Information and Privacy Commissioner,
Ontario, Canada

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

ORDER PO-3444

Appeal PA12-374

University of Ottawa

January 7, 2015

Summary: The appellant made a request to the university for records relating to him while he was a medical resident at an affiliated teaching hospital. The university granted partial access to the responsive records, denying information on the basis of the discretionary exemption in section 49(a) with reference to sections 13(1) (advice or recommendation) and 19 (solicitor-client privilege). The university also claimed that some records were excluded from the *Act* under section 65(6)3 (labour relations or employment records). Finally, the appellant raised the issue of the reasonableness of the university's search and the possibility of additional responsive records. The adjudicator upholds the university's decision to deny access under section 49(a). Furthermore, the university's claim of the exclusion in section 65(6)3 on behalf of the hospital is upheld. Lastly, the adjudicator finds the university's search to be reasonable.

Statutes Considered: *Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. F.31, as amended, ss. 2(1) (definition of "personal information"), 49(a), 19, 65(6)3.

Orders Considered: Order PO-3257.

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 information relating to his academic performance when he was a medical resident at the Ottawa Hospital (the hospital). Specifically, the request was as follows:

> All copies of all correspondence memoranda associates (include emails) with respect to me generally and my academic performance at the University of Ottawa from [specified date] to date. I expect that the majority of my materials will be found in the offices of Legal Counsel, the Dean of Faculty of Medicine, the Associate Dean PGME [named doctor], the division of Cardiac Surgery the Program Director of Cardiac Surgery [named doctor], the Human Resources, the President, the VIP Governance, and other offices.

[2] The university located a number of responsive records and provided the appellant with a decision granting partial access to them and denying information pursuant to the discretionary exemption in section 49(a) in conjunction with sections 13(1) (advice or recommendation) and 19 (solicitor-client privilege) and the mandatory personal privacy exemption in section 21(1). The university also indicated that it did not conduct a search in the office of the Program Director of Cardiac Surgery as it does not have custody and control of those records.

[3] During mediation, the following occurred:

- The appellant confirmed that he is not appealing access to information withheld under section 49(b) in conjunction with section 21(1) and any information identified as not responsive.
- The university identified one record and denied access to it on the basis that it was excluded under section 65(6) (labour relations and employment-related records).[1]
- The appellant advised that he believes additional responsive records should exist and thus the reasonableness of the university's search was added to the scope of the appeal.

[4] During my inquiry, I sought representations from the university and the appellant. I received representations from the university only. The university, upon receipt and review of Order PO-3257, determined that it would conduct a search for records in the office of the Program Director of Cardiac Surgery. The university provided a decision to the appellant with respect to the records located. As the university has conducted a search in the record holdings of the Program Director of Cardiac Surgery, I have removed the custody and control issue from the scope of the appeal. Furthermore, the university withdrew its reliance on section 13(1) of the *Act* instead relying on section 49(a) in conjunction with section 19 for this information.

[5] In this order, I uphold the university's decision.

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[1] The university identified a few other records in the index as excluded from the *Act* under section 65(6).

RECORDS:

[6] The records at issue are set out in the appendix to this order. The records predominantly consist of emails with attached documents.

ISSUES:

A. Does section 65(6) exclude some of the records from the *Act*?

B. Do the records contain "personal information" as defined in section 2(1) and, if so, to whom does it relate?

C. Does the discretionary exemption at section 49(a) in conjunction with the section 19 exemption apply to the records at issue?

D. Was the university's exercise of discretion proper?

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

DISCUSSION:

A. Does section 65(6) exclude some of the record from the *Act*?

[7] The university has claimed that four records are excluded from the *Act* pursuant to section 65(6)3 of the *Act* which states:

> Subject to subsection (7), this Act does not apply to records collected, prepared, maintained or used by or on behalf of an institution in relation to any of the following:
>
> > Meetings, consultations, discussions or communications about labour relations or employment related matters in which the institution has an interest.

[8] If section 65(6) applies to the records, and none of the exceptions found in section 65(7) applies, the records are excluded from the scope of the *Act*.

[9] For the collection, preparation, maintenance or use of a record to be "in relation to" the subjects mentioned in paragraph 1, 2 or 3 of this section, it must be reasonable to conclude that there is "some connection" between them.[2]

[2] Order MO-2589; see also *Ministry of the Attorney General and Toronto Star and Information and Privacy Commissioner*, 2010 ONSC 991 (Div. Ct.).

[10] The term "labour relations" refers to the collective bargaining relationship between an institution and its employees, as governed by collective bargaining legislation, or to analogous relationships. The meaning of "labour relations" is not restricted to employer-employee relationships.[3]

[11] The term "employment of a person" refers to the relationship between an employer and an employee. The term "employment-related matters" refers to human resources or staff relations issues arising from the relationship between an employer and employees that do not arise out of a collective bargaining relationship.[4]

[12] If section 65(6) applied at the time the record was collected, prepared, maintained or used, it does not cease to apply at a later date.[5]

[13] Section 65(6) may apply where the institution that received the request is not the same institution that originally "collected, prepared, maintained or used" the records, even where the original institution is an institution under the *Municipal Freedom of Information and Protection of Privacy Act*.[6]

[14] For section 65(6)3 to apply, the institution must establish that:

1. the records were collected, prepared, maintained or used by an institution or on its behalf;

2. this collection, preparation, maintenance or usage was in relation to meetings, consultations, discussions or communications; and

3. these meetings, consultations, discussions or communications are about labour relations or employment-related matters in which the institution has an interest.

[15] The university submits that Records 119 – 122 are excluded from the *Act* pursuant to section 65(6)3 as they relate to the appellant's grievance filed under the Professional Association of Interns and Residents of Ontario (formerly "PAIRO" now "PARO") and the Council of Academic Hospitals of Ontario (CAHO) collective agreement.

[16] Based on my review of these records, I find that parts 1 and 2 of the test are established as it is evident the university prepared and used the records for the purpose of discussions and communications relating to the appellant's grievance. The records

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[3] *Ontario (Minister of Health and Long-Term Care) v. Ontario (Assistant Information and Privacy Commissioner)*, [2003] O.J. No. 4123 (C.A.); see also Order PO-2157.
[4] Order PO-2157.
[5] *Ontario (Solicitor General) v. Ontario (Assistant Information and Privacy Commissioner)* (2001), 55 O.R. (3d) 355 (C.A.), leave to appeal refused [2001] S.C.C.A. No. 507.
[6] Orders P-1560 and PO-2106.

consist of emailed communications between university staff and hospital and university lawyers relating to the appellant's grievance.

Part 3: labour relations or employment-related matters in which the institution has an interest

[17] The phrase "in which the institution has an interest" means more than a "mere curiosity or concern", and refers to matters involving the institution's own workforce.[7]

[18] The records collected, prepared, maintained or used by the institution are excluded only if the meetings, consultations, discussions or communications are about labour relations or "employment-related" matters in which the institution has an interest. Employment-related matters are separate and distinct from matters related to employees' actions.[8]

[19] The university submits that as a medical resident of its Faculty of Medicine Cardiac Surgery Program, the appellant has a dual status. The university states:

> All medical residents have [a] dual status in that they are at the same time (1) trainees registered in an approved program at a university for eventual accreditation as specialists and (2) employees of the teaching hospitals where they undertake their clinical training. The employment conditions of a medical resident at the hospital are governed by a collective agreement between teaching hospitals [CAHO] and a union representing medical residents [PARO].

[20] The university submits that it is an "institution having an interest" given the dual status of medical residents as both trainees and physicians employed by the hospital. This dual status is set out in the PARO – CAHO Collective Agreement. The university submits that the records relate to the appellant's grievance filed under the agreement and as such are "labour relations matters" in which it has an interest.

[21] As stated above, the phrase "in which the institution has an interest" has been interpreted to refer to matters involving an institution's own workforce. In Order PO-3257, I considered an appeal from a similar request for access to records of the appellant also to the university. In that decision, I found that based on the material before me, it was not apparent that there was an employment or labour relations relationship between the appellant and the university. However, I went on to find that an employment relationship did exist between the hospital and the appellant for the purposes of section 65(6). Accordingly, I found that the university could claim the exclusion on behalf of the hospital where I found that the hospital has an interest in the records. At paragraph 27 of that decision I state:

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[7] *Ontario (Solicitor General) v. Ontario (Assistant Information and Privacy Commissioner),* cited above.
[8] *Ontario (Ministry of Correctional Services) v. Goodis*, cited above.

> The materials before me, including the parties' submissions, establish that medial residents are employed by the teaching hospitals and this employment relationship is subject to the collective agreement between PARO and the hospitals. The appellant is an employee of the hospital for the purposes of section 65(6)3 and the grievance between the hospital and the appellant is a matter involving the hospital's own workforce. In the circumstances of this appeal, I find that the appellant's grievance is a labour-relations matter in which the hospital has an interest.

[22] I find that my rationale in Order PO-3257 is relevant in this appeal. The records before me relate to discussions between university staff, the university lawyer and the hospital lawyer about the appellant's grievance. I find that the appellant's grievance is a labour relations matter in which the hospital has an interest. As I have found that Records 119 – 122 were prepared and used by the university and hospital in relation to communications and discussions about a labour relations matter in which the hospital has an interest, I find that the exclusion applies to them. Accordingly, I find that the university is able to claim the exclusion on behalf of the hospital, and the records listed above are excluded from the application of the *Act* under section 65(6)3.

B. Do the records contain "personal information" as defined in section 2(1) and, if so, to whom does it relate?

[23] In order to determine which sections of the *Act* may apply, it is necessary to decide whether the record contains "personal information" and, if so, to whom it relates. That term is defined in section 2(1) as follows:

> "personal information" means recorded information about an identifiable individual, including,
>
> (a) information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual,
>
> (b) information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved,
>
> (c) any identifying number, symbol or other particular assigned to the individual,
>
> (d) the address, telephone number, fingerprints or blood type of the individual,

> (e) the personal opinions or views of the individual except if they relate to another individual,
>
> (f) correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence,
>
> (g) the views or opinions of another individual about the individual, and
>
> (h) the individual's name where it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual.

[24] The list of examples of personal information under section 2(1) is not exhaustive. Therefore, information that does not fall under paragraphs (a) to (h) may still qualify as personal information.[9]

[25] Sections 2(3) and (4) also relate to the definition of personal information. These sections state:

> (3) Personal information does not include the name, title, contact information or designation of an individual that identifies the individual in a business, professional or official capacity.
>
> (4) For greater certainty, subsection (3) applies even if an individual carries out business, professional or official responsibilities from their dwelling and the contact information for the individual relates to that dwelling.

[26] To qualify as personal information, the information must be about the individual in a personal capacity. As a general rule, information associated with an individual in a professional, official or business capacity will not be considered to be "about" the individual.[10]

[27] Even if information relates to an individual in a professional, official or business capacity, it may still qualify as personal information if the information reveals something of a personal nature about the individual.[11]

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[9] Order 11.
[10] Orders P-257, P-427, P-1412, P-1621, R-980015, MO-1550-F and PO-2225.
[11] Orders P-1409, R-980015, PO-2225 and MO-2344.

[28] To qualify as personal information, it must be reasonable to expect that an individual may be identified if the information is disclosed.[12]

[29] The university submits that the records relate to the appellant's education, academic performance, employment matters with the hospital and various legal matters. The university submits this is all the personal information of the appellant within the meaning of section 2(1) of the *Act*.

[30] I further find that the records contain the personal opinions and views of the appellant by various hospital and university staff. I find this information also qualifies as the appellant's personal information for the purposes of section 2(1).

[31] I further find that the records contain recorded information about other individuals, specifically staff members at the university and hospital, including doctors holding academic appointments with the university. As stated above, to qualify as personal information, the information must be about the individual in a personal capacity and not about them in their professional or official capacity. In regard to the information about the university and hospital staff members and doctors holding academic appointments, I find that the information in the records relates to them in their personal capacity including other work commitments and holiday plans and schedules. I find this to be their personal information for the purposes of section 2(1). I also find that the recorded information about these individuals includes the following types of information:

- Information relating to address and telephone number (paragraph (d) of the definition of "personal information");

- The personal opinions or views of the individuals (paragraph (e) of the definition of "personal information");

- The individual's name where it appears with other personal information relating to the individual (paragraph (h) of the definition of "personal information").

[32] Accordingly, I have found that the records contain the personal information of the appellant and other identifiable individuals. While the university has disclosed most of the appellant's own information to him, the remaining personal information at issue is the subject of the records for which the university has claimed the application of section 49(a) in conjunction with section 19.

[12] Order PO-1880, upheld on judicial review in *Ontario (Attorney General) v. Pascoe*, [2002] O.J. No. 4300 (C.A.).

C. Does the discretionary exemption at section 49(a) in conjunction with the section 19 exemption apply to the records at issue?

[33] Section 47(1) gives individuals a general right of access to their own personal information held by an institution. Section 49(a) provides an exemption from this right and states:

> A head may refuse to disclose to the individual to whom the information relates personal information,
>
> > where section 12, 13, 14, 14.1, 14.2, 15, 16, 17, 18, **19**, 20 or 22 would apply to the disclosure of that personal information. [Emphasis by me].

[34] Section 49(a) of the *Act* recognizes the special nature of requests for one's own personal information and the desire of the legislature to give institutions the power to grant requesters access to their personal information.[13] Where access is denied under section 49(a), the institution must demonstrate that, in exercising its discretion, it considered whether a record should be released to the requester because the record contains his or her personal information.

[35] In this case, the university relies on section 49(a) in conjunction with section 19 which states:

> A head may refuse to disclose a record,
>
> > (a) that is subject to solicitor-client privilege;
> >
> > (b) that was prepared by or for Crown counsel for use in giving legal advice or in contemplation of or for use in litigation; or
> >
> > (c) that was prepared by or for counsel employed or retained by an educational institution or a hospital for use in giving legal advice or in contemplation of or for use in litigation.

[36] Section 19 contains two branches. Branch 1 ("subject to solicitor-client privilege") is based on the common law. Branch 2 (prepared by or for Crown counsel or counsel employed or retained by an educational institution or hospital) is a statutory privilege. The institution must establish that one or the other (or both) branches apply.

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[13] Order M-352.

[37] The university submits that both Branch 1 and 2 of section 19 applies to the information withheld and identifies the internal and external lawyers named in the records.

[38] At common law, solicitor-client privilege encompasses two types of privilege: (i) solicitor-client communication privilege; and (ii) litigation privilege. The university submits that the Branch 1 aspect of section 19 applies to the direct communications between external counsel retained by the university and university staff for the purposes of obtaining or giving legal advice. The university further submits that the privilege also protects the continuum of communications between solicitor and client.

[39] The university submits that the records generally relate to advice being sought from and given by counsel in relation to the various stages of the appellant's academic appeal of his status in the medical residency program and other litigation involving the appellant. The university categorized the records as follows:

- emails and other communications between counsel for the university, university employees and physicians who hold an academic appointment granted by the university and their administrative staff, with regard to which legal advice is sought from counsel for the university;

- drafts and other related records drafted by counsel for the university;

- emails or other communications including drafts prepared by university employees and/or physicians who hold an academic appointment granted by the university and their administrative staff, with regard to which legal advice is sought from counsel for the university;

- emails or other communications that form part of the "continuum of communications" and that were exchanged for the purpose of keeping counsel for the university, university employees and physicians who hold an academic appointment granted by the university and their administrative staff informed so that the legal advice may be sought or given as required.

[40] The university also submits that the litigation privilege applies to all records where section 19 has been claimed given that the appellant had retained his own legal counsel during his academic appeal of his status in the medical residency program. The university submits that when its counsel appears in the records, the dominant purpose of litigation was reasonably contemplated for the following reasons:

- A final decision on an academic appeal can lead to the filing of an application with the Ontario Superior Court of Justice for a judicial

review of the university's final decision. The appellant had hired his own legal counsel at early stages of the academic appeal process, and had, at the time of the inquiry, appealed at every stage of the process.

- In 2009, the appellant filed a labour grievance against the teaching hospital under the PAIRO – CAHO collective agreement. While the university is not a party to the agreement or the appellant's grievance, the grievance had legal implications for the university and the program given the appellant's dual status. The appellant's grievance, if not resolved, would lead to an arbitration proceeding, and therefore litigation was reasonably contemplated.

[41] The university notes that actual litigation occurred when, in October 2010, the appellant filed a human rights application against the university and others. Furthermore, in November 2011, the appellant was among the group of plaintiffs that filed a Statement of Claim against the university, its academic staff and physicians holding academic appointments with the university.

[42] The university submits that the records represent an exchange of confidential information between counsel for the university and university staff for the purpose of obtaining or providing legal advice. Lastly, it notes that it did not take any action that would constitute waiver of either its Branch 1 or 2 solicitor-client privilege either implicitly or explicitly. The university submits that the records have not been disclosed to outsiders by either counsel for the university or the recipients of the legal advice.

[43] Based on my review of the records for which section 19 has been claimed, I find that the exemption applies. The records for which the university has claimed section 19 predominantly consist of email chains between staff in the medical program, hospital and then university counsel and/or outside counsel retained by the university. These emails relate to the appellant's status as a resident at the hospital and student in the medical program and the various proceedings that arose during his residency. I find the email exchanges were confidential communications between a client (the university) and its solicitor, for the purpose or providing legal advice and, as such, qualify as Branch 1 and 2 solicitor-client privilege. I further find that the university has not waived this privilege.

[44] I also find that some of the records were created for the dominant purpose of actual and reasonably contemplated litigation including the appellant's appeal of hospital's decision regarding his residency, his grievance under the PARO-CAHO agreement and the Ontario Human Rights Tribunal proceeding. I find that these records are exempt as litigation privileged under branch 1 of section 19.

[45] Accordingly, as I have found that section 19 applies, I uphold the university's decision to withhold the records pursuant to section 49(a), subject to my finding on its exercise of discretion.

D. Was the university's exercise of discretion proper in the circumstances?

[46] The section 49(a) exemption is discretionary and the institution is permitted to disclose the information, despite the fact that it could withhold it. An institution must exercise its discretion and on appeal, I may determine whether the institution failed to do so.

[47] In addition, I may find that the institution erred in exercising its discretion where, for example:

- it does so in bad faith or for an improper purpose
- it takes into account irrelevant considerations
- it fails to take into account relevant considerations.

[48] In either case this office may send the matter back to the institution for an exercise of discretion based on proper considerations.[14] This office may not, however, substitute its own discretion for that of the institution.[15]

[49] The university submits that it considered the following in exercising its discretion:

- the purpose of the *Act*;
- whether the appellant was seeking his own personal information;
- whether the requester had a sympathetic or compelling need to receive the information;
- whether disclosure of the information would increase public confidence in the operation of the university.

[50] The university submits that the records at issue consist of either confidential communications between a solicitor and client for the purpose of providing legal advice or the receipt of confidential information by a solicitor in order for the solicitor to provide advice on an ongoing legal matter. Furthermore, the university notes that

[14] Order MO-1573.
[15] Section 54(2).

these records also include the personal information of other individuals that relate to the appellant and were provided on a confidential basis.

[51] The university surmises that there was no sympathetic or compelling need for the appellant to receive the information and this fact was balanced against the confidential legal communications and personal information. The university states:

> Historically, the university has never disclosed solicitor-client communications as such communications are regarded as privileged, thereby increasing public confidence in the operation of the University of Ottawa.
>
> Hence, in an attempt to protect the integrity of the university's legal services and the privacy of individuals, the university sought to exercise its discretion and not disclose the relevant records.

[52] In the circumstances, I find that the university properly considered the relevant factors and did not take into consideration any irrelevant factors. I uphold the university's exercise of discretion to withhold the records at issue under section 49(a).

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

[53] 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.[16] 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.

[54] 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.[17] To be responsive, a record must be "reasonably related" to the request.[18]

[55] 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.[19]

[56] A further search will be ordered if the institution does not provide sufficient evidence to demonstrate that it has made a reasonable effort to identify and locate all of the responsive records within its custody or control.[20]

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[16] Orders P-85, P-221 and PO-1954-I.
[17] Orders P-624 and PO-2559.
[18] Order PO-2554.
[19] Orders M-909, PO-2469 and PO-2592.

[57] 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.[21]

[58] The university submits that it conducted a reasonable search for the records and provided a written summary of the steps taken to respond to the appellant's request. The university notes that it did not contact the appellant as his request was clear and provided sufficient detail in order for them to conduct the search for responsive records.

[59] The university submits that a search was conducted by the following individuals:

- Dean of the Faculty of Medicine
- Executive Legal Assistant of Legal Services
- Director, Human Resources
- Special Assistant, Office of the President
- Manager, Postgraduate Medical Education, Faculty of Medicine
- Academic and Accreditation Administration, Manager, Postgraduate Medical Education, Faculty of Medicine

[60] The university also provided an affidavit of the Administrative Officer of the Access to Information and Privacy Office who affirmed that she received the search forms from the individuals set out above. The search forms were attached as exhibits to the affidavit and detail the search terms used, the record-holdings that were searched, and the results of the searches.

[61] I find that the university's search for the responsive records was reasonable. The appellant did not provide representations and I am unable to discern the basis for his belief that additional responsive records should exist. The university has established that it conducted searches in the offices of those individuals who were the subject of the appellant's request for information relating to him. I find the university's search to be reasonable and I dismiss this portion of the appeal.

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[20] Order MO-2185.
[21] Order MO-2246.

ORDER:

I uphold the university's decision and dismiss the appeal.

Original Signed By: January 7, 2015
Stephanie Haly
Adjudicator

APPENDIX

INDEX OF RECORDS[22]

Record Number	Date and Description	Section Applied
2	Dec. 9/10 – email	49(a), 19
3	Dec. 10/10 – email	49(a), 19
18	Dec. 14/10 – email	49(a), 19
19	Dec. 14/10 – email	49(a), 19
20	Dec. 14/10 – email	49(a), 19
21	Dec. 14/10 – email	49(a), 19
22	Dec. 14/10 – email	49(a), 19
23	Dec. 15/10 – email	49(a), 19
24	Dec. 15/10 – email	49(a), 19
25	Dec. 15/10 – email	49(a), 19
26	Dec. 15/10 - email	49(a), 19
27	Dec. 15/10 – email	49(a), 19
28	Dec. 15/10 – email	49(a), 19
29	Dec. 15/10 – email	49(a), 19
31	Dec. 16/10 - email	49(a), 19
32	Dec. 16/10 - email	49(a), 19
33	Dec. 16/10 - email	49(a), 19
34	Dec. 16/10 - email	49(a), 19
35	Dec. 16/10 - email	49(a), 19
36	Dec. 16/10 - email	49(a), 19
37	Dec. 16/10 - email	49(a), 19
38	Dec. 17/10 – email	49(a), 19
42	Dec. 17/10 – email	49(a), 19
43	Dec. 17/10 – email	49(a), 19
44	Dec. 17/10 – email	49(a), 19
45	Dec. 17/10 – email	49(a), 19
46	Dec. 17/10 – email	49(a), 19
47	Dec. 17/10 – email	49(a), 19
48	Dec. 19/10 – email	49(a), 19
51	Dec. 20/10 - email	49(a), 19
52	Dec. 20/10 - email	49(a), 19
53	Dec. 20/10 - email	49(a), 19
55	Dec. 20/10 - email	49(a), 19

[22] Index does not include records withheld under section 21(1) as the appellant removed these from the scope of the appeal.

57	Dec. 20/10 – email	49(a), 19
59	Dec. 20/10 - email	49(a), 19
60	Dec. 20/10 - email	49(a), 19
62	Dec. 21/10 – email and draft letter	49(a), 19
63	Dec. 22/10 - email	49(a), 19
64	Dec. 22/10 - email	49(a), 19
65	Dec. 22/10 – email and draft letter	49(a), 19
66	Dec. 22/10 – email and draft letter	49(a), 19
67	Dec. 22/10 – email and draft letter	49(a), 19
68	Dec. 22/10 - email	49(a), 19
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77	Dec. 22/10 - email	49(a), 19
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97	Jan. 06/11 - email	49(a), 19
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105	Jan. 07/11 - email	49(a), 19
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108	Jan. 08/11 - email	49(a), 19
109	Jan. 08/11 - email	49(a), 19
111	Jan. 10/11 - email	49(a), 19
112	Jan. 10/11 – email and letter	49(a), 19
113	Jan. 10/11 – email and letter	49(a), 19
114	Jan. 11/11 – email	49(a), 19
115	Jan. 11/11 – email	49(a), 19
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132	Jan. 15/11 – email	49(a), 19
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134	Jan. 16/11 – email	49(a), 19
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143	Jan. 26/11 – email	49(a), 19
144	Jan. 26/11 – email	49(a), 19
145	Jan. 26/11 – email	49(a), 19
146	Jan. 26/11 – email and attachment	49(a), 19
150	Feb. 3/11 - email	49(a), 19
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186	Feb. 22/11 – email	49(a), 19

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852	Sept. 22/11 - email	49(a), 19

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874	Oct. 3/11 – email and attachment	49(a), 19
875	Oct. 3/11 – email and attachment	49(a), 19
876	Oct. 3/11 – email	49(a), 19
877	Oct. 4/11 – email and attachment	49(a), 19