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## VIA FIRST CLASS MAIL & EMAIL

April 11, 2007

### Associate Producers

Lafayette Consolidated Government  
Office of the Parish President  
Patrick Ottinger, Parish Counsel  
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Dear Mr. Ottinger:

I am in receipt of your formal response dated April 11, 2007 to our Public Records Law request of December 17, 2006.

Thank you for pointing out that the Police Department's personnel records of 292 police officers might entail "examination of records in other than regular office hours." We can dispense with the employment records of all 292 officers at the present time. We do however, wish to have copies of the personnel records of the specific police and parish officers mentioned in our original request in paragraph O.

However, the rest of the documents sought are not so voluminous so as to require "examination of records in other than regular office hours." The Police employees' personnel records request in Paragraph O was the only request which may have been voluminous.

I was disappointed that, after three months of informing me that your agencies were accumulating the requested documents, you now do not inform me of any information about any of the documents sought, and instead use the one questionably voluminous item of 28 items sought as "an example" to try to cloak the rest of the 27 items under the same umbrella of being "voluminous." Second, whether or not the remaining 27 items sought are sufficiently "voluminous" so as to require "examination of records in other than regular office hours" cannot possibly be known until and unless we have been provided with the total number of pages for each of the 27 other items.

I hereby re-request that our request be complied with by providing us the number of pages in each of the remaining 27 items (paragraphs A-ZZ).

Please be advised that the Louisiana Supreme Court in Title Research Corp v Rausch 450 So.2d 933, 937 (La. 1984) opined:

"any doubt must be resolved in favor of the right of access."

Therefore, any doubt as to whether or not the remaining 27 items would or would not be “voluminous” so as to require “examination of records in other than regular office hours” must be resolved under the assumption that they would not.

Accordingly, if your next communication does not provide us with such information, or if another attempt is made to try to claim that the other 27 items (to the fullest compliance as of the time period requested as per availability of record keeping policies) would also entail “examination of records in other than regular office hours” we shall deem that to be a bad faith attempt to intentionally obfuscate our rights by making it extraordinarily expensive for us and an attempt to force us to travel to Lafayette to physically inspect the documents when we should be able to ascertain in advance the number of pages contained under each of the 27 items and be able to obtain them by having copies mailed to us. Or if our request is not fully complied with in an additional reasonable amount of time we shall have no choice but to seek immediate court intervention to compel under Mandamus.

Also please be advised that under Louisiana Law LSA-R.S. 44:35, if the petitioner completely prevails the court MUST award reasonable attorneys fees, and if petitioner prevails partially the court, at its discretion, may award attorneys fees. If the custodian of the records is found to have acted capriciously or arbitrarily, the court may award actual damages to the petitioner applicant and the custodian is PERSONALLY liable for any damages awarded to the petitioner AND is JOINTLY liable with the public body for attorney's fees AND costs.

I believe that any court would also interpret any further delays under the pretext of “voluminous” records to be an obvious egregious effort to arbitrarily and capriciously deny our rights.

Thank you in advance for your prompt attention to this matter.

Cordially,

Garo Alexanian

On behalf of all of the below upon expressed written permission

cc      Twilla Free  
Lisa Roussel  
Marilyn McGee  
Krystal Engel  
Kelli Hotard  
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cc. Patrick Ottinger