



MATTHEW P. DENN
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DEPARTMENT OF JUSTICE
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August 6, 2018

VIA EMAIL

Mary R. Schrider-Fox
Steen, Waehler & Schrider-Fox, LLC
92 Atlantic Avenue, Unit B
Ocean View, DE 19970
Mary@swsflaw.com

Vicki L. Carmean
38 Ebb Tide Cove
Fenwick Island, DE 19944
vlcarmean@verizon.net

RE: FOIA Correspondence Regarding the Town of Fenwick Island

Dear Ms. Schrider-Fox and Ms. Carmean:

Enclosed is a letter, received on August 3, 2018, from Ms. Carmean alleging that the Town of Fenwick Island (the "Town") violated the Delaware Freedom of Information Act, 29 *Del. C.* §§ 10001-10007 ("FOIA"). While Ms. Carmean also alleges violation of local ordinances, this Office's determination is statutorily limited to considering the allegations of FOIA violations.

By way of this letter, we request that the Town provide a response to those allegation(s), including the factual basis and any legal authorities for its position, by **August 9, 2018**. To the extent that there are factual issues that the Town addresses in its response, the Town may wish to provide us with an affidavit signed by someone with knowledge of the information alleged. Consistent with current procedures with respect to FOIA petitions, Ms. Carmean may submit a reply within three business days of the Town's responsive submission. Please note that any request for an extension to these deadlines, and any submissions beyond those noted above, will require a showing of exceptional circumstances. After we receive the parties' submissions, we will determine whether additional information from either party is required and decide what further action, if any, is appropriate.

We ask that the parties email their submissions to OpenGovernment@state.de.us and copy one other on any correspondence with this Office regarding this matter. We also ask that the parties notify us immediately if the parties resolve this matter and no longer require a written determination from this Office.

Very truly yours,

/s/ Kim Siegel

Kim Siegel, MPA
FOIA Coordinator

Enclosure

cc: Allison Reardon, State Solicitor
Dorey L. Cole, Deputy Attorney General