

**Bingham ● McHale** LLP  
a t t o r n e y s a t l a w

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April 1, 2005

Brendan O'Shaughnessy  
*The Times of Northwest Indiana*  
155 West Washington Street, Suite 200  
Indianapolis, Indiana 46204

Dear Mr. O'Shaughnessy:

This is in response to your request of March 21, 2005 to Nathan Feltman, Executive Vice President and General Counsel, Indiana Economic Development Corporation, for the "Crowe Chizek report investigating the Gary Urban Enterprise Association".

It is the position of the IEDC that portions of the report you have requested constitute records that are intra-agency and interagency advisory and deliberative material developed by a private contractor under a contract with a public agency, that contain expressions of opinion, are of a speculative nature, and are being communicated for the purpose of decision making; and, therefore, the IEDC is exercising its discretion to not disclose those portions of the report pursuant to Indiana Code 5-14-3-4(b)(6).

The report was produced in order to assist the IEDC Board and potentially other agencies of state and local government in making decisions with regard to the Gary Urban Enterprise Association, such as whether to grant its application for designation of an urban enterprise zone, among other issues. The report includes information that reflects the opinions, advice, consideration and recommendations of the private contractor, Crowe Chizek, for the IEDC Board's use in their decision making process.

However, it is also the position of the IEDC that the report contains factual data upon which the above-discussed deliberative materials are predicated; and therefore, those portions of the report containing factual matters that are not inextricably linked with the deliberative portion of the report are being made available to you immediately.

You have previously been made aware that this report is preliminary and it has been labeled as such throughout the documents you are receiving. I have also redacted bank account

Brendan O'Shaughnessy


Page 2

April 1, 2005

numbers and social security numbers as a matter of security, after receiving your permission to do so.

If you have any further questions, please contact the undersigned.

Very truly yours,

  
Sue A. Beesley

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Enclosures

cc: Nathan Feltman, Executive Vice President & General Counsel,  
Indiana Economic Development Corporation  
Wendy Stamm, Manager of Media Relations and Public Affairs,  
Indiana Economic Development Corporation  
Karen Davis, Public Access Counselor