

Information and Privacy Commissioner,
Ontario, Canada



Commissaire à l'information et à la protection de la vie privée,
Ontario, Canada

ORDER PO-3463-I

Appeal PA12-265-2

University of Ottawa

February 20, 2015

Summary: The appellant made a request to the university for all records, in specified university offices, relating to a named company. The university granted access to some records and withheld access to records on the basis of the research exclusion in section 65(8.1), the discretionary exemption in section 18(1) (economic or other interests) and the mandatory third party information exemption in section 17(1). The appellant raised the issue of the reasonableness of the university's search for responsive records. The adjudicator finds that the records are not excluded from the scope of the *Act* under section 65(8.1) as the records do not refer to any "specific, identifiable research project" and she remains seized to deal with the outstanding matter arising from this decision. The adjudicator also finds that section 17(1) and 18(1) do not apply to the records for which they were claimed. Finally, the university's search is upheld.

Statutes Considered: *Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. F.31, as amended, ss. 65(8.1)(a), 17(1)(b), 18(1)(a) and (c).

Orders and Investigation Reports Considered: Order PO-3243.

OVERVIEW:

[1] The appellant made a request to the University of Ottawa (the university) under the *Freedom of Information and Protection of Privacy Act* (the *Act*) for access to the following information:

[C]opies of all records related to [named company].

and sent to/by and/or received to/by and/or in the possession physically and/or electronically of:

The Office of the President
The Office of the Vice-President, Governance, formerly known as the Office of the Secretary, including legal Counsel
The Office of the Vice President, Academic
The Office of the Vice President, Resources
The Communications Office (a.k.a. The Communications Directorate)
The Office of the Dean of the Faculty of Graduate and Postdoctoral Studies
The Office of the Assistant Dean and Secretary of the Faculty of Graduate and Postdoctoral Studies
The Office of the Vice Dean of the Faculty of Graduate and Postdoctoral Studies
The Office of the Dean of the Faculty of Science
The Office of the Dean of Telfer School of Management
The Office of Marketing and Development of Telfer School of Management
The Office of Administrative Services of Telfer School of Management
[Named professor] in his role as Goldcorp Chair in Economic Geology
The Office of the Department of Earth Sciences
The Office of the Dean of the Faculty of Social Sciences
The Office of the Department of Economics
The Office of the School of Political Studies
The Office of the School of International Development and Global Studies
The Office of the Graduate School of Public and International Affairs

Between March 1, 2007 and present.

[2] This office initially dealt with this request as a deemed refusal and thus appeal file PA12-265 was opened. This appeal file was resolved when the university subsequently issued an access and fee decision, setting out the following:

- Full access granted to Records 1 – 11, 16, 19, 23, 33, 53, 59 – 63, 65, 67-70, 73-77, 80-92, 94, 96 and 99-101.
- Partial access granted to Records 13, 20-22, 54, 64, 66, 78-79, 93, 95 and 97-98, with information withheld under section 17(1) (third party information), 18(1) (economic and other interests) and 21(1) (personal privacy).

- Access denied in full to Records 12, 24-27, 34 and 52 under sections 17(1), 18(1) and 21(1).
- Some information withheld as non-responsive to the appellant's request.
- The research exclusion in section 65(8.1) applies to Records, 17, 18, 20, 28-32, 35-51, 55-58, 71-72 and 102-103.
- Lastly, the university claimed that the exemptions in sections 17(1), 18(1) and 21(1) applied to withhold some of the records for which it claimed the application of the exclusion in section 65(8.1).

[3] The appellant appealed the university's decision and the current appeal file was opened.

[4] During mediation, the appellant took issue with the fee and the nature of the university's search. However, these issues were successfully mediated and were no longer at issue in this appeal.

[5] The appellant also confirmed with the mediator that he is not seeking access to Record 12 or any of the personal information withheld in the records. Accordingly, the application of section 21(1) is no longer at issue in this appeal.

[6] With respect to the non-responsive information identified in Records 13, 93, 95 and 97, the appellant indicated that he is not interested in pursuing access to this information at appeal.

[7] Finally, the appellant indicated that he does not seek access to any records created before 2008. As such, Records 1 to 23 have been removed from the scope of the appeal.

[8] I initially sought and received representations from the university and an organization whose interests may be affected by the outcome of this appeal (the affected party). The affected party organization whose information is at issue responded by stating,

We have reviewed the information held by [the university] relating to [the affected party]. The information held by the university is identified as "Record 12" and was created before 2008. As stated on page three of the Notice, the appellant is no longer seeking access to "Record 12" or any records that were created before 2008. Accordingly, we do not believe that it is necessary for [the affected party] to make any representations

regarding the Notice as disclosure of the information held by the university about [the affected party] is no longer being sought.

[9] I then sought and received the appellant's representations. Representations were shared between the parties in accordance with section 7 of the IPC's *Code of Procedure* and *Practice Direction 7*. The appellant, in his representations, indicated that the issue of additional responsive records was still an issue and that he wanted the university's search to be an issue on appeal. Accordingly, the university's representations on its search were sought and received.

[10] In this order, I find the exclusion in section 65(8.1) does not apply to the records for which it was claimed and I remain seized of the appeal to deal with any outstanding matters relating to this finding. Furthermore, I find the section 17(1) and 18(1) exemptions do not apply to those records for which those exemptions were claimed and the university is ordered to disclose these records. I uphold the university's search for responsive records as reasonable.

RECORDS:

[11] The records at issue are described in the index of records found in the appendix to this order.

ISSUES:

- A. Does section 65(8.1) exclude some of the records from the *Act*?
- B. Does the mandatory exemption at section 17(1) apply to some of the records?
- C. Does the discretionary exemption at section 18(1) apply to some of the records?
- D. Did the university conduct a reasonable search for responsive records?

DISCUSSION:

A. Does section 65(8.1) exclude some of the records from the *Act*?

[12] The university submits that section 65(8.1)(a) applies to a number of the records. That section states:

This Act does not apply,

- (a) to a record respecting or associated with research conducted or proposed by an employee of an educational

institution or by a person associated with an educational institution; or

[13] Research is defined as "... a systematic investigation designed to develop or establish principles, facts or generalizable knowledge, or any combination of them, and includes the development, testing and evaluation of research." The research must be referable to specific, identifiable research projects that have been conceived by a specific faculty member, employee or associate of an educational institution.¹

[14] This section applies where it is reasonable to conclude that there is "some connection" between the record and the specific, identifiable "research conducted or proposed by an employee of an educational institution or by a person associated with an educational institution."²

[15] The university submits that Orders PO-2693, PO-2942 and PO-3084 are relevant in my determination. The university submits that the records are linked to research that falls into the scope of the definition in Order PO-2693 and that it is more than reasonable to conclude that there is "some connection" between the records and the research conducted by the professor, an employee of the educational institution as defined in Order PO-2942 and *Ministry of the Attorney General and Toronto Star and Information and Privacy Commissioner*, 2010 ONSC 991 (Div. Ct.).

[16] The university further submits that the purpose of section 65(8.1) as set out in PO-2693 is to protect the university's academic freedom and competitiveness by excluding certain records from the scope of the *Act*. Moreover, in applying section 65(8.1), I should be considering the importance of academic freedom as set out in PO-3084.

[17] The university submits that all of the records are related to the research Chair (Goldcorp Chair in Economic Geology) and states:

A Chair, by definition, is created to lead the research in a specific field of research. In this specific case, the focus of the Chair is on research and education related to mineral resources in the Canadian Shield. The following initiatives would be implemented through this Chair: 1) Canadian Shield Research Institute; 2) Ontario Graduate Teaching Network in Mineral Resources; 3) Editorship of the Journal Economic Geology. All these initiatives are link[ed] to research project[s] in the field of Economic Geology. There is definitely a connection between the records and the research projects undertaken by the Chair in the 3 above initiatives.

¹ Order PO-2693.

² Order PO-2942; see also *Ontario (Attorney General) v. Toronto Star*, 2010 ONSC 991 (Div. Ct.).

[18] Finally, the university submitted specific representations about the records for which the exclusion is claimed, some of which were not shared with the appellant due to confidentiality concerns.

[19] The appellant submits that I consider the finding in Order PO-3243 where Adjudicator Stella Ball considered the application of the section 65(8.1)(a) exclusion to similar records of the university. In finding that the exclusion did not apply, Adjudicator Ball stated the following:

Previous orders of this office have established that records must relate to specific, identifiable research projects in order to be excluded under section 65(8.1)(a) of the *Act*. In adopting this approach, I note that the email records in this appeal are communications aimed at organizing the preparation of future research project proposals in compliance with certain timelines. The emails discuss possible research initiatives, potential research partnerships and prospective avenues of research funding. While the emails refer to academic disciplines and related research funding options, they do not refer to any "specific, identifiable research projects that have been conceived." Because the records do not reveal any specific, identifiable and conceived research project, they do not satisfy the requirement that the research be "conducted or proposed" in order to qualify for exclusion under section 65(8.1)(a). Therefore, I find that the records are not excluded from the *Act* by section 65(8.1)(a).

[20] The university was given an opportunity to respond to the appellant's submissions, but did not comment on the application of Order PO-3243 to the records at issue.

[21] Based on my review of the records and the representations of the parties, I find that the university has not established that the exclusion in section 65(8.1)(a) applies. The records at issue are predominantly emails between the professor who acts as the Goldcorp Chair and other individuals within the university. The communications relate to possible research partnerships and initiatives involving the university Goldcorp Chair and outside organizations. Some of the records are also draft letters concerning possible partnerships for Goldcorp Chair initiatives. I find that while all of the records relate to the Goldcorp Chair, they do not refer to any "specific, identifiable research projects that have been conceived". As the records do not relate to any specific, identifiable and conceived research project, there is insufficient connection between them and any such research. As a result, they do not qualify for exclusion under section 65(8.1)(a) and the records are not excluded from the scope of the *Act*.

B. Does the mandatory exemption at section 17(1) apply to some of the records?

[22] In its representations, the university indicates that it no longer claims the application of section 17(1)(b) for Records 34 and 52. Furthermore, the affected party did not address the application of section 17(1) to these records. However, as section 17(1) is a mandatory exemption, I will consider whether these two records are exempt under section 17(1)(b) which states:

A head shall refuse to disclose a record that reveals a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence implicitly or explicitly, where the disclosure could reasonably be expected to,

result in similar information no longer being supplied to the institution where it is in the public interest that similar information continue to be so supplied.

[23] Section 17(1) is designed to protect the confidential “informational assets” of businesses or other organizations that provide information to government institutions.³ Although one of the central purposes of the *Act* is to shed light on the operations of government, section 17(1) serves to limit disclosure of confidential information of third parties that could be exploited by a competitor in the marketplace.⁴

[24] For section 17(1) to apply, the institution and/or the third party must satisfy each part of the following three-part test:

1. the record must reveal information that is a trade secret or scientific, technical, commercial, financial or labour relations information; and
2. the information must have been supplied to the institution in confidence, either implicitly or explicitly; and
3. the prospect of disclosure of the record must give rise to a reasonable expectation that one of the harms specified in paragraph (a), (b), (c) and/or (d) of section 17(1) will occur.

[25] Based on my review of these two records, it is not evident to me that they contain the type of information that is protected under section 17(1). Furthermore, on their face, the records do not indicate that the information was supplied by the affected

³ *Boeing Co. v. Ontario (Ministry of Economic Development and Trade)*, [2005] O.J. No. 2851 (Div. Ct.), leave to appeal dismissed, Doc. M32858 (C.A.) (*Boeing Co.*).

⁴ Orders PO-1805, PO-2018, PO-2184 and MO-1706.

party to the university in confidence. Lastly, while the university initially argued that disclosure of the information in the records would result in similar information no longer being supplied to the university, the university has since withdrawn this position and I have no information supporting the position that the harms in section 17(1)(b) would result from disclosure. In the absence of representations and on my review of the records, I find that the records do not meet any part of the three part test and, as such, do not qualify for exemption under section 17(1).

[26] As the university also claimed the application of section 18(1) to these records, I will now proceed to consider whether they are exempt from disclosure under that exemption.

C. Does the discretionary exemption at section 18(1) apply to some of the records?

[27] The university submits that some of the records qualify for exemption under section 18(1)(a) and (c) which state:

A head may refuse to disclose a record that contains,

- (a) trade secrets or financial, commercial, scientific or technical information that belongs to the Government of Ontario or an institution and has monetary value or potential monetary value;
- (c) information where the disclosure could reasonably be expected to prejudice the economic interests of an institution or the competitive position of an institution.

[28] The purpose of section 18 is to protect certain economic interests of institutions. Generally, it is intended to exempt commercially valuable information of institutions to the same extent that similar information of non-governmental organizations is protected under the *Act*.⁵

[29] For section 18(1)(c) to apply, the institution must provide detailed and convincing evidence about the potential for harm. It must demonstrate a risk of harm that is well beyond the merely possible or speculative although it need not prove that disclosure will in fact result in such harm. How much and what kind of evidence is needed will depend on the type of issue and seriousness of the consequences.⁶

⁵ Toronto: Queen's Printer, 1980.

⁶ *Ontario (Community Safety and Correctional Services) v. Ontario (Information and Privacy Commissioner)*, 2014 SCC 31 (CanLII) at paras. 52-4.

[30] The failure to provide detailed and convincing evidence will not necessarily defeat the institution's claim for exemption where harm can be inferred from the surrounding circumstances. However, parties should not assume that the harms under section 18 are self-evident or can be proven simply by repeating the description of harms in the *Act*.⁷

Section 18(1)(a): information that belongs to government

[31] For section 18(1)(a) to apply, the institution must show that the information:

1. is a trade secret, or financial, commercial, scientific or technical information,
2. belongs to the Government of Ontario or an institution, and
3. has monetary value or potential monetary value.

Part 1: type of information

[32] The university submits that the records contain financial information which has been defined in past orders as:

...information relating to money and its use or distribution and must contain or refer to specific data. Examples of this type of information include cost accounting methods, pricing practices, profit and loss data, overhead and operating costs.⁸

[33] The university submits that Records 24 to 27 are email exchanges between university employees and contains financial information.

[34] I find that the Records 24 to 27 do contain information regarding the payments of money to the university which constitutes "financial information" for the purposes of section 18(1).

Part 2: belongs to

[35] For information to "belong to" an institution, the institution must have some proprietary interest in it either in a traditional intellectual property sense – such as copyright, trade mark, patent or industrial design – or in the sense that the law would recognize a substantial interest in protecting the information from misappropriation by another party.

⁷ Order MO-2363.

⁸ Order PO-2010.

[36] Examples of information belonging to an institution are trade secrets, business-to-business mailing lists,⁹ customer or supplier lists, price lists, or other types of confidential business information. In each of these examples, there is an inherent monetary value in the information to the organization resulting from the expenditure of money or the application of skill and effort to develop the information. If, in addition, the information is consistently treated in a confidential manner, and it derives its value to the organization from not being generally known, the confidential business information will be protected from misappropriation by others.¹⁰

[37] The university did not address this part of the test and it is not evident to me that the financial information in Records 24 to 27 belongs to the university. The information relates to the university and the information would not likely be relevant to another institution or organization, however, I am unable to find that the information “belongs to” the university for the purposes of section 18(1)(a).

Part 3: monetary value

[38] To have “monetary value”, the information itself must have an intrinsic value. The purpose of this section is to permit an institution to refuse to disclose a record where disclosure would deprive the institution of the monetary value of the information.¹¹

[39] Although, the university did not establish that the financial information in Records 24 to 27 belongs to it, I decided to consider the final part of the test for the application of section 18(1)(a).

[40] The university did not make submissions on the monetary value of the financial information in the records and it is not evident to me from my review of them, whether there is any monetary value in the information. The information in the records is dated, in that, the events that are being spoken about in the records have already occurred. I am unable to find that the financial information has extrinsic value and that the university would be deprived of the monetary value of the information if the records were disclosed.

[41] Accordingly, I find that section 18(1)(a) does not apply to Records 24 to 27 and I will order them disclosed to the appellant.

⁹ Order P-636.

¹⁰ Order PO-1763, upheld on judicial review in *Ontario Lottery and Gaming Corporation v. Ontario (Information and Privacy Commissioner)*, [2001] O.J. No. 2552 (Div. Ct.); see also Orders PO-1805, PO-2226 and PO-2632.

¹¹ Orders M-654 and PO-2226.

Section 18(1)(c): prejudice to economic interests

[42] The purpose of section 18(1)(c) is to protect the ability of institutions to earn money in the marketplace. This exemption recognizes that institutions sometimes have economic interests and compete for business with other public or private sector entities, and it provides discretion to refuse disclosure of information on the basis of a reasonable expectation of prejudice to these economic interests or competitive positions.¹²

[43] This exemption is arguably broader than section 18(1)(a) in that it does not require the institution to establish that the information in the record belongs to the institution, that it falls within any particular category or type of information, or that it has intrinsic monetary value. The exemption requires only that disclosure of the information could reasonably be expected to prejudice the institution's economic interests or competitive position.¹³

[44] The university submits that it must compete with other universities to bring in the best students and to that end, it must invest a lot of energy in building its credibility and developing other attraction factors. The university states:

Well-funded and interesting research projects attract not only students but also the highest minded professors in those specific fields of research and therefore, increases the level of teaching in that institution. It also creates more employment opportunities for students and raises the factor of placement of their *alma mater*. It also leads to high-quality university publications that increases the institution's credibility and attraction factors and raises the chances to obtain more funding for research.

[45] The university also made the following record-specific representations:

- Records 34 and 52 contain information related to the placement and employment for university students. The disclosure of this information would lead to a reasonable expectation of prejudice to the institution's competitive positions. More specifically, the strategies, approach and contact information used to help students to find employment opportunities in their field of study are important as they help to raise the factor of placement of the university.
- The severed parts of Records 54 and 98 contain information about strategic approaches whose disclosure could compromise the established partner relationship.

¹² Orders P-1190 and MO-2233.

¹³ Orders PO-2014-I, MO-2233, MO-2363, PO-2632 and PO-2758.

[46] The appellant submits that I should consider the finding in Order PO-3243 where Adjudicator Stella Ball did not uphold the university's claim of section 18(1)(c) for similar records and instead found:

The university's submissions on this issue, including those found in its confidential representations, are general assertions and speculation. The university asserts that revealing information on suggested research funding initiatives from five years earlier and from two and a half years earlier, will prejudice its economic interests and competitiveness; however, it does not explain why it is reasonable to expect this outcome. The university provides no information on whether the suggested research initiatives mentioned in the records were undertaken successfully, if at all, and what their current status, if any, is. Such information could have assisted the university in demonstrating that it has real economic interests worthy of protection that could be affected by disclosure of the records.

[47] The appellant suggests that the records at issue in this current appeal are also over a year old and as such it is unreasonable to expect that the university's economic interests could be harmed by disclosure.

[48] The university was given an opportunity to respond to the appellant's representations on the age of the records affecting the potential harm upon disclosure of the records. The university reiterated that disclosure of the records could reasonably be expected to cause it harm and that the information could be exploited by its competitors to the detriment of the university.

[49] The university states that Records 34 and 52 are email communications about possible student placements and argues that disclosure of this information would disclose contact information, strategies and approaches for finding placement positions for students. I find that the university's representations about the harm regarding the disclosure of these two records are speculative. The two records indicate that the affected party contacted a professor at the university seeking students to fill research positions. These positions it appears were then filled. I am unable to discern an approach or strategy made by the university for the purpose of finding student placements. I further find the appellant's argument on the age of the records to be relevant. The university has not established that the information in these records is still current and relevant in the circumstances. I find section 18(1)(c) does not apply to exempt these records from disclosure.

[50] I further find that the information withheld on Records 54 and 98 is also not exempt under section 18(1)(c). The university's representations do not provide the detailed and convincing evidence necessary to establish that disclosure of the "partnership" information could reasonably be expected to prejudice its economic interests. The university's representations do not speak to the economic interest in the

partnership much less the prejudice it would suffer should these partnerships be dissolved and are simply a restatement of the exemption. I find that section 18(1)(c) does not apply to exempt these records from disclosure.

[51] The university did not submit representations on the application of section 18(1)(a) and/or (c) to the remaining records even though on its index and in its decision it indicates that section 18 is claimed in the alternative for the records where the exclusion was claimed. As I have found that the exclusion in section 65(8.1) does not apply to the records, and the university did not submit representations on the application of section 18(1), I will provide the university with an opportunity to do so, following the issuance of this order.

D. Did the university conduct a reasonable search for the records?

[52] Where a requester claims that additional records exist beyond those identified by the institution, the issue to be decided is whether the institution has conducted a reasonable search for records as required by section 24.¹⁴ If I am satisfied that the search carried out was reasonable in the circumstances, I will uphold the institution's decision. If I am not satisfied, I may order further searches.

[53] The *Act* does not require the institution to prove with absolute certainty that further records do not exist. However, the institution must provide sufficient evidence to show that it has made a reasonable effort to identify and locate responsive records.¹⁵ To be responsive, a record must be "reasonably related" to the request.¹⁶

[54] A reasonable search is one in which an experienced employee knowledgeable in the subject matter of the request expends a reasonable effort to locate records which are reasonably related to the request.¹⁷

[55] Although a requester will rarely be in a position to indicate precisely which records the institution has not identified, the requester still must provide a reasonable basis for concluding that such records exist.¹⁸

[56] The appellant identifies the following as his reasonable basis for his belief that additional responsive records may exist:

- The university's track record of delays due to lack of resources with respect to requests for information.

¹⁴ Orders P-85, P-221 and PO-1954-I.

¹⁵ Orders P-624 and PO-2559.

¹⁶ Order PO-2554.

¹⁷ Orders M-909, PO-2469 and PO-2592.

¹⁸ Order MO-2246.

- The university's reluctance to proactively disclose more information to the general public.
- The university's failure to disclose information which the appellant has been granted full access to including, Records 1 and 20 fail to disclose the content of email attachments and email addresses.
- Records 59 – 63 indicate a relationship between the former Chairman of the affected party and the university's central administration but the nature of the agreement between the university and affected party regarding the Telfer School of Management remains undisclosed.
- The university's fee breakdown indicates that there was no time allocated for the search of records, as it was "apparently combined with another".

[57] In response to the appellant's representations, the university submitted brief representations, an affidavit and exhibits. I further note that during mediation, the appellant participated in a teleconference with the university and the mediator where the issue of the search for records relating to the Telfer School of Management was discussed, apparently to the appellant's satisfaction.

[58] The university submits that it did not contact the appellant for clarification with respect to his request as the scope of the request was clear. Upon receipt of the request, the Coordinator informed the offices named in the request and subsequently a search was conducted in the named offices. The university provided an affidavit from the Administrative Officer at the university who affirmed that she received the search forms completed by the following offices:

- Vice-President, Governance
- Office of the Legal Services
- Department of Economics
- Graduate and Postdoctoral Studies
- School of Political Studies
- Faculty of Graduate and Postdoctoral Studies
- Graduate School of Public and International Affairs
- Department of Earth Sciences
- Vice-President, Resources
- Office of the Vice-President, Academic and Provost
- Office of the Assistant Dean and Secretary General
- Office of the Dean of Faculty of Sciences
- Offices of the Chief Administrative Officer, Dean and Assistant Dean, External Relations of the Telfer School of Management
- Communications Directorate

- School of International Development and Global Studies
- Office of the President
- Faculty of Social Sciences

[59] The search forms from the various offices indicate the record-holdings searched, the key words used in the searches, the period of time covered for the search and the amount of time spent searching. The forms also indicate whether records were located as a result of the search.

[60] As stated above, the university does not have to prove with absolute certainty that further records do not exist. However, the university must provide sufficient evidence to show that it has made a reasonable effort to identify and locate responsive records.

[61] In this case, the university has provided the appellant with evidence about the offices searched. Moreover, the university has provided an explanation as to why the Telfer School of Management is not listed separately on the fee breakdown. Furthermore, the issues raised by the appellant relate to records which he removed from the scope of the appeal at mediation.

[62] Accordingly, I find the university has provided sufficient evidence to show that it has made a reasonable effort to identify and locate responsive records. I uphold the university's search as reasonable.

ORDER:

1. I order the university to disclose Records 24 – 27, 34, 52, 54 and 98 to the appellant by providing him with a copy of those records by **March 20, 2015**.
2. I find that the exclusion in section 65(8.1) does not apply to exclude the records, for which they were claimed, from the application of the *Act*.
3. I remain seized of this appeal in order to deal with any outstanding matters arising from my finding that the exclusion does not apply.
4. I uphold the university's search for records.

Original Signed By:
Stephanie Haly
Adjudicator

February 20, 2015

APPENDIX

INDEX OF RECORDS

NO.	Date	Description	Exemption/Exclusion Applied	Finding
24	01/23/2008	Email	18	Disclose
25	01/24/2008	Email	18	Disclose
26	01/24/2008	Email	18	Disclose
27	01/24/2008	Email	18	Disclose
28	04/01/2008	Email	65(8.1), 18	65.(8.1) does not apply
29	04/01/2008	Email	65(8.1), 18	65.(8.1) does not apply
30	04/02/2008	Email	65(8.1), 18	65.(8.1) does not apply
31	2008	Letter	65(8.1), 18	65.(8.1) does not apply
32	06/18/2008	Email	65(8.1), 18	65.(8.1) does not apply
34	02/19/2009	Email	17, 18	Disclose
35	06/26/2009	Email	65(8.1), 18	65.(8.1) does not apply
36	06/26/2009	Email	65(8.1), 18	65.(8.1) does not apply
37	06/26/2009	Email	65(8.1), 18	65.(8.1) does not apply
38	07/03/2009	Email	65(8.1), 18	65.(8.1) does not apply
39	07/08/2009	Email	65(8.1), 18	65.(8.1) does not apply
40	07/23/2009	Email	65(8.1), 18	65.(8.1) does not apply
41	07/30/2009	Email	65(8.1), 18	65.(8.1) does not apply
42	07/31/2009	Email	65(8.1), 18	65.(8.1) does not apply
43	08/04/2009	Email	65(8.1), 18	65.(8.1) does not apply
44	08/05/2009	Email	65(8.1), 18	65.(8.1) does not apply
45	08/19/2009	Email	65(8.1), 18	65.(8.1) does not apply

46	08/19/2009	Email	65(8.1), 18	65.(8.1) does not apply
47	09/08/2009	Email	65(8.1), 18	65.(8.1) does not apply
48	09/08/2009	Email	65(8.1), 18	65.(8.1) does not apply
49	09/18/2009	Email	65(8.1), 18	65.(8.1) does not apply
50	09/18/2009	Email	65(8.1), 18	65.(8.1) does not apply
51	09/24/2009	Email	65(8.1), 18	65.(8.1) does not apply
52	01/04/2010	Email	17, 18	Disclose
54	01/14/2010	Email	18 (partial)	Disclose
55	03/05/2010	Email	65(8.1), 18	65.(8.1) does not apply
56	03/05/2010	Email	65(8.1), 18	65.(8.1) does not apply
57	04/13/2010	Email	65(8.1), 18	65.(8.1) does not apply
58	04/13/2010	Email	65(8.1), 18	65.(8.1) does not apply
71	07/22/2010	Email	65(8.1), 18	65.(8.1) does not apply
72	07/23/2010	Email	65(8.1), 18	65.(8.1) does not apply
102	Undated	Letter	65(8.1), 18	65.(8.1) does not apply
103	Undated	Letter	65(8.1), 18	65.(8.1) does not apply