

Sealing, Donna

From: Sealing, Donna *OIS*
Sent: Tuesday, July 14, 2009 10:30 AM
To: Menefee, Becky
Cc: Raphael, Mary Jean
Subject: RE: training book re: Ex. 5

Becky,

Please change this page to read:

A FORESEEABLE HARM STATEMENT MUST BE PROVIDED FOR EXEMPTION 5, DELIBERATIVE PROCESS ONLY. ATTORNEY-CLIENT PRIVILEGE AND ATTORNEY-WORK PRODUCT DO NOT REQUIRE A FORESEEABLE HARM STATEMENT.

There are a few more places in the book that require updating. Mary Jean will get with you.

Thank you,

Donna

From: Raphael, Mary Jean
Sent: Tuesday, July 14, 2009 10:02 AM
To: Sealing, Donna
Cc: Menefee, Becky
Subject: RE: training book re: Ex. 5

We should also change ML060590485, How to Respond to an Initial FOIA Request (page 6, exemption 5 in bold) to state this excludes attorney-client privilege.

From: Sealing, Donna
Sent: Tuesday, July 14, 2009 9:54 AM
To: Raphael, Mary Jean
Cc: Menefee, Becky
Subject: RE: training book re: Ex. 5

No this has not changed. The books were not updated because the Ex 5 decisions were made at the last minute before the class. The book needs to be updated to reflect that harm statements are not required for all Ex 5. The discussion was that the books would be updated for the next class.

From: Raphael, Mary Jean
Sent: Tuesday, July 14, 2009 9:51 AM
To: Sealing, Donna
Subject: training book re: Ex. 5

I was called by an office regarding if we needed a harm statement for Ex. 5, attorney-client. I indicated no. However, I was told that our training book under Ex. 5 states we need a harm statement for Exemption 5, not excluding attorney-client. Has this changed because members of our section have been telling folks that attorney-client needs a harm statement.

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