



MATTHEW S. BRICK
SHAREHOLDER
T: 515-274-1450
F: 515-274-1488
Matt.brick@brickgentrylaw.com

October 10, 2017

Brendan Healey
Mandell Menkes LLC
One North Frankline, Suite 3600
Chicago, Il 60606

RE: Open Records Request

Dear Mr. Healy:

As you know, this firm and the undersigned represent the City of Muscatine. I write in response to your recent inquiry concerning open record requests submitted to the City by your Client, WQAD, on June 12, 2017 and August 30, 2017.

Regarding the June 12, 2017 request, I have reviewed the request and the subsequent response, and find that no further supplementation is needed. The City's response provided all documentation the City had in its possession which was responsive to your client's request. As indicated in the City's prior correspondence to your client, the City does not breakdown attorney fees into the specific detail requested by WQAD and Iowa law does not require the City to create records it does not have in its possession in order to respond to a public records request. As a result, there is no document which contains the requested information other than the legal invoices submitted to the City. The City has supplied these invoices to the extent permitted, while redacting information not requested by your client and information exempt from disclosure under chapter 22.7, as well as under the attorney client privilege and work product doctrine.

In preparing the response, the City incurred \$1,276.75 worth of staff time and copying expenses. These fees represent the actual time and expenses involved in reviewing and preparing the response. Such fees were valid and assessed in accordance with the City's open records policy. As these fees represent the actual cost to the City and were assessed in accordance the City's open records policy, the City will not make any downward adjustment for WQAD.

Regarding the August 30, 2017 request, Mr. Mandsager asked IT to search his email using the following search terms "KWQC, Quad City Times (or QC Times), Muscatine Journal, WHBF, Dispatch-Argus along with "FOIA" and "Open Records." The search conducted by City staff found thirteen (13) emails responsive to this request. All such emails are available to be delivered pending receipt of payment for costs incurred by the City. In locating the requested information, the City incurred \$145 of costs and fees including staff time. Please have your client remit payment for this amount and the City will forward copies of the records to your client.

I hope the foregoing adequately resolves your concerns. If that is not the case, please feel free to contact me to discuss the matter further.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. S. Brick', with a stylized flourish at the end.

MATTHEW S. BRICK

A handwritten signature in black ink, appearing to read 'M. W. Heilman', with a long horizontal flourish extending to the right.

MICHAEL W. HEILMAN