

BRIGGS LAW CORPORATION

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BLC File(s): 1579.00

30 June 2009

Mayor Jerry Sanders
City of San Diego
202 C Street, 11th Floor
San Diego, CA 92101

Via Facsimile Only to 619-236-7228

Re: Request for Public Records by Rob Davis of *VoiceofSanDiego.Org*
on March 27, 2009 (Amended on May 4 and 18, 2009)

Dear Mayor:

My firm has been retained by *VoiceofSanDiego.Org* in connection with the City of San Diego's failure to produce all public records responsive to the above-identified request under the California Public Records Act. The request pertains to questions about the City's water-management practices. In a letter to Rob Davis on June 19, 2009, Press Assistant Christina DiLeva indicated that the City is withholding 692 responsive e-mail records. Given the tremendous public interest in water availability generally and in the City's allocation, distribution, and consumption of this vital resource, the City cannot satisfy its burden of demonstrating that the public's interest in disclosure of the records is outweighed by the public's interest in non-disclosure or any other burden that it must meet to justify its refusal to produce the records.

My client has been cooperative in narrowing the scope of its original request and has been extremely patient in waiting for the City's production of all responsive records, but its patience has been abused. Obviously the records have been assembled and reviewed by the City because otherwise Ms. DiLeva would not have known which disclosure exemptions to invoke in her letter to Mr. Davis. Consequently, **if my client is not provided with access to all 692 responsive e-mail records by 4:00 p.m. on Wednesday, July 1, 2009, my client will immediately file a lawsuit to compel the records' production without further notice to the City.**

Please notify Mr. Davis directly that all responsive records are available for inspection. If you have any questions about this letter, however, please direct them to me.

Sincerely,

BRIGGS LAW CORPORATION

Cory J. Briggs

cc: Jan I. Goldsmith (via fax only)

