October 21, 2016

VIA E-MAIL and US Mail
Mr. Martin D. Gould
Romanucci & Blandin LLC
321 North Clark St., Suite 900
Chicago, IL 60654
Email: mgould@rblaw.net

RE: 16-FOIA-263 All documents re ████████████ 01/15/15

Dear Mr. Gould:

We are in receipt of your request for information pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/1 *et seq.* ("**FOIA**").

I.   Background

On October 14, 2016, we received your request for any and all documents, police reports, incident reports, internal affairs reports, physical evidence, photographs, audio recordings, audio transcripts, dispatch calls/recordings, dash cam recordings and/or videos related to an incident that occurred on January 15, 2015 near the Michigan Avenue and South Water St. entrance of the Metra train station involving ████████████ and Metra Police Department personnel which was investigated by the Cook County State's Attorney's Office ("**Request**").

In an email we sent to you on October 18, 2016, we advised that your Request as written was overly broad and would be disruptive to the day-to-day operations of the departments at Metra tasked with pulling and reviewing the requested documents. As such, your Request is unduly burdensome. We asked that you narrow down the scope of your Request with the understanding that you could submit future requests for additional documents.

To date, we have not received a response from you. Accordingly, your Request is denied.

II.   Denial

We are denying your Request as unduly burdensome under 5 ILCS 140/3(g), which states that a public body may deny a request where "compliance with the request would be unduly burdensome for the complying public body and there is no way to narrow the request and the burden on the public body outweighs the public interest in the information." Your Request as written is overly broad and would be disruptive to the day-to-day operations of the departments at Metra tasked with pulling and reviewing the requested documents. Further, your Request would severely interfere with the day-to-day operations of our department; and our ability to fulfill other FOIA requests, if required to take on this process, making your Request for these documents unduly burdensome. Since you did not reply to our email requesting that you narrow down the scope of your Request, it has been determined by Attorney Thomas Stuebner that your Request falls squarely within the parameters of 5 ILCS 140/3(g).

Please note that you may resubmit your Request by narrowing down the scope of your Request.

Additionally, after performing a diligent search for investigative documents from the Cook County State's Attorney's Office mentioned in your Request, please be advised that Metra does not maintain records of outside agencies. You may request those records by submitting your request in writing to:

> Mr. Paul Castiglione,
> Freedom of Information Act Officer
> Cook County State's Attorney's Office
> 69 W. Washington St., Suite 3200
> Chicago, IL 60602

III.   Right of Review

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

> Public Access Counselor
> Office of the Attorney General
> 500 South 2nd Street
> Springfield, Illinois 62706
> Fax: 217-782-1396
> E-mail: publicaccess@atg.state.il.us.

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 denial letter. 5 ILCS 140/9.5(a). Please note that you must include a copy of your original FOIA request and this denial letter when filing a Request for Review with the PAC.

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

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

Sincerely,

Sonserese Hatch
Freedom of Information Officer
FOIA@metrarr.com
FOIA Hotline #312-663-3642