



Erin Marie Miller <[redacted]>

Re: Appeal - H011657-052521 (MDHHS FOIA)

1 message

Erin Marie Miller <[redacted]>
To: "O'Connor, Ruth (DHHS)" <[redacted]>

Fri, May 28, 2021 at 10:41 AM

Thank you, Ruth.

Erin Marie Miller
Freelance Journalist
[redacted]
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On Fri, May 28, 2021 at 9:24 AM O'Connor, Ruth (DHHS) <[redacted]> wrote:

Hi Ms. Miller,

I'm checking into this. I'm not sure why it was denied. I will have DTMB run a search to see if Robert Gordon has any responsive emails.

Thanks,

Ruth O'Connor
MDHHS
Bureau of Legal Affairs
333 S. Grand Ave 5th Floor
Lansing, MI 48933



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From: Erin Marie Miller <[REDACTED]>
Sent: Thursday, May 27, 2021 6:26 PM
To: MDHHS-FOIA <MDHHS-FOIA@michigan.gov>
Cc: Darling, Darice (DHHS) <[REDACTED]>
Subject: Re: Appeal - H011657-052521 (MDHHS FOIA)

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Hello Mr. Bierer,

Can you please explain why you logged into the system and rejected my FOIA request after it was granted?

Because I have already reviewed some of Robert Gordon's emails in the records of a previously completed FOIA request found on the MDHHS "My Records Center" website, on the frequently requested records page (requests that were obviously processed by MDHHS), I am confident that MDHHS does, in fact, have access to the requested records.

If in doubt, see MDHHS FOIA request H010401-030421, dated 3/5/2021, file "JudicialWatch10401.zip", which you can view/download here:

[https://michigandhhs.govqa.us/WEBAPP/_rs/\(S\(dwqlxhsev4mhb5lqb0ncivdp\)\)/RequestArchiveDetails.aspx?rid=10401](https://michigandhhs.govqa.us/WEBAPP/_rs/(S(dwqlxhsev4mhb5lqb0ncivdp))/RequestArchiveDetails.aspx?rid=10401)

The above-mentioned completed request contains emails originating from Mr. Gordon's unredacted email address, which indicates that your agency does have access to his email account and, therefore, to the records included in my request.

As mentioned in my initial email, I was also quoted a fee of \$4,150.13 for similar information to that which is requested in this FOIA request (but which also included actual documents and not just a list of email addresses and names) under request H011656-052521. That fee and invoice (which was fully granted as to nonexempt records and did not indicate a lack of access to Mr. Gordon's email records), coupled with the emails included in the aforementioned completed FOIA request, would seem to indicate that your agency does, in fact, have access to the requested records.

Please explain.

Best,

Erin Marie Miller



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On Thu, May 27, 2021 at 3:31 PM MDHHS-FOIA <MDHHS-FOIA@michigan.gov> wrote:

The request is still there but it is now closed. I removed the invoice entirely as the request was denied. I sent you an email to this effect at 2:56pm. Please let me know if you do not receive this communication. It may take our system some time to process.



Regards,

Donald Bierer,

Bureau of Legal Affairs,

Michigan Department of Health and Human Services

Pronouns: he, him, his

From: Erin Marie Miller < >
Sent: Thursday, May 27, 2021 3:19 PM
To: MDHHS-FOIA <MDHHS-FOIA@michigan.gov>
Cc: Darling, Darice (DHHS) < >
Subject: Re: Appeal - H011657-052521 (MDHHS FOIA)

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Hi Mr. Bierer,

Thank you for offering to correct the invoice for FOIA request H011657-052521. However it seems that in doing so, the entire FOIA request has vanished from the MDHHS FOIA records system.