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By Email Only

December 3, 2019

Dear [REDACTED]

This letter is in reply to your December 3, 2019 public records request for “all emails to and from Janice Duke, M.D. and (William) Haskell, M.D. from Aug. 1, 2018 to the present.” As explained below, we deny your request as overbroad because it seeks potentially tens of thousands of records that almost certainly include content that is (a.) non-public, (b.) exempt from production under federal or state law, and (c.) privileged.

Your request is overbroad because it seeks potentially thousands or tens of thousands of records. We reasonably anticipate that within that large subset of records, a large number will be non-public (e.g. personal correspondence), or contain non-public information (e.g. account numbers, personal telephone numbers, birthdates), or include information the release of which is prohibited by law (e.g. FERPA-protected student records and physician-patient privileged information). For us to accommodate your request, we would need to individually review each record, and redact it of the information described above. Given the probability that your request would generate an enormous number of potentially responsive records, we conclude that it would be unreasonable for us to undertake that review.

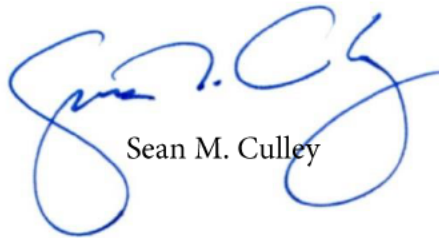
State law supports our decision. In general, a public office is not required to produce records in response to requests that are overly broad or ambiguous. R.C. 149.43(B)(2); *See, e.g., State ex rel. Glasgow v. Jones*, 119 Ohio App.3d 391 (2008). Furthermore, a public office is not required to respond to requests that amount to “a complete duplication of a major category of a public office’s records.” *See Ohio Sunshine Laws*, p. 12 (2019). However, a public office is required to give the requester an opportunity to revise the request, and to provide the requester with an explanation of how the public office maintains its records.

By default, the University organizes email traffic into a separate database for each University employee. Within each database, the University is capable of searching for records by

sender or recipient name, by date range, and by key words or phrases. If you wish to revise your request, please consider limiting it to correspondence between a smaller number of specified individuals, within a smaller range of dates, and to emails that include a smaller number of key words or phrases. By reducing the pool of potentially responsive records, you greatly increase our ability to review the records for redaction of those items described above, and thereby, our ability to accommodate your request.

If you have questions about this letter, or if you wish to submit a revised request, please contact me directly as indicated on the first page of this letter.

Regards,

A handwritten signature in blue ink, appearing to read "Sean M. Culley". The signature is stylized with large loops and a long horizontal stroke.

Sean M. Culley