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COUNTY OF DELAWARE
GOVERNMENT CENTER BUILDING

201 West Front Street
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610.891.4270
www.delcopa.gov

March 1, 2024

Via Appeal E-FILE Portal

Catherine Hecker, Esq.
Commonwealth of Pennsylvania
Office of Open Records
333 Market Street, 16th Floor
Harrisburg, PA 17101-2234

Re: Millard and Delaware Valley Journal v. Delaware County
OOR Dkts. AP 2024-0491 and AP 2024-0492

Dear Appeals Officer Hecker:

This letter provides additional information regarding the above referenced appeals under the Pennsylvania Right to Know Law, 65 P.S. §§ 67.101, et seq. with respect to requests submitted by Taylor Millard to the County of Delaware (the “County”) and received by the County’s Open Records Officer:

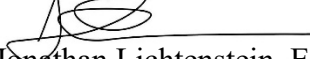
- (1) on February 15, 2024, for: the resignation letter of Lauren Footman as Director of Diversity, Equity, and Inclusion.
- (2) on February 5, 2024 for: (a) any documents created by the county administration from the dates of Jan 01, 2021 to Feb 01, 2024, on Diversity, Equity and Inclusion (DEI) hiring numbers, targeted numbers, and salary information within the county; and (b) any correspondence (written letters or emails, and all email attachments), between the dates of June 1, 2021, to Jan 31, 2024, on DEI hiring numbers, targeted numbers, and salary information.

The County conducted a good faith search for responsive records, as required by 65 P.S. § 67.901, and as detailed in the Affidavit enclosed herewith. The County’s good faith search did not return any responsive records.

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For the foregoing reasons, the appeals should be denied.

Respectfully submitted,


Jonathan Lichtenstein, Esq.
Deputy County Solicitor

Enclosures: Affidavit

cc: Taylor Millard (Via Appeal E-FILE Portal)
Anne Coogan, Open Records Officer (Via Appeal E-FILE Portal)

AFFIDAVIT

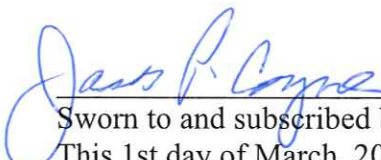
Jonathan Lichtenstein, pursuant to 18 P.S. Section 4904, deposes and states as follows:

1. I am the Solicitor for the County of Delaware (the "County"). This affidavit is based on information provided to me by the County's Open Records Officer (the "County ORO").
2. Taylor Millard, ("Requester") submitted the request (which is the subject of Docket # AP 2024-0491) on February 15, 2024 ("Request #1), for: the resignation letter of Lauren Footman as Director of Diversity, Equity, and Inclusion.
3. Requester submitted the request (which is the subject of Docket # AP 2024-0492) on February 5, 2024 ("Request #2"), for: (a) any documents created by the county administration from the dates of Jan 01, 2021 to Feb 01, 2024, on Diversity, Equity and Inclusion (DEI) hiring numbers, targeted numbers, and salary information within the county; and (b) any correspondence (written letters or emails, and all email attachments), between the dates of June 1, 2021, to Jan 31, 2024, on DEI hiring numbers, targeted numbers, and salary information.
4. On February 16, 2024, the County ORO inquired of the County's Chief Human Resources Officer as to whether she had any responsive records for Request #1. She replied that the County did not have such records as Lauren Footman did not submit a resignation letter.
5. On February 20, 2024, the County ORO responded in writing to Requester denying Request #1 as the County did not have any responsive records.
6. On February 6, 2024, the County ORO inquired of the County's Chief Human Resources Officer as to whether she had any responsive records for Request #2. She replied that the County did not have such records.
7. On February 12, 2024, the County ORO responded in writing to Requester denying Request #2 as the County did not have any responsive records.

Executed this 1st day of March, 2024.



Jonathan Lichtenstein,
Delaware County Solicitor



Sworn to and subscribed before me
This 1st day of March, 2024.
(Notary Public)

My commission expires: 9/16/2027

Commonwealth of Pennsylvania - Notary Seal
James P. Coyne, Notary Public
Delaware County
My commission expires September 16, 2027
Commission number 1357342
Member, Pennsylvania Association of Notaries