

Katrina Goggins <kgoggins@lexrich5.org>

Fwd: FOIA: District payments

Katrina Goggins <kgoggins@lexrich5.org>
To: "Dulaney, Cody" <cdulaney@thestate.com>

Tue, Oct 23, 2018 at 4:46 PM

Mr. Dulaney:

This email is in response to your FOIA request, in which you request "copies of any and all records that reference or relate to payments made by -- or on behalf of -- the Lex-Rich 5 School District to settle actual or threatened lawsuits in the past five years." School District Five is not in possession of any documents responsive to your request.

All lawsuits would go through the District's insurance carrier the S.C. School Boards Insurance Trust (SCSBIT) and our attorneys. Therefore, the documents are not in the District's possession. The District has been advised that attorney-client privilege information is not subject to FOIA, per Section 30-4-40 which provides exemption of "(7) Correspondence or work products of legal counsel for a public body and any other material that would violate attorney-client relationships."

Please accept this as the District's final determination to your FOIA request.

Katrina Goggins

Director of Communications
District Five of Lexington & Richland Counties
803-476-8118 - Office
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kgoggins@lexrich5.org
www.lexrich5.org

----- Forwarded message -----

From: **Katrina Goggins** <kgoggins@lexrich5.org>
Date: Wed, Oct 10, 2018 at 6:33 PM
Subject: Re: FOIA: District payments
To: "Dulaney, Cody" <cdulaney@thestate.com>

Mr. Dulaney:

Please note that your FOIA request (dated Sept. 27, 2018) is for documents that are older than twenty-four months old. Per SCFOIA Section 30-4-30, "if the record is more than twenty-four months old at the date the request is made, the public body has twenty days (excepting Saturdays, Sundays, and legal public holidays) of the receipt to make this notification." This email is not intended to provide the District's initial determination of the Sept. 27 FOIA request.

Regards,

Katrina Goggins

Director of Communications
District Five of Lexington & Richland Counties
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On Thu, Sep 27, 2018 at 12:20 PM, Dulaney, Cody <cdulaney@thestate.com> wrote:

Hey Katrina,

Under the S.C. Freedom of Information Act, The State requests copies of any and all records that reference or relate to payments made by -- or on behalf of -- the Lex-Rich 5 School District to settle actual or threatened lawsuits in the past five years. This request includes payments made as a result of real/threatened lawsuits against district employees as well as the district itself.

Documents should make clear:

- * The date each payment was made.
- * Which payments required a non-disclosure agreement/agreements.
- * The nature of why each payment was made.

If it is the district's position that all or some of these records are exempt from public disclosure, please cite the state statute in writing that provides the exemption and explain with particularity how the exemption applies in this case.

If you have any questions, please contact me at 803-771-8313 or cdulaney@thestate.com.

Thanks so much for your time and attention,

--

Cody Dulaney

Projects Reporter

803-771-8313

@dulaneycd

The State

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