



# COMMONWEALTH of VIRGINIA

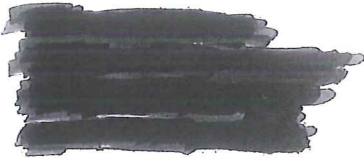
Office of the Attorney General

Mark R. Herring  
Attorney General

900 East Main Street  
Richmond, Virginia 23219  
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Virginia Relay Services  
800-828-1120  
7-1-1

May 19, 2015

VIA ELECTRONIC MAIL & U.S. MAIL



**Re: Freedom of Information Act request – received May 19, 2015**

Dear 

The Office of the Attorney General for the Commonwealth of Virginia (hereinafter, "Office") acknowledges receipt of the above-referenced request in which you seek certain records pursuant to the Virginia Freedom of Information Act, Virginia Code Section 2.2-3700, et seq. (hereinafter, "FOIA"). Specifically you request:

- ...all written documents, including without limitation, emails and attachments thereto, spreadsheets, letters, facsimiles, legal opinions, and research pertaining to or including a mention of Sweet Briar Institute, Inc. or Sweet Briar College, sent or received by you or any deputy, clerk, or other employee of the Virginia Office of the Attorney General, between the dates of January 1, 2014 and April 27, 2015, to or from any of the following individuals or persons acting on their behalf:
  - Paul G. Rice - Chairman of the Board of the Sweet Briar Institute, Inc. d/b/a/ Sweet Briar College
  - Jo Ellen Parker - Former president of Sweet Briar
  - James F. Jones, Jr. – Interim or current president of Sweet Briar
  - Scott Shank – V.P. Finance and Administration of Sweet Briar
  - Gail Payne – Associate V.P. of Finance of Sweet Briar
  - Theresa McNabb – Executive Assistant to the president of Sweet Briar
  - Kathy Rehak – Office assistant to the president of Sweet Briar

As a practical matter, while the date on your email transmission reads April 27, 2015 at 1:22 a.m., please be advised this Office became aware of your request today and prioritized this response. Currently, this Office does not possess a centralized document management system or repository of electronic mail whereby potentially responsive records can be accessed, searched, reviewed, and extracted in response to a directed request. Electronic documents and other responsive materials will be individually accessed and reviewed by each person who actually maintains the documents or his/her designee, if appropriate. Please note that Va. Code § 2.2-3704(F) permits this Office to make reasonable charges for its actual costs incurred to respond to a FOIA request. To provide this estimate, this Office will calculate the cost of a forty-five minute search conducted by each of the Office's 418 employees. Please be advised that any records responsive to your request might also contain privileged, confidential, and/or otherwise FOIA-exempted information. To ensure compliance with the law, the Office would have to review all those records first for any applicable exemptions before they could be sent to you. Please find below the cost estimate for this request:

- Tabulation of all OAG employees' hourly rates (based upon yearly salaries divided by 1,950 hours): \$14,660.39
- Cost to hire all OAG employees for forty-five minutes each to perform a search pursuant to your request:  $\$14,660.39 \times 0.75 = \$10,995.29$
- Cost for review by all OAG employees for privileged, confidential, or otherwise exempted material:  $\$14,660.39 \times 2.0 \text{ hours} = \$29,320.78$
- Total cost of a forty-five minute search and two hours of review by each OAG employee:  $\$10,995.29 + \$29,320.78 = \$40,316.07$

To explain further, this Office calculated the hourly rates of every employee of the OAG and multiplied that figure by 0.75 to calculate the cost for each employee to spend forty-five minutes executing the search. The total cost for every employee to engage in a forty-five minute search is \$10,995.29. In addition to the total cost of the forty-five minute searches, the Office then estimated that it would take each employee two hours to review the results of their search for exemptions, exclusions, and otherwise statutorily protected information. The total cost for the two hour review by all employees is \$29,320.78. The total amount for the forty-five minute search was then combined with the total for the two hour review for a grand total of \$40,316.07. Please remit a deposit of \$20,148.04, payable to the "Treasurer of Virginia," which is one-half of the estimated total cost. Should you wish to alleviate these costs, you might want to consider further narrowing your request by giving exclusions or shorter date parameters, or by providing any further contextual guidance. Please note that no further actions will be taken by this Office with regard to your request until payment is remitted.

Thank you for your request. I hope the information provided is of assistance to you.

Very truly yours,

  
Shawn King-Casey  
Compliance and Transparency Counsel

From: "O'Brien, Meaghan E." <[MOBrien@oag.state.va.us](mailto:MOBrien@oag.state.va.us)>

Date: May 19, 2015, 7:22:30 PM EDT

To: "[REDACTED]" <[REDACTED]>

Subject: Your Freedom of Information Act request – received May 19, 2015

Dear [REDACTED]

Please find attached correspondence regarding your Freedom of Information Act request – received May 19, 2015.

Sincerely,

Meaghan E. O'Brien  
FOIA Coordinator  
Outside Counsel Program Coordinator  
Office of the Attorney General  
900 East Main Street  
Richmond, Virginia 23219

A handwritten red arrow points from the bottom right towards the subject line of the email. To the right of the arrow are three red exclamation marks.