

INDIANA GAMING COMMISSION

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Executive Director

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January 29, 2007

William Bock, III
Kroger Gardis & Regas
111 Monument Circle, Suite 900
Indianapolis, Indiana 46204

RE: July 7, 2006 Public Records Request to the City of East Chicago

Dear Mr. Bock:

On July 7, 2006, on behalf of the Indiana Gaming Commission (IGC), I sent a public records request to the City of East Chicago seeking records relating to the City's receipt and distribution of local development agreement moneys since the commencement of Mayor George Pabey's administration. The July 7th request also sought records detailing the Pabey administration's legal expenses for work relating to the local development agreement(s).

On July 14, 2006 and August 7, 2006, I received letters from you confirming the City's receipt of my request and informing me that an effort to review and prepare responsive documents was purportedly underway. On September 11, 2006 I received a letter from Steven Runyan indicating that your law firm was in the process of examining responsive documents for privilege, and that the City's records would be provided to the IGC upon completion of said review.

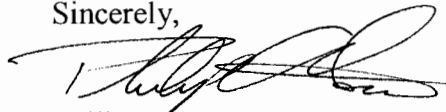
In the almost seven (7) months since the initiation of my request, the City and your law firm have failed to turn over even a single responsive document to the IGC. Moreover, it has been more than four (4) months since I received your firm's last written correspondence on this matter. During that time, the City has provided no justification for the protracted delay; has made no requests that the IGC clarify, explain, or narrow the original request; has made no effort whatsoever to update the IGC on its progress in responding; and has provided no assurances that work on the request was moving forward and would be finalized.

Pursuant to IC 5-14-3-9, the City's excessive delay and failure to produce any responsive documents within a reasonable period of time unquestionably constitute an actionable denial of the IGC's July 7th request. Unless the City provides all responsive documents on or before

February 12, 2007, the IGC will likely be forced to bring the denial before the Public Access Counselor and/or the courts, and to seek all available remedies under the law, including attorney's fees.

Please contact me if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Philip A. Sicuso", written in a cursive style.

Philip A. Sicuso
General Counsel
Indiana Gaming Commission