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February 22, 2018

VIA EMAIL

Fred A. Townsend, Esq.
414 South State Street
Dover, DE 19901
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Jeffrey Smith
409 Chester Avenue, Ste 102
Annapolis, MD 21403
news@deweycitizens.org

RE: FOIA Correspondence Regarding the Town of Dewey Beach

Dear Mr. Townsend and Mr. Smith:

Enclosed is a petition, received in its entirety¹ on February 22, 2018, from Mr. Smith alleging that the Town of Dewey Beach ("Town") violated the Delaware Freedom of Information Act, 29 *Del. C.* §§ 10001-10007.

By way of this letter, we request that the Town provide a response to the allegation(s), including the factual basis and any legal authorities for its position, by **February 27, 2018**. To the extent that there are factual issues that the Town addresses in its response, the Town may wish to provide us with an affidavit signed by someone with knowledge of the information alleged. Consistent with current procedures with respect to FOIA petitions, Mr. Smith may submit a reply within three business days of the Town's responsive submission. Please note that any request for an extension to these deadlines or to provide submissions beyond those that we have specifically requested will require a showing of exceptional circumstances. After we receive the parties' submissions, we will determine whether additional information from either party is required and decide what further action, if any, is appropriate.

We ask that the parties copy one other on any correspondence with this Office regarding this matter. We also ask that the parties notify us immediately if the parties resolve this matter and no longer require a written determination from this Office.

¹ We received Mr. Smith's initial correspondence on February 21, 2018. On February 22, 2018, we requested and received additional information related thereto. As that additional information is relevant to our analysis, we consider the petition to have been received in its entirety on February 22, 2018.

Very truly yours,

/s/ Kim Siegel

Kim Siegel, MPA
FOIA Coordinator

Enclosure

cc: Allison Reardon, State Solicitor
Michelle E. Whalen, Deputy Attorney General