



MICHIGAN ECONOMIC DEVELOPMENT CORPORATION

300 N. WASHINGTON SQ.  
LANSING, MI 48913

CUSTOMER  
CONTACT CENTER  
517 373 9808

WWW.MICHIGAN.ORG

February 28, 2005

Mr. Michael LaFaive  
Director of Fiscal Policy  
Mackinac Center for Public Policy  
140 West Main Street  
P.O. Box 568  
Midland, Michigan 48640

Dear Mr. LaFaive:

This written notice is issued in response to your request for information under the Freedom of Information Act (FOIA), MCL 15.231 *et. seq.*, received at this office on February 18, 2005.

You requested documents which you fully describe in your facsimile dated February 17, 2005, a copy of which is attached, as summarized below:

1. The most recent "All MEGA Projects" spreadsheet, which should include MEGA deals approved for February
2. The most up-to-date MEGA Credits spreadsheet. (the most recent one that was sent to him was on 12/7/04, let me know if there is an updated one)
3. One copy of any summary document that is used to tally indirect jobs purportedly created by the MEGA program by companies that have thus received credits.
4. One copy of any summary document listing projects with the "Credit abandon" designation as described in the Jim Paquet memo of Feb. 21, 2003
5. One copy of any summary document for projects designated as credit abandoned and that indicate the credit was termed abandoned.

Your request is granted in part and denied in part. Your request for a summary document that is used to tally indirect jobs purportedly created by the MEGA program is denied.

Our denial is based upon Section 5(4)(b) of the FOIA; Our staff has been requested to search available files for the information requested. Based upon that search, we do not believe the documents you describe exists and, therefore, cannot be provided.

In response to this denial of part of your request, you may do either of the following:

1. Appeal this decision, in writing, to Donald E. Jakeway, President and CEO, Michigan Economic Development Corporation, 300 N. Washington Square, Lansing, Michigan 48913. Your written appeal must specifically state, using the word *appeal*, that it is an appeal of this decision and must specify the

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reasons you believe the denial should be reversed. Mr. Jakeway or his designee must respond to your appeal within 10 business days of its receipt. Under unusual circumstances, the time for response to your appeal may be extended by 10 business days.

2. File an action in circuit court to compel disclosure of the records. The action must be filed within 180 days after the date of the final determination to deny the request. If you prevail in such an action, the court is to award reasonable attorney fees, costs, and disbursements. Further, if the court finds the denial to be arbitrary and capricious, you may receive punitive damages in the amount of \$500.

As to the existing, non-exempt documents, your request is granted. Copies of these documents (Items 2 & 4) are attached; there is no payment due at this time.

Sincerely,

A handwritten signature in cursive script that reads "Sara Galluch".

Sara Galluch  
MEDC FOIA Coordinator

Attachments