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PAT QUINN
GOVERNOR

VIA EMAIL and U.S. MAIL

August 27, 2014

The Honorable Jason A. Barickman, Co-Chair
The Honorable Frank J. Mautino, Co-Chair
c/o Jane Stricklin, Executive Director
Legislative Audit Commission
622 Stratton Building
Springfield, IL 62706

Dear Senator Barickman and Representative Mautino:

This letter is in follow-up to our August 12, 2014 letter regarding the Office of the Governor's process in producing more than 2,000 emails to the Legislative Audit Commission (the "Commission") on July 11, 2014 and in separately assessing privilege as to the State emails being held by former Office of the Governor Deputy Chief of Staff, Toni Irving. In particular, we have received follow-up questions regarding the privilege review process.

As to the Office of the Governor's production, we did not simply pull out emails containing attorney names. Rather, we assessed privilege on an email-by-email basis, determining whether or not each email contained legally-protected attorney-client communications in which either a client was seeking or an attorney was providing legal advice.

As to the emails being held by Ms. Irving, Ms. Irving's attorney pulled out potentially privileged emails, by pulling out all emails from his term searches that contained attorney names. But that was simply the first step in the process. Ms. Irving's attorney then provided the Office of the Governor with a copy of the potentially privileged emails. As with its own email review, as these are State emails, the Office of the Governor then did an email-by-email review of each of those emails, to determine whether or not each email contained legally-protected attorney-client communications in which either a client was seeking or an attorney was providing legal advice.

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As Ms. Irving's attorney detailed in his August 14, 2014 letter to the Commission, we then returned those potentially privileged documents, containing attorney names, to Ms. Irving's attorney, grouped into four categories: "responsive and non-privileged," "responsive and privileged," "non-responsive and non-privileged," and "non-responsive and privileged." In our assessment of responsiveness, consistent with the Commission's requests, we considered any email relating to the Neighborhood Recovery Initiative or any predecessor names or entities to be responsive.

Sincerely,

A large black rectangular redaction box covering the signature area.

John F. Schomberg
General Counsel