.
  
2. All public records resulting from an electronic search of all folders of all email accounts used to transact University business of the following people containing the following keywords and sent or received January 1, 2013 to present.

Custodians:

- a. Christopher Kennedy
- b. Ricardo Estrada
- c. Patrick Fitzgerald
- d. Karen Hasara
- e. Patricia Brown Holmes
- f. Timothy Koritz
- g. Edward McMillan
- h. James Montgomery, Sr.
- i. Pam Strobel
- j. Cary Nelson
- k. Susan Kies

- l. Walter K. Knorr
- m. Lester McKeever, Jr.
- n. Phyllis Wise
- o. Robin Kaler
- p. Ilesanmi Adesida
- q. Reginald Alston
- r. Michael DeLorenzo
- s. Menah Pratt-Clarke
- t. Robert Easter
- u. Michael Devocelle
- v. Debbie L. Clabaugh
- w. Roger Plummer
- x. Jane Phillips Donaldson
- y. Thomas Farrell
- z. Jacqueline Schweighart
- aa. Walter Knorr
- bb. Sidney S. Micek
- cc. Edward Ewald
- dd. Dan Peterson
- ee. Jeff Nearhoof
- ff. Jeff Lorber
- gg. Leanne Barnhart
- hh. Travis Michael Smith
- ii. Mark Filip
- jj. William Stratton
- kk. Jill Smart
- ll. Thomas Livingston

Keywords (not case sensitive):

- a. Salaita
- b. "Steve Miller"
- c. Palestine
- d. Palestinian
- e. Palestinians
- f. Israel
- g. Israeli
- h. Gaza
- i. Jew
- j. Jews
- k. Jewish

- l. Netanyahu
- m. Settler
- n. Settlers
- o. Anti-Semite
- p. Anti-Semitic
- q. Civil & professor
- r. Civil & professors
- s. Civil & instructor
- t. Civil & instructors
- u. Civil & faculty
- v. Uncivil
- w. Civility
- x. Twitter
- y. Tweet
- z. Tweets

3. All public records – including but not limited to statutes, regulations, bylaws, handbooks, policies, procedures, and/or any other type of rule, standard or guideline – setting forth the process for approving appointments of tenured faculty or the Board of Trustees’ delegation of any part of the faculty hiring process.

4. All public records concerning the recruitment, hiring and appointment of Kristen Lee Bub, Patrick H. Smith, Eboni Miel Zamani-Gallaher, Paul Fischer, Deborah Levin Fliflet, Vidya Madhavan, Andrew Donald Megill, Dolores Albarracin, Travis L. Dixon, Christopher P. Dunn, Faye V. Harrison, Candace M. Jenkins, Sonia Lasher-Trapp, Robert Trapp, Derek Wildman, and Bertram Ludaescher.

5. All public records concerning every instance since January 1, 2004, in which an individual offered a tenured faculty position at the University of Illinois was not approved for appointment by the Board of Trustees.

6. All public records concerning every instance since January 1, 2004, in which an individual offered a tenured faculty position at the University of Illinois was not recommended for appointment by the Chancellor or President.

7. All public records concerning every instance in which the Chancellor, or any Vice Chancellor or Associate Chancellor, was made aware of actual or alleged uncivil comments by any University of Illinois faculty member or person being considered to join the faculty. This request includes but is not limited to any decisionmaking and actions taken in response to each such instance.

8. All public records concerning every instance in which the Chancellor, or any Vice Chancellor or Associate Chancellor, was made aware of actual or alleged racist, bigoted, rude or inflammatory comments by any University of Illinois faculty member or person being considered to join the faculty. This request includes but is not limited to any decisionmaking and actions taken in response to each such instance.

9. All public records reflecting communications with Steven Salaita or any of the individuals listed in Request No. 4, concerning the University's adherence to principles of academic freedom, including but not limited to the 1940 Statement of Principles on Academic Freedom and Tenure. This includes but is not limited to public records reflecting any communications about the applicability of such principles prior to formal appointment.

Electronic records should be produced in their unlocked native format with all original metadata and original filenames, except that you should contact me regarding the format of production of any database records to discuss how those records can be produced in a form comprehensible to persons lacking knowledge of computer language. Paper records should be scanned and produced as PDF files and should include a scan of the file folder labels from which the records were taken. Please deliver the records by email to me, or if that is not possible, through a file-sharing service such as Drop Box. Do not redact any non-responsive information from any records; we request the complete copies of any records with any responsive information. Please keep email families together; an email and all of its attachments should be produced so long as at least one of those is responsive. When searching emails, please search all folders, including inbox, subject matter folders, sent items, archived items, and deleted items. Please produce all metadata fields for emails, including BCC and all others.

Please organize the production in such a way that we can tell to which request each record is responsive. To the extent any records are withheld, we will be seeking an index in compliance with FOIA Section 11(e) and ask that you provide that now so we can avoid burdening a court if possible.

We note that CCR is a not-for-profit, public interest, legal, and public education organization that engages in litigation, public advocacy, and the production of publications in the fields of civil rights and international human rights. One of CCR's primary activities is the publication of materials for public dissemination, including newsletters, know-your-rights handbooks, legal analysis of current issues, and other similar materials. These and other materials are available through CCR's Development, Communications, and Education & Outreach Departments. CCR operates a website, [www.ccrjustice.org](http://www.ccrjustice.org), which includes material on topical civil and human rights issues and material concerning CCR's work, freely available to the public. CCR regularly issues press releases and operates a listserv of over 50,000 members and issues "action alerts" that notify supporters and the general public about developments pertaining to CCR's work. CCR staff members often serve as sources for journalist and media outlets.

Please let me know if you have any questions. I look forward to your response within five business days as required by law.

Sincerely,

A handwritten signature in black ink, appearing to read "Maria C. LaHood". The signature is fluid and cursive, with the first name "Maria" and last name "LaHood" clearly distinguishable.

Maria C. LaHood  
Senior Staff Attorney

cc: Steven Salaita  
Anand Swaminathan, Loevy & Loevy



EXHIBIT B

**LOEVY & LOEVY**  
A CIVIL RIGHTS LAW FIRM

Anand Swaminathan <anand@loevy.com>

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**FW: FOIA Request (14-628)**

1 message



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**From:** University of Illinois FOIA [mailto:FOIA-OUR@mx.uillinois.edu]  
**Sent:** Wednesday, September 24, 2014 5:30 PM  
**To:** Maria LaHood  
**Cc:** University of Illinois FOIA  
**Subject:** FOIA Request (14-628)

September 24, 2014

Maria LaHood  
Center for Constitutional Rights  
666 Broadway, 7<sup>th</sup> Floor  
New York, NY 10012  
Mlahood@ccrjustice.org

Re: FOIA 14-628

Dear Ms. LaHood:

I am responding to your request dated September 17, under the Illinois Freedom of Information Act in which you request:

“1. All public records concerning Steven Salaita – including but not limited to public records related to the decision making relating to his hiring, cessation of appointment, and denial of appointment. This should include the records of the University of Illinois (including all of its

boards, commissions, departments, and other bodies), its foundation, and its alumni foundation, including the employees, board members, and consultants or advisors to those bodies, as well as all entities performing a governmental function related to this subject matter on behalf of those bodies.

2. All public records resulting from an electronic search of all folders of all email accounts used to transact University business of the following people containing the following keywords and sent or received January 1, 2013 to present.

Custodians:

- a. Christopher Kennedy
- b. Ricardo Estrada
- c. Patrick Fitzgerald
- d. Karen Hasara
- e. Patricia Brown Holmes
- f. Timothy Koritz
- g. Edward McMillan
- h. James Montgomery, Sr.
- i. Pam Strobel
- j. Cary Nelson
- k. Susan Kies
- l. Walter K. Knorr
- m. Lester McKeever, Jr.
- n. Phyllis Wise
- o. Robin Kaler
- p. Ilesanmi Adesida
- q. Reginald Alston
- r. Michael DeLorenzo
- s. Menah Pratt-Clarke
- t. Robert Easter
- u. Michael Devocelle
- v. Debbie L. Clabaugh
- w. Roger Plummer

x. Jane Phillips Donaldson

y. Thomas Farrell

z. Jacqueline Schweighart

aa. Walter Knorr

bb. Sidney S. Micek

cc. Edward Ewald

dd. Dan Peterson

ee. Jeff Nearhoof

ff. Jeff Lorber

gg. Leanne Barnhart

hh. Travis Michael Smith

ii. Mark Filip

jj. William Stratton

kk. Jill Smart

ll. Thomas Livingston

Keywords (not case sensitive):

a. Salaita

b. "Steve Miller"

c. Palestine

d. Palestinian

e. Palestinians

f. Israel

g. Israeli

h. Gaza

i. Jew

j. Jews

k. Jewish

l. Netanyahu

m. Settler

- n. Settlers
- o. Anti-Semite
- p. Anti-Semitic
- q. Civil & professor
- r. Civil & professors
- s. Civil & instructor
- t. Civil & instructors
- u. Civil & faculty
- v. Uncivil
- w. Civility
- x. Twitter
- y. Tweet
- z. Tweets

3. All public records – including but not limited to statutes, regulations, bylaws, handbooks, policies, procedures, and/or any other type of rule, standard or guideline – setting forth the process for approving appointments of tenured faculty or the Board of Trustees' delegation of any part of the faculty hiring process.

4. All public records concerning the recruitment, hiring and appointment of Kristen Lee Bub, Patrick H. Smith, Eboni Miel Zamani-Gallaher, Paul Fischer, Deborah Levin Fliflet, Vidya Madhavan, Andrew Donald Megill, Dolores Albarracin, Travis L. Dixon, Christopher P. Dunn, Faye V. Harrison, Candace M. Jenkins, Sonia Lasher-Trapp, Robert Trapp, Derek Wildman, and Bertram Ludaescher.

5. All public records concerning every instance since January 1, 2004, in which an individual offered a tenured faculty position at the University of Illinois was not approved for appointment by the Board of Trustees.

6. All public records concerning every instance since January 1, 2004, in which an individual offered a tenured faculty position at the University of Illinois was not recommended for appointment by the Chancellor or President.

7. All public records concerning every instance in which the Chancellor, or any Vice Chancellor or Associate Chancellor, was made aware of actual or alleged uncivil comments by any University of Illinois faculty member or person being considered to join the faculty. This request includes but is not limited to any decision making and actions taken in response to each such instance.

8. All public records concerning every instance in which the Chancellor, or any Vice Chancellor or Associate Chancellor, was made aware of actual or alleged racist, bigoted, rude



or inflammatory comments by any University of Illinois faculty member or person being considered to join the faculty. This request includes but is not limited to any decision making and actions taken in response to each such instance.

9. All public records reflecting communications with Steven Salaita or any of the individuals listed in Request No. 4, concerning the University's adherence to principles of academic freedom, including but not limited to the 1940 Statement of Principles on Academic Freedom and Tenure. This includes but is not limited to public records reflecting any communications about the applicability of such principles prior to formal appointment."

I am writing to invoke an extension of the deadline for responding to the request under the following section(s) of the Act, which allow for additional time when:

- 140/3(e)(ii) the request requires the collection of a substantial number of specified records;
- 140/3(e)(iii) the request is couched in categorical terms and requires an extensive search for the records responsive to it;
- 140/3(e)(v) the requested records require examination and evaluation by personnel having the necessary competence and discretion to determine if they are exempt from disclosure under Section 7 of this Act or should be revealed only with appropriate deletions;
- 140/3(e)(vi) the request for records cannot be complied with by the public body within the time limits prescribed by paragraph (c) of this Section without unduly burdening or interfering with the operations of the public body.

I am taking the additional five days allowed by law to review information. The revised deadline will now be October 1.

Sincerely,

Jaclyn Banister

FOIA Coordinator

On behalf of

Thomas P. Hardy

Executive Director, University Relations

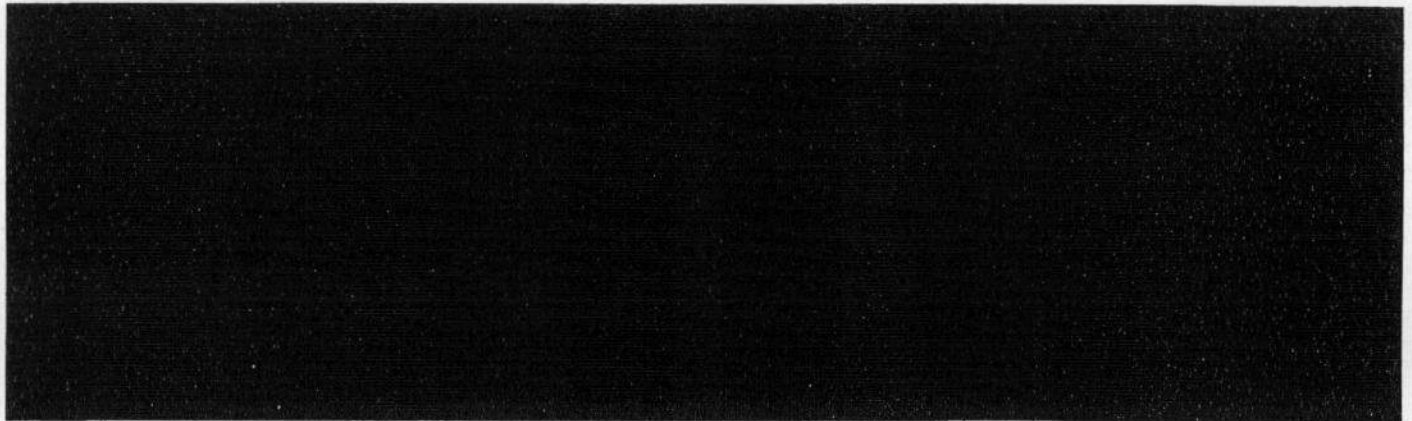


EXHIBIT C

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**FW: FOIA 14-628**

1 message



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**From:** McCarthy, Kathleen Elizabeth [mailto:mccarthk@illinois.edu]  
**Sent:** Wednesday, October 01, 2014 6:01 PM  
**To:** Maria LaHood  
**Cc:** University of Illinois FOIA; Rice, Scott; McCarthy, Kathleen Elizabeth  
**Subject:** FOIA 14-628

October 1, 2014

Maria LaHood

Center for Constitutional Rights

666 Broadway, 7<sup>th</sup> Floor

New York, NY 10012

Mlahood@ccrjustice.org

Re: FOIA 14-628

Dear Ms. LaHood:

I am responding to your request dated September 17, under the Illinois Freedom of Information Act in which you request:

- "1. All public records concerning Steven Salaita – including but not limited to public records related to the decision making relating to his hiring, cessation of appointment, and denial of appointment. This should include the records of the University of Illinois (including all of its boards, commissions, departments, and other bodies), its foundation, and its alumni foundation, including the employees, board members, and consultants or advisors to those bodies, as well as all entities performing a governmental function related to this subject matter on behalf of those bodies.
2. All public records resulting from an electronic search of all folders of all email accounts used to transact University business of the following people containing the following keywords and sent or received January 1, 2013 to present.

Custodians:

- a. Christopher Kennedy
- b. Ricardo Estrada
- c. Patrick Fitzgerald
- d. Karen Hasara
- e. Patricia Brown Holmes
- f. Timothy Koritz
- g. Edward McMillan
- h. James Montgomery, Sr.
- i. Pam Strobel
- j. Cary Nelson
- k. Susan Kies
- l. Walter K. Knorr
- m. Lester McKeever, Jr.
- n. Phyllis Wise
- o. Robin Kaler
- p. Ilesanmi Adesida
- q. Reginald Alston
- r. Michael DeLorenzo
- s. Menah Pratt-Clarke

- t. Robert Easter
- u. Michael Devocelle
- v. Debbie L. Clabaugh
- w. Roger Plummer
- x. Jane Phillips Donaldson
- y. Thomas Farrell
- z. Jacqueline Schweighart
- aa. Walter Knorr
- bb. Sidney S. Micek
- cc. Edward Ewald
- dd. Dan Peterson
- ee. Jeff Nearhoof
- ff. Jeff Lorber
- gg. Leanne Barnhart
- hh. Travis Michael Smith
- ii. Mark Filip
- jj. William Stratton
- kk. Jill Smart
- ll. Thomas Livingston

Keywords (not case sensitive):

- a. Salaita
- b. "Steve Miller"
- c. Palestine
- d. Palestinian
- e. Palestinians
- f. Israel
- g. Israeli
- h. Gaza
- i. Jew



- j. Jews
- k. Jewish
- l. Netanyahu
- m. Settler
- n. Settlers
- o. Anti-Semite
- p. Anti-Semitic
- q. Civil & professor
- r. Civil & professors
- s. Civil & instructor
- t. Civil & instructors
- u. Civil & faculty
- v. Uncivil
- w. Civility
- x. Twitter
- y. Tweet
- z. Tweets

3. All public records – including but not limited to statutes, regulations, bylaws, handbooks, policies, procedures, and/or any other type of rule, standard or guideline – setting forth the process for approving appointments of tenured faculty or the Board of Trustees’ delegation of any part of the faculty hiring process.

4. All public records concerning the recruitment, hiring and appointment of Kristen Lee Bub, Patrick H. Smith, Eboni Miel Zamani-Gallaher, Paul Fischer, Deborah Levin Fliflet, Vidya Madhavan, Andrew Donald Megill, Dolores Albarracin, Travis L. Dixon, Christopher P. Dunn, Faye V. Harrison, Candace M. Jenkins, Sonia Lasher-Trapp, Robert Trapp, Derek Wildman, and Bertram Ludaescher.

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Our office has conducted a preliminary search for the documents.

Your request for documents and information is considered unduly burdensome to the University. Compliance with your request would require a search for a broad range of records covering, in some instances, an unspecified time period, located in numerous offices on the Urbana campus as well as in the University administration. We estimate that there are potentially thousands of records responsive to your request. Due to the number of employees that would have to be contacted combined with the limited number of staff available to perform a review of the responsive records, compliance with your request would unduly burden the University and impede its daily operations.

Pursuant to Section 3(g) of the Act, we would like to extend to you an opportunity to modify your request to make it of more manageable proportions. If you do not reduce the request, it shall be treated as a denial.

You have a right, under the law, to seek a review of this response by the Public Access Counselor (PAC) in the Office of the Attorney General. The PAC may be reached by phone at 217-782-1396, by email to [publicaccess@atg.state.il.us](mailto:publicaccess@atg.state.il.us), or by postal mail at the Public Access Bureau, 500 S. 2nd Street, Springfield, Illinois 62706. You also have the right to seek judicial review under section 11 of this Act.

If you have any questions, or would like to discuss how to narrow the scope of your request, please contact me at 217-333-6400.

Sincerely,

Thomas P. Hardy  
Executive Director  
and Chief Records Officer

cc: Scott Rice

---

**Re: FW: FOIA 14-628**

1 message

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**Anand Swaminathan** <anand@loevy.com>  
To: mccarthk@uillinois.edu  
Cc: Maria LaHood <Mlahood@ccrjustice.org>

Wed, Oct 15, 2014 at 11:06 AM

Ms. McCarthy, thank you for speaking with me today. As I mentioned, I represent Steven Salaita. If there is any reason I should be communicating through counsel with regard to this FOIA request, please let me know.

As discussed, we are willing to dramatically narrow the request in the interest of resolving this matter. To that end, if the University will agree, we would limit our request to only #2, and further limit #2 to a three-month period, and to a smaller number of keywords and custodians. We would also agree to exclude emails that reference "Change.org" or "MoveOn.org" to address the specific burden concern that you raised.

I attach two copies of the narrowed FOIA based on our proposal, subject to the University's agreement. One is a clean copy of the narrowed request, and the other is a track changes version that shows the portions of the original request that we would be willing to forego.

Please let me know if you have any questions.

Thanks,  
Anand

—  
Anand Swaminathan  
Loevy & Loevy  
312 N. May Street, Suite 100  
Chicago, Illinois 60607  
(312) 243-5900  
anand@loevy.com

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**Sent:** Wednesday, October 01, 2014 6:01 PM  
**To:** Maria LaHood  
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October 1, 2014

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Center for Constitutional Rights

666 Broadway, 7<sup>th</sup> Floor

New York, NY 10012

Mlahood@ccrjustice.org

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- i. Pam Strobel
- j. Cary Nelson



k. Susan Kies  
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m. Lester McKeever, Jr.  
n. Phyllis Wise  
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p. Ilesanmi Adesida  
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r. Michael DeLorenzo  
s. Menah Pratt-Clarke  
t. Robert Easter  
u. Michael Devocelle  
v. Debbie L. Clabaugh  
w. Roger Plummer  
x. Jane Phillips Donaldson  
y. Thomas Farrell  
z. Jacqueline Schweighart  
aa. Walter Knorr  
bb. Sidney S. Micek  
cc. Edward Ewald  
dd. Dan Peterson  
ee. Jeff Nearhoof  
ff. Jeff Lorber  
gg. Leanne Barnhart  
hh. Travis Michael Smith  
ii. Mark Filip  
jj. William Stratton  
kk. Jill Smart  
ll. Thomas Livingston

Keywords (not case sensitive):



- a. Salaita
- b. "Steve Miller"
- c. Palestine
- d. Palestinian
- e. Palestinians
- f. Israel
- g. Israeli
- h. Gaza
- i. Jew
- j. Jews
- k. Jewish
- l. Netanyahu
- m. Settler
- n. Settlers
- o. Anti-Semite
- p. Anti-Semitic
- q. Civil & professor
- r. Civil & professors
- s. Civil & instructor
- t. Civil & instructors
- u. Civil & faculty
- v. Uncivil
- w. Civility
- x. Twitter
- y. Tweet
- z. Tweets

3. All public records – including but not limited to statutes, regulations, bylaws, handbooks, policies, procedures, and/or any other type of rule, standard or guideline – setting forth the process for approving appointments of tenured faculty or the Board of Trustees' delegation of any part of the faculty hiring process.

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If you have any questions, or would like to discuss how to narrow the scope of your request, please contact me at 217-333-6400.

Sincerely,

Thomas P. Hardy  
Executive Director  
and Chief Records Officer

cc: Scott Rice

---

**2 attachments**



**Narrowed FOIA\_clean.docx**  
13K



**Narrowed FOIA\_tracked.docx**  
17K

Narrowed FOIA

2. All public records resulting from an electronic search of all folders of all email accounts used to transact University business of the following people containing the following keywords and sent or received July 1, 2014 to September 30, 2014.

Custodians:

- a. Christopher Kennedy
- c. Patrick Fitzgerald
- j. Cary Nelson
- k. Susan Kies
- n. Phyllis Wise
- o. Robin Kaler
- p. Ilesanmi Adesida
- q. Reginald Alston
- t. Robert Easter
- u. Michael Devocelle
- w. Roger Plummer
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- dd. Dan Peterson
- gg. Leanne Barnhart
- hh. Travis Michael Smith

Keywords (not case sensitive):

- a. Salaita
- b. "Steve Miller"
- c. Palestine
- d. Palestinian
- f. Israel
- h. Gaza
- j. Jews
- k. Jewish
- v. Uncivil
- w. Civility
- x. Twitter
- y. Tweet
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CAN EXCLUDE "moveon.org" and "change.org"

## Narrowed FOIA

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- ~~f. Timothy Keritz~~
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~~cc. Edward Ewald~~  
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~~l. Netanyahu~~  
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**EXHIBIT E**

**Re: FW: FOIA 14-628**

1 message

**Anand Swaminathan** <anand@loevy.com>  
To: "McCarthy, Kathleen Elizabeth" <mccarthk@illinois.edu>  
Cc: Maria LaHood <Mlahood@ccrjustice.org>

Mon, Oct 20, 2014 at 1:44 PM

Ms. McCarthy,

Thanks for the update. Can I expect a call today or tomorrow? I would like to get clarity on the University's willingness to produce documents by the end of this week.

Anand

—  
Anand Swaminathan  
Loevy & Loevy  
312 N. May Street, Suite 100  
Chicago, Illinois 60607  
(312) 243-5900  
anand@loevy.com

On Fri, Oct 17, 2014 at 4:19 PM, McCarthy, Kathleen Elizabeth <mccarthk@illinois.edu> wrote:

Mr. Swaminathan,

Thank you for discussing the problems the University is confronting in responding to the recent FOIA request submitted by the Center for Constitutional Rights. I have raised these issues with our legal counsel as well. They will be following up with you directly to discuss your requests as well as your recent suggestions for narrowing the scope of some of the information you have requested.

Regards,

Kathleen McCarthy  
Assistant Director, FOIA Administration  
Office for University Relations  
University of Illinois  
Urbana-Champaign, Chicago, Springfield  
312-996-3773 mccarthk@uillinois.edu

**From:** Anand Swaminathan [mailto:anand@loevy.com]

**Sent:** Wednesday, October 15, 2014 11:07 AM

**To:** McCarthy, Kathleen Elizabeth

**Cc:** Maria LaHood

**Subject:** Re: FW: FOIA 14-628

Ms. McCarthy, thank you for speaking with me today. As I mentioned, I represent Steven Salaita. If there is any reason I should be communicating through counsel with regard to this FOIA request, please let me know.

As discussed, we are willing to dramatically narrow the request in the interest of resolving this matter. To that end, if the University will agree, we would limit our request to only #2, and further limit #2 to a three-month period, and to a smaller number of keywords and custodians. We would also agree to exclude emails that reference "Change.org" or "MoveOn.org" to address the specific burden concern that you raised.

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Please let me know if you have any questions.

Thanks,

Anand

--

Anand Swaminathan

Loevy & Loevy  
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**Sent:** Wednesday, October 01, 2014 6:01 PM

**To:** Maria LaHood

**Cc:** University of Illinois FOIA; Rice, Scott; McCarthy, Kathleen Elizabeth

**Subject:** FOIA 14-628

October 1, 2014

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f. Israel

g. Israeli

h. Gaza

i. Jew

j. Jews

k. Jewish

l. Netanyahu

m. Settler

n. Settlers

o. Anti-Semite

p. Anti-Semitic

q. Civil & professor

r. Civil & professors

s. Civil & instructor

t. Civil & instructors

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Thomas P. Hardy  
Executive Director  
and Chief Records Officer

cc: Scott Rice

---

**Salaita case**

1 message

---

**Anand Swaminathan** <anand@loevy.com>

Wed, Oct 29, 2014 at 10:57 AM

To: "Wilson, Christopher B. (Perkins Coie)" &lt;CWilson@perkinscoie.com&gt;

Chris, I have left a few messages for you and have not heard back. I am expecting to hear from you on a couple of issues. When are you available to talk?

Thanks,  
Anand

--

Anand Swaminathan  
Loevy & Loevy  
312 N. May Street, Suite 100  
Chicago, Illinois 60607  
(312) 243-5900  
anand@loevy.com

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**Salaita follow up**

1 message

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**Anand Swaminathan** <anand@loevy.com>

Fri, Oct 31, 2014 at 2:38 PM

To: "Wilson, Christopher B. (Perkins Coie)" &lt;CWilson@perkinscoie.com&gt;

Chris, looking forward to hearing back today about the FOIA timeline.

Thanks,  
Anand

—  
Anand Swaminathan  
Loevy & Loevy  
312 N. May Street, Suite 100  
Chicago, Illinois 60607  
(312) 243-5900  
anand@loevy.com

**EXHIBIT F**



November 5, 2014

Russell Ainsworth  
Steve Art  
Ruth Z. Brown  
Roshna Bala Keen  
Vincenzo Field  
Julie Goodwin  
Sarah C. Grady  
Gayle Horn  
Michael Kanovitz  
Heather Lewis Donnell  
Samantha Liskow  
Arthur Loevy

Telephone 312.243.5900  
Facsimile 312.243.5902

LOEVY & LOEVY  
ATTORNEYS AT LAW

312 N. May Street  
Suite 100  
Chicago, Illinois 60607

Jon Loevy  
Debra Loevy-Reyes  
Elizabeth Mazur  
David B. Owens  
Scott Rauscher  
Rachel Steinback  
Anand Swaminathan  
Tara Thompson  
Matthew V. Topic  
Cindy Tsai  
Daniel Twetten  
Elizabeth Wang

Website [www.loevy.com](http://www.loevy.com)  
Email [loevylaw@loevy.com](mailto:loevylaw@loevy.com)

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November 5, 2014

By Email

Chris Wilson  
Perkins Coie  
131 South Dearborn Street  
Chicago, IL 60603

Re: Steven Salaita FOIA Requests

Dear Chris:

I write to follow up on our discussion yesterday regarding Mr. Salaita's pending FOIA requests, which you are handling on behalf of the University of Illinois.

As you know, the University first took an extension of time to respond to the September 17 request, then claimed that the request was unduly burdensome on October 1. On October 15, we provided a narrowed request addressing the University's perceived burden concerns. Over the next two weeks, we made a number of attempts to get a response to our October 15 request. In violation of FOIA, the University did not provide a written or even verbal response to the October 15 request.

You informed me on October 31 that the University has decided to deny the FOIA request in its entirety, without producing any documents even on the dramatically narrowed request. This comes after we were told on October 29 that the University had applied the narrowed set of search terms, which reduced the pool of records to 8-10,000 emails; and based on the number of documents, the University needed more than two weeks to comply. We informed you that we were amenable to a reasonable extension and asked you how long the University needed to perform the review. You said you would check with the University and let me know. Instead, the University now claims that the narrowed request is too burdensome and has decided to deny the request entirely.

As an initial matter, the University has waived any claim of undue burden because it failed to respond in writing within five days of our October 15 narrowed request, pursuant to FOIA Section 3(d). Further, the University has failed to account for the tremendous public interest in full disclosure about the Salaita matter, as evidenced by the significant media attention this matter has garnered and the very important First Amendment and academic freedom issues implicated. If forced to litigate, we will press these issues. If the University is willing to work with us towards a prompt resolution, however, we would be willing to consider further efforts to reduce the perceived burden, with the understanding that

November 5, 2014

we are under no obligation to further accommodate the University.

The University claims that our narrowed request captures 8-10,000 emails. Please clarify whether this is after removing duplicates. We suspect it is not. This "de-duplication" process is extremely common, and we expect that the University – and certainly its highly sophisticated counsel – have this capability. If the University has not yet "de-duplicated" the emails, please do so and let us know how many records remain for review so we can assess its claim of burden.

Even if there are 8-10,000 emails after removing duplicates, we disagree that the review and production of this many emails is burdensome. Nevertheless, if we can reach a prompt resolution, we would be willing to further narrow our request to the time period from July 1, 2014 through August 3, 2014 for Chancellor Wise; and to July 1 through September 11, 2014 for all other custodians. This should substantially reduce the total number of documents. We would also be willing to consider a reasonable extension of the production deadline once you tell us how many documents (after de-duplication) are captured by the further narrowed request.

If the University has any other proposals for further narrowing the requests, we are willing to consider them, but the University has thus far refused to do so. Please understand that we are not withdrawing our October 15 request, and if forced to litigate, reserve the right to litigate that request as well the proposal set forth in this letter.

Please let us know the University's response by Friday, November 7, 2014.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Anand Swaminathan', with a large, sweeping flourish at the end.

Anand Swaminathan

**EXHIBIT G**

----- Forwarded message -----

From: **Anand Swaminathan** <anand@loevy.com>

Date: Tue, Jan 13, 2015 at 8:35 PM

Subject: Salaita FOIA

To: foia@uillinois.edu

Cc: BMyers@hinshawlaw.com, broberts@hinshawlaw.com, mrushton@hinshawlaw.com, vheyen@hinshawlaw.com, Gretchen Helfrich <gretchen@loevy.com>

I attach a request under the Illinois Freedom of Information Act.

I previously left a message for counsel (cc'd here) to ask whether this request should be submitted through counsel or submitted directly to the University, but did not hear back. Please let me know whether, going forward, communications regarding this request should be handled through counsel.

Please do not hesitate to contact me if you have any questions.

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Anand Swaminathan  
Loevy & Loevy  
312 N. May Street, Suite 100  
Chicago, Illinois 60607  
(312) 243-5900  
anand@loevy.com

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Loevy & Loevy  
312 N. May Street, Suite 100  
Chicago, Illinois 60607  
(312) 243-5900  
anand@loevy.com

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 **Salaita - 1.13.15 FOIA\_Salaita.pdf**  
45K

EXHIBIT H

----- Forwarded message -----

**From:** University of Illinois FOIA <FOIA-OUR@mx.uillinois.edu>

**Date:** Mon, Feb 2, 2015 at 4:56 PM

**Subject:** RE: FOIA 15-025

**To:** Anand Swaminathan <anand@loevy.com>

**Cc:** "McCarthy, Kathleen Elizabeth" <mccarthk@uillinois.edu>

Mr. Swaminathan,

Confirmed.

The refusal to narrow the FOIA request has resulted in its denial pursuant to our prior communication of January 29, 2014. Please see the appeal rights referenced in that letter.

Thank you.

Thomas P. Hardy

Executive Director

and Chief Records Officer

**From:** Anand Swaminathan [mailto:anand@loevy.com]

**Sent:** Thursday, January 29, 2015 5:15 PM

**To:** University of Illinois FOIA

**Cc:** McCarthy, Kathleen Elizabeth

**Subject:** Re: FOIA 15-025

Dr. Salaita declines to narrow the request. Your response mistakenly refers to Dr. Salaita's request as my request. We clearly indicated that the request was by Dr. Salaita and that we submitted it on his behalf. Please confirm that you understand this request was made by Dr. Salaita.



Anand

--

Anand Swaminathan

Loevy & Loevy  
312 N. May Street, Suite 100  
Chicago, Illinois 60607  
(312) 243-5900  
anand@loevy.com

On Thu, Jan 29, 2015 at 4:59 PM, University of Illinois FOIA <FOIA-OUR@mx.uillinois.edu> wrote:

January 29, 2015

Anand Swaminathan

anand@loevy.com

Re: FOIA 15-025

Dear Mr. Swaminathan:

I am responding to your request dated January 14, 2015, under the Illinois Freedom of Information Act in which you request:

"Records sent to (including by CC or BCC) or from Chancellor Wise from July 1, 2014, through August 3, 2014.

Records sent to (including by CC or BCC) or from Christopher Kennedy, Patrick Fitzgerald, Cary Nelson, Susan Kies, Robin Kaler, Ilesanmi Adesida, Reginald Alston, Rober Easter, Michael Devocelle, Roger Plummer, Jacqueline Schweighart, Dan Peterson, Leanne Barnhat, or Travis Michael Smith, from July 1, 2014, through September 11, 2014. Keywords to be searched (not case sensitive):

Salaita

"Steve Miller"

Palestine

Palestinian

Israel

Gaza

Jews

Jewish

Uncivil

Civility

Twitter

Tweet

Tweets"

Our office has conducted a preliminary search for the documents.

Your request for the documents is considered unduly burdensome to the University. Compliance with your request would require the search, collection and review of thousands of potentially responsive email communications. The sheer volume of the potentially responsive documents that need review, the limited staff available to perform the review and the short response time allowed by the FOIA makes the task of review and response in a timely manner unduly burdensome upon the University. Therefore, the University has determined that your request is unduly burdensome and that the University's burden to process the request outweighs the public interest.

Pursuant to Section 3(g) of the Act, we would like to extend to you an opportunity to modify your request to make it of more manageable proportions. We ask that you narrow the scope of your request. If you do not reduce the request, it shall be treated as a denial.

You have a right, under the law, to seek a review of this response by the Public Access Counselor (PAC) in the Office of the Attorney General. The PAC may be reached by phone at 217-782-1396, by email to [publicaccess@atg.state.il.us](mailto:publicaccess@atg.state.il.us), or by postal mail at the Public Access Bureau, 500 S. 2nd Street, Springfield, Illinois 62706. You also have the right to seek judicial review under section 11 of this Act.

Sincerely,

Thomas P. Hardy  
Executive Director  
and Chief Records Officer

PGP, Red Phone, and TextSecure available

The sender of this email is an attorney. The information contained in this communication is confidential, may be attorney-client privileged, may be attorney work product, and is intended only for the use of the addressee. It is the property of the sender. Unauthorized use, disclosure or copying of this communication or any part thereof is strictly prohibited and may be unlawful. If you have received this communication in error, please notify me immediately by return e-mail, and destroy this communication and all copies thereof, including all attachments.