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**From:** Staton, Jennifer A  
**Sent:** Friday, February 16, 2018 3:42 PM  
**To:** [REDACTED]  
**Cc:** Foster, James H  
**Subject:** RE: FOIA request

Mr. Bisi-

Thank you for your request for public records pursuant to the South Carolina Freedom of Information Act. Dr. Moss sent or received 3,076 e-mails during the time frame that you requested. In accordance with S.C. Code Ann. 30-4-30(B), the BCSD estimates search, retrieval, and redaction, if necessary, of documents to respond to your request will require 15.5 hours, for an estimated cost of \$931.55, plus 6 cents per copy. Costs may increase or decrease. A 25% deposit of the total reasonably anticipated cost is required before work will begin on your request. Please make all checks out to the Beaufort County School District and send to my attention. Regarding the e-mail you believe was sent by Dr. Moss "where he stated that the District and its employees are not under FBI investigation", there is no public document responsive to this portion of your request. Should you desire to amend your request to narrow the timeframe, specify individual recipient(s), or make other reductions to the scope of your request, please notify me.

In accordance with S.C. Code Ann. 30-4-40(a)(3)(A) and (B), the BCSD exempts from disclosure your request for "the FBI subpoenas served on the school district; in particular on those subpoenas served on Tonya Crosby and Robert Oetting" on grounds the production thereof would interfere with a prospective law enforcement proceeding and/or would deprive a person of a right to a fair trial and/or an impartial adjudication.

The BCSD has been informed by the U.S. Attorney of its preference that grand jury subpoenas and the contents therein not be made public. As rationale, the U.S. Attorney specifically cited language similar to S.C. Code Ann. 30-4-40(a)(3)(A) and (B). Through its officers, the Board of Education made a public commitment that the "[t]he Board, the District, its counsel, and its employees will cooperate fully with this investigation." The U.S. Attorney made an unambiguous recommendation that the subpoenas not be made public because doing so might hinder their investigation. It is impossible to reconcile the promise of full cooperation if the BCSD then acts in a manner inconsistent with law enforcement's stated preference.

The Board officers also directed BCSD staff to release the subpoenas upon notification release no longer interferes with a law enforcement proceeding or would not deprive a person of a right to a fair trial or an impartial adjudication.

Jennifer Staton, MS, CSP  
Risk Manager  
Beaufort County School District  
843-322-2355 (w) | 843-812-6405 (m)

-----Original Message-----

From: [REDACTED] [mailto:[REDACTED]]  
Sent: Wednesday, February 7, 2018 9:40 AM  
To: Staton, Jennifer A <Jennifer.Staton@beaufort.k12.sc.us>  
Cc: Moss, Jeffrey C <Jeffrey.Moss@beaufort.k12.sc.us>  
Subject: FOIA request

In accordance with the Freedom of Information Act, I am requesting any and all emails sent to or from Superintendent Jeff Moss regarding the FBI investigation between January 1, 2018 and February 7, 2018. One in particular was an email

sent from Mr. Moss in early February where he stated that the District and its employees are not under FBI investigation.

In addition, I am requesting access to the FBI subpoenas served on the school district; in particular on those subpoenas served on Tonya Crosby and Robert Oetting. I am not requesting copies of the subpoenas but rather the opportunity to inspect and read those documents at the District offices.

Although you have 10 business days to respond to any FOIA request and another 30 days to supply the requested documents, the district can also fulfill requests sooner than that. Since this issue is of extreme concern to residents of Beaufort County, I am asking that my requests be fulfilled immediately to serve the public interest.

I would also remind you what Mr. Moss said a few days ago. As quoted in the Island Packet, he said, "Anytime anyone asks for documents, we provide the documents. We don't have anything to hide."

Regards,

Richard Bisi