

## Susan Pollay

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**From:** Requests Muckrock [requests@muckrock.com]  
**Sent:** Tuesday, May 07, 2013 12:18 PM  
**To:** dda  
**Subject:** Freedom of Information Request: Ann Arbor Downtown Development Authority FOIA log for 2/13-4/13

May 4, 2013

To Whom It May Concern:

Pursuant to Michigan's Freedom of Information Act ("FOIA"), I hereby request the following records:

Please provide the FOIA log for February, March, and April 2013.

Records of FOIA request letters, response letters including denials, and appeal letters and responses to the FOIA coordinator and City Administrator regarding FOIA requests, dated from February 1, 2013 to April 30, 2013. This should include cover letters and other administrative correspondence, but not the documents requested.

I also request that, if appropriate, fees be waived as I believe this request is in the public interest. The requested documents will be made available to the general public free of charge as part of the public information service at MuckRock.com, processed by a representative of the news media/press and is made in the process of news gathering and not for commercial usage.

In the event that fees cannot be waived, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

I believe that all of these documents should be readily available at no cost. If there is to be a charge for this request, please inform me in detail what the proposed cost would be before proceeding with the request.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 5 business days, as the statute requires.

Sincerely,

Edward Vielmetti  
Ann Arbor, MI

Filed via MuckRock.com  
E-mail (Preferred): [5195-47012876@requests.muckrock.com](mailto:5195-47012876@requests.muckrock.com)

For mailed responses, please address (see note):  
MuckRock News  
DEPT MR 5195  
PO Box 55819  
Boston, MA 02205-5819

PLEASE NOTE the new address as well as the fact that improperly addressed (i.e., with the requester's name rather than MuckRock News) requests might be returned by the USPS as undeliverable.

## Susan Pollay

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**From:** Jada Hahlbrock  
**Sent:** Monday, March 18, 2013 9:51 AM  
**To:** Susan Pollay  
**Subject:** FW: FOIA request

Jada Hahlbrock  
Ann Arbor DDA  
734-997-1310  
[jhahlbrock@a2dda.org](mailto:jhahlbrock@a2dda.org)

-----Original Message-----

**From:** Ryan Stanton [<mailto:stant1rj@gmail.com>]  
**Sent:** Monday, March 18, 2013 9:38 AM  
**To:** Jada Hahlbrock  
**Subject:** FOIA request

Jada,

Please consider this a FOIA request for copies of any and all emails since Jan. 1 to and from Susan Pollay from members of the City Council regarding Stephen Kunselman's proposed ordinance to put new limits on the DDA.

Thanks,

--

Ryan J. Stanton  
AnnArbor.com digital journalist  
734.623.2529 (work)  
734.255.5016 (cell)  
734.956.0584 (google voice)  
[wherelightstandsstill.blogspot.com](http://wherelightstandsstill.blogspot.com)  
[twitter.com/ryanjstanton](https://twitter.com/ryanjstanton)

(Please take note of my new cell phone number as of 2/15/2013)

March 25, 2013

Mr. Ryan Stanton  
Ann Arbor.com  
301 E. Liberty Street, Ste 700  
Ann Arbor, MI 48104

Re: Freedom of Information Act Request

Dear Mr. Stanton:

I am writing in response to your Freedom of Information Act (FOIA) request of March 18, 2013, in which you requested the following:

Please consider this a FOIA request for copies of any and all emails since Jan. 1 to and from Susan Pollay from members of the City Council regarding Stephen Kunselman's proposed ordinance to put new limits on the DDA.

Attached are copies of these emails.

Sincerely,

Susan Pollay, Executive Director and FOIA Coordinator  
Ann Arbor Downtown Development Authority

Enclosures

cc: Jerold Lax

## Susan Pollay

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**From:** A2P [A2P@A2Politico.com]  
**Sent:** Thursday, April 04, 2013 11:20 AM  
**To:** Susan Pollay  
**Subject:** FOIA request

April 4, 2013

Good morning,

This is a request for public records under the Freedom of Information Act.

I request that a copy of the following public records be provided to me:

1. Copies of most recent four FOIA requests submitted by AnnArbor.com reporter Ryan Stanton to the City of Ann Arbor.
2. Copies of emails sent by Ward 1 Council member Sabra Briere between February 1, 2013 and April 4, 2013 to Susan Pollay ([SPollay@a2dda.org](mailto:SPollay@a2dda.org)) that mention Sumi Kailasaphy, Stephen Kunselman or the Kunselman/Kailasapathy-sponsored resolution to amend the DDA ordinance (Section 1:160 of Chapter 7, Downtown Development Authority, Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-13-05; An Ordinance to Amend Sections 1:155, Section 1:156 and Add a New Section Which New Section Shall Be Designated as Section 1:160 of Chapter 7, Downtown Development Authority, Title I of the Code of the City of Ann Arbor).
3. Copies of emails sent FROM SUSAN POLLAY sent between February 1, 2013 and April 4, 2013 that mention the Kunselman/Kailasapathy-sponsored resolution to amend the DDA ordinance (Section 1:160 of Chapter 7, Downtown Development Authority, Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-13-05; An Ordinance to Amend Sections 1:155, Section 1:156 and Add a New Section Which New Section Shall Be Designated as Section 1:160 of Chapter 7, Downtown Development Authority, Title I of the Code of the City of Ann Arbor) sent TO any email address.
4. 3. Copies of emails sent TO any a2dda.org address between February 1, 2013 and April 4, 2013 that mention the Kunselman/Kailasapathy-sponsored resolution to amend the DDA ordinance (Section 1:160 of Chapter 7, Downtown Development Authority, Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-13-05; An Ordinance to Amend Sections 1:155, Section 1:156 and Add a New Section Which New Section Shall Be Designated as Section 1:160 of Chapter 7, Downtown Development Authority, Title I of the Code of the City of Ann Arbor) sent FROM the following individuals:
  - a. leah gunn
  - b. joan lowenstein
  - c. roger hewitt
  - d. john hieftje
  - e. robert guenzel
  - f. sandi smith
  - g. john splitt
  - h. john mouat

In order to help to determine my status for purposes of determining the applicability of any fees, you should know that I am a representative of the news media affiliated with A2Politico.com, and this request is made as part of news gathering.

I am willing to pay fees for this request up to a maximum of \$10. If you estimate that the fees will exceed this limit, please inform me first.

I request a waiver of all fees for this request. Disclosure of the requested information to me is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government.

I request that the information I seek be provided in electronic format.

I can be contacted at 930-6854 to discuss any aspect of my request.

Thank you for your consideration of this request.

Sincerely,

Patricia Lesko

April 10, 2013

Ms. Patricia Lesko  
A2Politico.com

RE: Freedom of Information Act Request

Dear Ms Lesko:

A Freedom of Information Act (FOIA) request was received from you by the Ann Arbor Downtown Development Authority on Thursday, April 4, 2013 in which you requested:

1. Copies of most recent four FOIA requests submitted by AnnArbor.com reporter Ryan Stanton to the City of Ann Arbor.
2. Copies of emails sent by Ward 1 Council member Sabra Briere between February 1, 2013 and April 4, 2013 to Susan Pollay ([SPollay@a2dda.org](mailto:SPollay@a2dda.org)) that mention Sumi Kailasaphy, Stephen Kunselman or the Kunselman/Kailasapathy-sponsored resolution to amend the DDA ordinance (Section 1:160 of Chapter 7, Downtown Development Authority, Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-13-05; An Ordinance to Amend Sections 1:155, Section 1:156 and Add a New Section Which New Section Shall Be Designated as Section 1:160 of Chapter 7, Downtown Development Authority, Title I of the Code of the City of Ann Arbor).
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  - a. leah gunn
  - b. joan lowenstein
  - c. roger hewitt
  - d. john hieftje
  - e. robert guenzel



ANN ARBOR  
DOWNTOWN DEVELOPMENT AUTHORITY  
150 S. FIFTH AVENUE STE. 301  
ANN ARBOR, MICHIGAN 48104

[HTTP://WWW.A2DDA.ORG](http://www.a2dda.org)  
734.994.6697

Ms. Patricia Lesko  
Freedom of Information Act Request  
April 10, 2013

f. sandi smith

g. john splitt

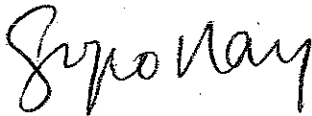
h. john mouat

Because of the volume of files that must be reviewed to gather this information, the DDA extends the time for response by 10 business days as permitted by statute; at or before the conclusion of this extension period, it is the intent of the DDA to grant or deny your request, or to grant the request in part and deny the remainder.

Also, it is the practice of the DDA to provide FOIA responses in hard copy form, which will require a street address, or materials will need to be picked up at the DDA office.

Finally, I will consider the requests you have made regarding costs and will respond to this request separately.

Sincerely yours,



Susan Pollay, Executive Director and FOIA Coordinator  
Ann Arbor Downtown Development Authority

Xc: Jerry Lax, Pear Sperling Eggan & Daniels, P.C.

## Susan Pollay

---

**From:** A2P [A2P@A2Politico.com]  
**Sent:** Wednesday, April 10, 2013 12:00 PM  
**To:** Susan Pollay  
**Subject:** FOIA request

April 10, 2013

Hello,

Thank you for your response to my April 4, 2013 FOIA request. While it may be the DDA's "practice" to provide FOIA responses in hard copy form, since I am requesting emails, and I'd like to save you the trouble of photocopying materials, I'd like to receive the materials in electronic format, as originally requested. The Ann Arbor City Clerk's office kindly provides such documents in electronic format, PDF files. If my desire to save paper isn't convincing enough, I would respectfully cite Zeeff v. City of Ann Arbor, which makes clear that the original electronic format for FOIAed public records can be compelled.

Sincerely,

Patricia Lesko



April 22, 2013

Ms. Patricia Lesko  
A2Politico.com

RE: Freedom of Information Act Request

Dear Ms Lesko:

A Freedom of Information Act (FOIA) request was received from you by the Ann Arbor Downtown Development Authority on Thursday, April 4, 2013 in which you requested:

1. Copies of most recent four FOIA requests submitted by AnnArbor.com reporter Ryan Stanton to the City of Ann Arbor.
2. Copies of emails sent by Ward 1 Council member Sabra Briere between February 1, 2013 and April 4, 2013 to Susan Pollay ([SPollay@a2dda.org](mailto:SPollay@a2dda.org)) that mention Sumi Kailasaphy, Stephen Kunselman or the Kunselman/Kailasapathy-sponsored resolution to amend the DDA ordinance (Section 1:160 of Chapter 7, Downtown Development Authority, Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-13-05; An Ordinance to Amend Sections 1:155, Section 1:156 and Add a New Section Which New Section Shall Be Designated as Section 1:160 of Chapter 7, Downtown Development Authority, Title I of the Code of the City of Ann Arbor).
3. Copies of emails sent FROM SUSAN POLLAY sent between February 1, 2013 and April 4, 2013 that mention the Kunselman/Kailasapathy-sponsored resolution to amend the DDA ordinance (Section 1:160 of Chapter 7, Downtown Development Authority, Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-13-05; An Ordinance to Amend Sections 1:155, Section 1:156 and Add a New Section Which New Section Shall Be Designated as Section 1:160 of Chapter 7, Downtown Development Authority, Title I of the Code of the City of Ann Arbor) sent TO any email address.
4. 3. Copies of emails sent TO any a2dda.org address between February 1, 2013 and April 4, 2013 that mention the Kunselman/Kailasapathy-sponsored resolution to amend the DDA ordinance (Section 1:160 of Chapter 7, Downtown Development Authority, Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-13-05; An Ordinance to Amend Sections 1:155, Section 1:156 and Add a New Section Which New Section Shall Be Designated as Section 1:160 of Chapter 7, Downtown Development Authority, Title I of the Code of the City of Ann Arbor) sent FROM the following individuals:
  - a. leah gunn
  - b. joan lowenstein
  - c. roger hewitt
  - d. john hieftje
  - e. robert guenzel
  - f. sandi smith



ANN ARBOR  
DOWNTOWN DEVELOPMENT AUTHORITY  
150 S. FIFTH AVENUE STE. 301  
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734.994.6697

Ms. Patricia Lesko  
Freedom of Information Act Request  
April 22, 2013

- g. john splitt
- h. john mouat


Because of the volume of files to be reviewed to gather this information, on April 10, 2013, the DDA extended the time for response by 10 business days as permitted by statute.

The DDA does not have access to FOIAs submitted by AnnArbor.com reporter Ryan Stanton to the City of Ann Arbor.

Attached are documents for the remainder of your request. Documents exempted under the statute due to attorney client privileged communication have not been included.

Also due to the volume of files to be reviewed, on April 17, 2013 you were notified that given the number of files to be reviewed to meet your FOIA request that you would be charged the cost for personnel to comply with this request. The DDA has opted not to charge you for this cost on this occasion.

Sincerely yours,



Susan Pollay, Executive Director and FOIA Coordinator  
Ann Arbor Downtown Development Authority

Xc: Jerry Lax, Pear Sperling Eggan & Daniels, P.C.

**Susan Pollay**

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**From:** A2P [A2P@A2Politico.com]  
**Sent:** Monday, April 22, 2013 12:22 PM  
**To:** Susan Pollay  
**Subject:** Re: FOIA

Thank you very much for sending along the materials requested in the format requested.

Sincerely,

Patricia Lesko

On Apr 22, 2013, at 8:29 AM, Susan Pollay wrote:

Attached please find a response to your FOIA.

**From:** A2P [mailto:A2P@A2Politico.com]  
**Sent:** Wednesday, April 10, 2013 12:00 PM  
**To:** Susan Pollay  
**Subject:** FOIA request

April 10, 2013

Hello,

Thank you for your response to my April 4, 2013 FOIA request. While it may be the DDA's "practice" to provide FOIA responses in hard copy form, since I am requesting emails, and I'd like to save you the trouble of photocopying materials, I'd like to receive the materials in electronic format, as originally requested. The Ann Arbor City Clerk's office kindly provides such documents in electronic format, PDF files. If my desire to save paper isn't convincing enough, I would respectfully cite Zeeff v. City of Ann Arbor, which makes clear that the original electronic format for FOIAed public records can be compelled.

Sincerely,

Patricia Lesko

<FOIA 4-22-13.pdf><Lesko FOIA 042213.pdf>

## Susan Pollay

---

**From:** homeless.dave@gmail.com on behalf of Dave Askins [dave.askins@annarborchronicle.com]  
**Sent:** Tuesday, April 16, 2013 10:20 AM  
**To:** Susan Pollay  
**Subject:** FOIA request

Dear Susan,

Under Michigan's Freedom of Information Act, we request the following records, which on information and belief the Ann Arbor Downtown Development Authority has under its control:

1. All electronic mail messages received by Susan Pollay from Leigh Greden or Christopher Easthope.
2. All electronic mail message sent by Susan Pollay to Leigh Greden or Christopher Easthope.

In connection with this request we are willing to pay up to \$50 in fees under whatever FOIA fee policy the Ann Arbor DDA has established and is in place on April 16, 2013.

Cheers,

Dave

--

Dave Askins  
Editor, The Ann Arbor Chronicle  
734.645.2633  
[www.annarborchronicle.com](http://www.annarborchronicle.com)  
Member of the Michigan Press Association

## Susan Pollay

---

**From:** homeless.dave@gmail.com on behalf of Dave Askins [dave.askins@annarborchronicle.com]  
**Sent:** Wednesday, April 17, 2013 6:10 PM  
**To:** Susan Pollay  
**Subject:** Re: FOIA request

Susan,

We're not constraining the scope of the request by date.

Cheers,

Dave

On Wed, Apr 17, 2013 at 6:04 PM, Susan Pollay <[SPollay@a2dda.org](mailto:SPollay@a2dda.org)> wrote:

> Hi. Are there any date parameters?

>

> -----Original Message-----

> From: [homeless.dave@gmail.com](mailto:homeless.dave@gmail.com) [<mailto:homeless.dave@gmail.com>] On Behalf Of Dave Askins

> Sent: Tuesday, April 16, 2013 10:20 AM

> To: Susan Pollay

> Subject: FOIA request

>

> Dear Susan,

>

> Under Michigan's Freedom of Information Act, we request the following records, which on information and belief the Ann Arbor Downtown Development Authority has under its control:

>

> 1. All electronic mail messages received by Susan Pollay from Leigh Greden or Christopher Easthope.

> 2. All electronic mail message sent by Susan Pollay to Leigh Greden or Christopher Easthope.

>

> In connection with this request we are willing to pay up to \$50 in fees under whatever FOIA fee policy the Ann Arbor DDA has established and is in place on April 16, 2013.

>

>

> Cheers,

>

> Dave

>

> --

> Dave Askins

> Editor, The Ann Arbor Chronicle

> 734.645.2633

> [www.annarborchronicle.com](http://www.annarborchronicle.com)

> Member of the Michigan Press Association

--

Dave Askins

Editor, The Ann Arbor Chronicle

734.645.2633

[www.annarborchronicle.com](http://www.annarborchronicle.com)

## Susan Pollay

---

**From:** homeless.dave@gmail.com on behalf of Dave Askins [dave.askins@annarborchronicle.com]  
**Sent:** Thursday, April 18, 2013 8:59 AM  
**To:** Susan Pollay  
**Subject:** Re: FOIA request

Susan,

Yes, we are willing to pay the \$73.50.

Cheers,

Dave

On Thu, Apr 18, 2013 at 8:55 AM, Susan Pollay <[SPollay@a2dda.org](mailto:SPollay@a2dda.org)> wrote:

> A Freedom of Information Act (FOIA) request was received from you by the Ann Arbor Downtown Development Authority on April 16, 2013. We have reviewed the quantity of files to be reviewed to gather this information and have determined that the cost to respond to this FOIA would be \$73.50, which represents one hour of my time as FOIA coordinator and one hour of time for the DDA's Management Assistant. Please let me know if you wish us to move forward assembling these documents.

>  
>

> -----Original Message-----

> From: [homeless.dave@gmail.com](mailto:homeless.dave@gmail.com) [<mailto:homeless.dave@gmail.com>] On Behalf Of Dave Askins

> Sent: Wednesday, April 17, 2013 6:10 PM

> To: Susan Pollay

> Subject: Re: FOIA request

>

> Susan,

>

> We're not constraining the scope of the request by date.

>

> Cheers,

>

> Dave

>

> On Wed, Apr 17, 2013 at 6:04 PM, Susan Pollay <[SPollay@a2dda.org](mailto:SPollay@a2dda.org)> wrote:

>> Hi. Are there any date parameters?

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>> -----Original Message-----

>> From: [homeless.dave@gmail.com](mailto:homeless.dave@gmail.com) [<mailto:homeless.dave@gmail.com>] On Behalf Of Dave Askins

>> Sent: Tuesday, April 16, 2013 10:20 AM

>> To: Susan Pollay

>> Subject: FOIA request

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>> Dear Susan,

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>> Under Michigan's Freedom of Information Act, we request the following records, which on information and belief the Ann Arbor Downtown Development Authority has under its control:

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>> 1. All electronic mail messages received by Susan Pollay from Leigh Greden or Christopher Easthope.

>> 2. All electronic mail message sent by Susan Pollay to Leigh Greden or Christopher Easthope.

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>> In connection with this request we are willing to pay up to \$50 in fees under whatever  
FOIA fee policy the Ann Arbor DDA has established and is in place on April 16, 2013.

>>

>>

>> Cheers,

>>

>> Dave

>>

>> --

>> Dave Askins

>> Editor, The Ann Arbor Chronicle

>> 734.645.2633

>> [www.annarborchronicle.com](http://www.annarborchronicle.com)

>> Member of the Michigan Press Association

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>

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> Dave Askins

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Dave Askins

Editor, The Ann Arbor Chronicle

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Member of the Michigan Press Association



## Susan Pollay

---

**From:** homeless.dave@gmail.com on behalf of Dave Askins [dave.askins@annarborchronicle.com]  
**Sent:** Friday, April 19, 2013 12:21 PM  
**To:** Susan Pollay  
**Subject:** Re: FOIA request

Susan,

We don't think this is at all reasonable or based on a solid legal foundation.

The DDA estimated the cost of responding to this request. We then agreed to pay that estimated cost upon production of the records. The DDA did not insist on a deposit in order to proceed. And then the DDA apparently began to process the request.

So our position is that the opportunity to require a deposit before proceeding has passed. If the DDA has a written board-approved FOIA fee policy that provides for re-estimation in an iterative scenario, then we'd be willing to reconsider our position.

So at this point, I think it's appropriate that the DDA continue to process the request to completion. If it turns out that it costs \$300 and not \$73.50, then I think we should deal with that situation if it arises.

We believe this is a reasonable way to proceed - which respects the DDA's legal rights as a public body under the FOIA as well as our rights as a requestor.

If the DDA wishes to re-assert its position that it intends to impose the requirement of a \$150 deposit before continuing with the processing of this request, please let me know so that we can respond appropriately.

Cheers,

Dave

On Fri, Apr 19, 2013 at 11:00 AM, Susan Pollay <[SPollay@a2dda.org](mailto:SPollay@a2dda.org)> wrote:

> Since sending you my email yesterday, it has become clear that there were many more files to be reviewed than I had first realized. We will be revising our estimate of time that will be needed to respond to this request. We now estimate that it will require 6 hours of my time as FOIA Coordinator and 2 hours of time for the DDA's Management Assistant, for a total cost of \$300.00. Under the rules governing FOIA you will be asked to provide a deposit for half this cost before we proceed. You are of course free to more specifically define your search which may reduce the hours expended to respond. Also, I am also notifying you that the DDA is extending the time for response by 10 business days as permitted by statute. Thus our response will be extended from Monday, April 22, 2013 to Thursday, May 3, 2013.

>

>

>

> -----Original Message-----

> From: Susan Pollay

> Sent: Thursday, April 18, 2013 8:55 AM

> To: 'Dave Askins'

> Subject: RE: FOIA request

>  
> A Freedom of Information Act (FOIA) request was received from you by the Ann Arbor Downtown Development Authority on April 16, 2013. We have reviewed the quantity of files to be reviewed to gather this information and have determined that the cost to respond to this FOIA would be \$73.50, which represents one hour of my time as FOIA coordinator and one hour of time for the DDA's Management Assistant. Please let me know if you wish us to move forward assembling these documents.

>  
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> -----Original Message-----  
> From: [homeless.dave@gmail.com](mailto:homeless.dave@gmail.com) [mailto:[homeless.dave@gmail.com](mailto:homeless.dave@gmail.com)] On  
> Behalf Of Dave Askins  
> Sent: Wednesday, April 17, 2013 6:10 PM  
> To: Susan Pollay  
> Subject: Re: FOIA request

>  
> Susan,  
>  
> We're not constraining the scope of the request by date.

>  
> Cheers,

>  
> Dave

> On Wed, Apr 17, 2013 at 6:04 PM, Susan Pollay <[SPollay@a2dda.org](mailto:SPollay@a2dda.org)> wrote:  
>> Hi. Are there any date parameters?

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>> -----Original Message-----  
>> From: [homeless.dave@gmail.com](mailto:homeless.dave@gmail.com) [mailto:[homeless.dave@gmail.com](mailto:homeless.dave@gmail.com)] On  
>> Behalf Of Dave Askins  
>> Sent: Tuesday, April 16, 2013 10:20 AM  
>> To: Susan Pollay  
>> Subject: FOIA request

>>  
>> Dear Susan,

>>  
>> Under Michigan's Freedom of Information Act, we request the following records, which on information and belief the Ann Arbor Downtown Development Authority has under its control:

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>> 1. All electronic mail messages received by Susan Pollay from Leigh Greden or Christopher Easthope.

>> 2. All electronic mail message sent by Susan Pollay to Leigh Greden or Christopher Easthope.

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>> In connection with this request we are willing to pay up to \$50 in fees under whatever FOIA fee policy the Ann Arbor DDA has established and is in place on April 16, 2013.

>>  
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>> Cheers,

>>  
>> Dave

>>  
>> --  
>> Dave Askins  
>> Editor, The Ann Arbor Chronicle  
>> 734.645.2633  
>> [www.annarborchronicle.com](http://www.annarborchronicle.com)

>> Member of the Michigan Press Association  
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--  
Dave Askins  
Editor, The Ann Arbor Chronicle  
734.645.2633  
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Member of the Michigan Press Association

May 3, 2013

Mr. Dave Askins  
Ann Arbor Chronicle  
330 Mulholland Ave.  
Ann Arbor, MI 48103

RE: FOIA REQUEST

Dear Dave:

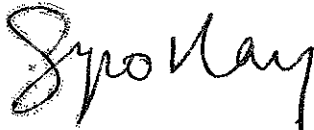
A Freedom of Information Act (FOIA) request was received from you by the Ann Arbor Downtown Development Authority on Tuesday, April 16, 2013 in which you requested:

1. All electronic mail messages received by Susan Pollay from Leigh Greden or Christopher Easthope.
2. All electronic mail message sent by Susan Pollay to Leigh Greden or Christopher Easthope.

Because of the volume of files to be reviewed to gather this information, the DDA extended the time for response by 10 business days as permitted by statute.

Attached are all the documents that are in the possession of the DDA that meet this request.

Sincerely yours,



Susan Pollay, Executive Director and FOIA Coordinator  
Ann Arbor Downtown Development Authority

Xc: Jerry Lax, Pear Sperling Eggan & Daniels, P.C.



ANN ARBOR  
DOWNTOWN DEVELOPMENT AUTHORITY  
150 S. FIFTH AVENUE STE. 301  
ANN ARBOR, MICHIGAN 48104

[HTTP://WWW.A2DDA.ORG](http://www.a2dda.org)  
734.994.6697

## Susan Pollay

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**From:** homeless.dave@gmail.com on behalf of Dave Askins [dave.askins@annarborchronicle.com]  
**Sent:** Monday, April 29, 2013 9:35 AM  
**To:** Susan Pollay  
**Subject:** FOIA request

Dear Susan,

Under Michigan's FOIA, we request a copy of the March 2013 monthly parking report.

Cheers,

Dave

--

Dave Askins  
Editor, The Ann Arbor Chronicle  
734.645.2633  
[www.annarborchronicle.com](http://www.annarborchronicle.com)  
Member of the Michigan Press Association

## Susan Pollay

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**From:** Susan Pollay  
**Sent:** Wednesday, May 01, 2013 2:59 PM  
**To:** 'Dave Askins'  
**Subject:** Draft parking numbers for March  
**Attachments:** SKMBT\_42013050109370

Hi Dave. Attached is the draft parking report for March 2013, thus meeting your FOIA request. Talk to you soon.  
Susan

**From:** [homeless.dave@gmail.com](mailto:homeless.dave@gmail.com) [<mailto:homeless.dave@gmail.com>] **On Behalf Of** Dave Askins  
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**From:** homeless.dave@gmail.com on behalf of Dave Askins [dave.askins@annarborchronicle.com]  
**Sent:** Tuesday, April 30, 2013 8:29 PM  
**To:** Susan Pollay  
**Subject:** March 2013 monthly parking data

Dear Susan,

I don't understand the DDA's interest in shielding these numbers from public view for any additional period of time. I don't think it serves the public interest or the interest of the DDA as a public body.

In the past, in similar circumstances when the operations committee could not meet in a given month, I believe the monthly parking data has simply been forwarded to the full board for review at its next meeting. I'm not sure why the DDA has chosen not to follow that reasonable and straightforward practice this time around.

Certainly DDA board members could be sent the monthly parking report in advance of the full board meeting tomorrow via email – if staff wanted to give board members a heads up so they can look at the data before the full board meeting. Or the parking report could simply be watermarked "draft" just as the minutes are marked – if the DDA feels it has an interest in recording the fact that the numbers have not been reviewed by the operations committee beforehand.

The operations committee itself meets publicly – so I don't see a difference in whatever risk the DDA perceives in sharing "unreviewed" data with the public at a full board meeting compared with the risk of sharing the data with the public at an operations committee meeting.

There are myriad approaches to this that would not needlessly delay the revelation of the routine monthly parking data for another two weeks. I would look forward to the board and staff handling this issue in a way that achieves the kind of transparency to which the DDA aspires.

It's disappointing that I even had to resort to asking for this report under the FOIA, having been refused it on more than one polite request.

So I look forward to receiving a copy of the March 2013 parking report tomorrow at the May 1 board meeting.

Thanks,

Dave

On Tue, Apr 30, 2013 at 6:01 PM, Susan Pollay <[SPollay@a2dda.org](mailto:SPollay@a2dda.org)> wrote:

Hi Dave. Please note that the DDA will be taking the allowed 10 business day extension for this FOIA. This will allow time for Committee members to review the draft March parking report to ensure that the report is in appropriate form for the board. By my estimation that date would be Thursday, May 16<sup>th</sup>. But if we can get hold of folks sooner than that we'll do our best to get you this report sooner than that. Thanks. Susan

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**From:** [homeless.dave@gmail.com](mailto:homeless.dave@gmail.com) [mailto:[homeless.dave@gmail.com](mailto:homeless.dave@gmail.com)] **On Behalf Of** Dave Askins  
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