

**From:** [Josh Wilner](#)  
**To:** [Eric Seib](#); [PRA Response](#)  
**Subject:** Re: California Public Records Act Request  
**Date:** Monday, October 11, 2021 4:00:12 PM

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Hello,

I am writing to follow up on our September 2, 2021 Public Records Act Request to your office. In your last correspondence, you indicated that you would produce the requested documents by October, 5 2021. We have not yet received any documents. Please let us know when we can expect to receive your response.

We will respond to your asserted exemptions in a separate communication.

Best,  
Joshua Wilner

Josh Wilner

**BRAUNHAGEY & BORDEN LLP**

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**From:** Eric Seib <Eric.Seib@santacruzcounty.us>  
**Sent:** Tuesday, September 21, 2021 2:18 PM  
**To:** PRA Response <praresponse@braunhagey.com>  
**Subject:** FW: California Public Records Act Request

**\*\*\* EXTERNAL MESSAGE \*\*\***

[Ms. Leonida:](#)

[The County of Santa Cruz District Attorney's Office \("County"\) is in receipt of your e-mailed letter dated September 7, 2019, respectively, requesting public records under the California Public Records](#)

Act (the "Requests"). A copy is included as attached for reference. We note that the Requests are limited only to records maintained in the normal course of business by the County and records that are in the County's custody and control.

Please note that we will not produce records that are privileged or otherwise exempt from disclosure pursuant to California Government Code section 6254(k). This includes documents protected by the attorney-client privilege, attorney work product, and official information privileges.

No preliminary drafts or memorandum not normally kept in the ordinary course of business will be produced pursuant to California Government Code section 6254(a). Records concerning real estate appraisals for pending acquisitions are also exempt from disclosure under California Government Code section 6254(h).

We will not produce documents that are subject to copyright protections, contain trade secrets, and/or proprietary and/or confidential information. See California Government Code sections 6253.9, 6254(k), 6254.9; California Evidence Code section 1060.

Moreover, we will not produce documents exempt from disclosure under the deliberative process privilege. See *Times Mirror Co. v. Superior Court* (1991) 53 Cal.3d 1325. No documents will be produced where "the public interest served by not disclosing the record clearly outweighs the public interest by the disclosure of the record" under California Government Code section 6255.

Additionally, no documents will be produced if they contain personnel, medical, private, confidential, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy under California Government Code section 6254(c) and/or the Health Insurance Portability and Accountability Act of 1996. And, to the extent any of the records you are requesting are the subject of ongoing litigation and/or pending investigations, and/or are law enforcement investigatory records, such records are exempt from production. See Government Code sections 6254 (b), (f).

In addition, no documents or records will be produced to the extent such a production would violate California Penal Code §§ 832.7, 832.8, 11076, California Civil Code § 129, California Welfare and Institutions Code §§ 827, 828, 831, California Business and Professions Code § 805, or California Evidence Code § 1043.

Furthermore, as we review your Requests, we may discover other applicable privileges and/or exemptions under Government Code sections 6254, 6255, 6256 or other applicable state or federal laws, and we reserve all rights to assert those at any time.

At this time, the County responds as follows: Pursuant to Government Code section 6253(c), the County is exercising its right to a fourteen (14) day extension to respond to the Requests because the County may possess records responsive to the Requests, requiring the need to search for and appropriately examine a potentially voluminous amount of records that are demanded in the Requests. Our deadline to respond is now October 5, 2021.

Sincerely,

Eric Seib  
Chief of Administration  
County of Santa Cruz  
Office of the District Attorney  
701 Ocean Street, Room 200, Santa Cruz, CA 95060  
[eric.seib@santacruzcounty.us](mailto:eric.seib@santacruzcounty.us)  
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**From:** Caitlin Shaw <[Shaw@braunhagey.com](mailto:Shaw@braunhagey.com)>  
**Sent:** Tuesday, September 7, 2021 6:01 PM  
**To:** DAO <[DAO@santacruzcounty.us](mailto:DAO@santacruzcounty.us)>  
**Cc:** PRA Response <[praresponse@braunhagey.com](mailto:praresponse@braunhagey.com)>; Ellen Leonida <[Leonida@braunhagey.com](mailto:Leonida@braunhagey.com)>; Abby Vare <[vare@braunhagey.com](mailto:vare@braunhagey.com)>  
**Subject:** California Public Records Act Request

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Hon. Jeff Rosell,

Please see the attached request for additional records pursuant to California's Public Records Act (Gov't Code §§ 6250 et seq.).

Best,

Caitlin Shaw  
Litigation Legal Assistant

**BRAUNHAGEY & BORDEN LLP**

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