

EXHIBIT B: FOIA Compliance Failures



October 18, 2024

Mr. Thomas E. Camarda
500 Cunat Blvd Apt 2B
Richmond, IL 60071-8905

Dear Mr. Camarda:

This letter is in response to your email dated October 14, 2024 which you labeled as a "FOIA Request". Your initial email dated September 13, 2024 did not specify that this was a request under FOIA. This inquiry was forwarded to the Illinois Department of Healthcare and Family Services (HFS), Division of Child Support Services (DCSS) for research and response.

Under the **Illinois Freedom of Information Act (5 ILCS 140)**, records in possession of public agencies may be accessed by the public upon written request. Pursuant to 5 ILCS 140, Section 2 (c), a public record is "all records, reports, forms, writings, letters, memoranda, books, papers, maps, photographs, microfilms, cards, tapes, recordings, electronic data processing records, recorded information and all other documentary materials, regardless of physical form or characteristics, having been prepared, or having been or being used, received, possessed or under the control of any public body." The new law furthers this definition, stating: "All records in the custody or possession of a public body are presumed to be open to inspection or copying." Any public body that asserts that a record is exempt from disclosure has the burden of proving by clear and convincing evidence that it is exempt. The following lists the types of categories of records maintain:

Categories of Records Maintained by the Department of Healthcare and Family Services

For non-commercial purpose requests, the Department of Healthcare and Family Services must either comply with or deny a written request for public records within five business days after receiving it. Under certain circumstances, as set out under 5 ILCS 140/3(d), the five business day time limit can be extended for five additional business days. For commercial purpose requests, HFS has 21 business days to respond. In addition, a written agreement with the requestor can extend the deadline for response beyond the statutory time requirements.

Some records are, however, not subject to release via the FOIA process; these types of records are described under 5 ILCS 140, Section 7 and Section 7.5. In addition, some records may be subject to confidentiality provisions imposed by other state or federal laws; the FOIA process for disclosure of information does not supersede these other applicable statutory and judicial mandates.

To access information from HFS, please submit a written request by means of facsimile, the U.S. mail or special carrier, or e-mail to the Freedom of Information Officer. A written request is required to ensure proper compliance with the requirements of FOIA. Items / documents requested must be specific.

HFS welcomes requests for information about policy, administration, budget and programs. Charges for black and white, letter or legal sized copies (8 ½ x 11 or 11 x 14) are free for the first 50 pages, and 15 cents a page thereafter. For color copies or abnormal size copies, the charge is the actual cost of reproducing the copy. If the request is in the public interest and the requester states the specific purpose of the request, there may be a very nominal charge. The cost for electronic records is the actual cost of the recording medium.



ILLINOIS DEPARTMENT OF
Healthcare and
Family Services

JB Pritzker, Governor
Elizabeth M. Whitehorn, Director

Requests can be addressed to:

Mail

HFS FOIA Officer

Illinois Department of Healthcare and Family Services

201 S. Grand Ave. E., 3rd floor

Springfield, Illinois 62763

Facsimile number: 217-524-2397

Or, you may view this link to submit your request online [Freedom of Information Act \(FOIA\) | HFS \(illinois.gov\)](#)

I hope this response addresses your concerns. You can find answers to your questions by visiting our website at <https://www.illinois.gov/hfs/ChildSupport/parents/Pages/FAQs.aspx>.

Sincerely,

Division of Child Support Services

Illinois Department of Healthcare and Family Services



October 2, 2024

Mr. Thomas E. Camarda
500 Cunat Blvd Apt 2B
Richmond, IL 60071-8905

Dear Mr. Camarda:

This is in response to your recent inquiry regarding your child support case #C02962349 with Ms. Michelle Bieber. Your inquiry was forwarded to the Illinois Department of Healthcare and Family Services (HFS), Division of Child Support Services (DCSS) for research and response.

Please be advised that there was no consent, nor agreement, as this is not a contract situation. To be clear, Healthcare and Family Services (HFS), Division of Child Support Services (DCSS) is governed by 42 U.S.C. 666.

Our Department's goal is to successfully assist in the enforcement of all child support cases.

Child support obligations are set at the discretion of the courts with consideration of both parent's income and in accordance with federal and state guidelines. Race or gender is not a factor in setting of support.

Furthermore, additional collection remedies are available to the State to collect past due support. These collection remedies are provided for in Article X of the Public Aid Code (305 ILCS5/10-1 et seq.) These collection remedies include, but are not limited to: federal and state income tax intercepts, collection of past due support by the Illinois Department of Revenue, suspension of professional licenses. Additional collection remedies are available as provided by law in the Code of Civil Procedure.

Research finds on your case C02962349 with Ms. Michelle Bieber, the Department is enforcing Cook County, Illinois court order 2022D0051802 issued August 25, 2023, and effective September 1, 2023. This order obligates you to pay \$1,540.00 per month to Ms. Michelle Bieber for current child support and \$250.00 per month towards an arrearage judgment of \$20,000.00. Current support is scheduled to stop charging on June 24, 2034, when your youngest child emancipates. Should you become delinquent an additional amount of \$358.00 per month would be assigned to your income withholding notice in order to collect on that delinquency.

As of October 2, 2024, our system indicates that the balance is \$15,733.24 owed to Ms. Michelle Bieber for past due child support.

If you wish to end the terms of the court order or any reduce any accumulated balance/s, you would need to address that in court in the county from which your order was issued. You may wish to consult with legal counsel of your choosing regarding that matter. Our Department is prohibited from providing legal advice. We suggest that you consult with an attorney of your choice or pro se (on your own).

You may obtain a copy of your court order and other court documents by contacting the:

**COOK COUNTY CIRCUIT CLERK
50 W WASHINGTON ST., RM 1001
CHICAGO, IL 60602**

Telephone #: 1-312-603-5030 Fax 312-603-4557

If you cannot afford an attorney there is legal assistance available to a non-custodial parent on an affordable basis through Legal Aid services. Information for affordable legal counsel may be found in the yellow pages, by contacting your local Bar Association, or by contacting the States Attorney's Office in the county where the court order originated for information on Legal Aid. You may also wish to visit www.IllinoisLegalAid.org.

Enclosed, please find a payment report.



Once you have reviewed the payment history and if you feel that you have not been credited for all payments made, you may request an account review. Please put the request in writing and forward all documents (e.g., court orders, change of custody orders, payment ledgers, or other relevant documentation) that you feel may affect your account balance to:

Division of Child Support Services
Data Gathering Unit
P.O. Box 19152
Springfield, IL 62794-9152

Once an account review has been completed, you will be notified, in writing, of the review findings along with a calculation worksheet showing the payments versus charges and a Notice of Right to Appeal the findings.

If you disagree with the balances from the account review, you can request an appeal hearing.

To appeal an account review decision, you must submit a written request for a hearing to the Department within the specified time frame as stated in the Notice of Right to Appeal. When appealing the amount of child support owed, you must include documentation to support your appeal.

Documents may include, but are not limited to:

- 1) new or amended court order and/or
- 2) circuit clerk payment ledgers not previously provided.

Indicate in your letter that you wish to appeal the Department's findings and include the reason you are appealing. Include in your letter:

- *your name
- *the order docket number
- *child support case number which begins with the letter "C"
- *your social security number
- *the custodial parent's name

If you are appealing for more than one case, please make sure the information for each case is written correctly on the supporting documents. Do not delay mailing your appeal if you do not have all the documents to support your request because you must file your appeal within the specified time frame from the date of the notice.

If you do not provide any documentation prior to your hearing, the Department will present your case to the hearing officer with the information we currently have in our records. Without the documentation to support your appeal, your hearing could be delayed.

Mail your appeal request to:

Appeals/Offset Unit
Attn: Administrative Hearing Request
Division of Child Support Services
Illinois Department of Healthcare and Family Services
PO Box 19152
Springfield, IL 62794-9152

If you have any questions/concerns regarding the scheduling of an appeals hearing, please contact:

Bureau of Administrative Hearings (BAH)
Fair Hearings Section
401 South Clinton Street
Chicago, IL 60607
Phone: 312-793-2658



To remain current in your support payments until the withholding notice takes effect, please make your child support payments directly through the State Disbursement Unit.

Please download and print a [payment form](#) or remitting your child support payments.

For your payments to be credited properly you need to identify to what account the payments are to be posted. Be sure to include:

1. Custodial parent's name
2. Name of county where order was entered (sometimes referred to as FIPS #)
3. Docket number
4. Your name
5. Your social security number

The check or money order should be made out to the State Disbursement Unit and mailed to:

State Disbursement Unit
P. O. Box 5400
Carol Stream, IL 60197

Here are other options you may use to make a payment:

www.expertpay.com

An easy and secure way for child support obligors to establish automated payments (weekly, bi-weekly etc.) You will have to register to use this service and pay a one-time registration fee of \$2.50. There is a validation period to verify the checking or savings account. It can take up to 5 business days before your payment is posted to your child support account.

Pay by Phone at 1-866-645-6348

There is a registration process for first time users. Once registered, you can make payments on-line using Visa, MasterCard or Discover. It can take up to 7 business days before your payment is posted to your child support account.

Out of State Cases/Payments: If you previously made or are currently making child support payments to a location in another state, you should resume or continue to do so. The Illinois State Disbursement Unit can only process payments made for Illinois cases.

For additional questions on making a payment, please contact the Illinois State Disbursement Unit's Customer Service at 1-877-225-7077.

I hope this response addresses your concerns. You can find answers to your questions by visiting our website at <https://www.illinois.gov/hfs/ChildSupport/parents/Pages/FAQs.aspx>.

Sincerely,

Division of Child Support Services
Illinois Department of Healthcare and Family Services



September 13, 2024

Mr. Thomas E. Camarda
500 Cunat Blvd Apt 2B
Richmond, IL 60071-8905

Dear Mr. Camarda:

This is in response to your recent inquiry regarding your child support case #C02962349 with Ms. Michelle Bieber. Your inquiry was forwarded to the Illinois Department of Healthcare and Family Services (HFS), Division of Child Support Services (DCSS) for research and response.

Please be advised that there was no consent, nor agreement, as this is not a contract situation. To be clear, Healthcare and Family Services (HFS), Division of Child Support Services (DCSS) is governed by 42 U.S.C. 666.

Research finds on your case C02962349 with Ms. Michelle Bieber, the Department is enforcing Cook County, Illinois court order 2022D0051802 issued August 25, 2023, and effective September 1, 2023. This order obligates you to pay \$1,540.00 per month to Ms. Michelle Bieber for current child support and \$250.00 per month towards an arrearage judgment of \$20,000.00. Current support is scheduled to stop charging on June 24, 2034, when your youngest child emancipates. Should you become delinquent an additional amount of \$358.00 per month would be assigned to your income withholding notice in order to collect on that delinquency.

As of September 13, 2024, our system indicates that the balance is \$15,019.39 owed to Ms. Michelle Bieber for past due child support.

If you wish to end the terms of the court order or any reduce any accumulated balance/s, you would need to address that in court in the county from which your order was issued. You may wish to consult with legal counsel of your choosing regarding that matter. Our Department is prohibited from providing legal advice. We suggest that you consult with an attorney of your choice or pro se (on your own).

If you cannot afford an attorney there is legal assistance available to a non-custodial parent on an affordable basis through Legal Aid services. Information for affordable legal counsel may be found in the yellow pages, by contacting your local Bar Association, or by contacting the States Attorney's Office in the county where the court order originated for information on Legal Aid. You may also wish to visit www.IllinoisLegalAid.org.

In your inquiry you are disputing our administrative enforcement actions in order to collect on past due child support. The bank lien in question was closed since June 2024,

As of January 1, 1989, the court is required to order income withholding to become effective immediately when an Order for Support is entered unless an alternative agreement is reached. Income withholding takes effect immediately unless a written agreement is reached between, and signed by, both parties providing an alternative agreement which ensures payment of support.

Our Department has been asked to become a party to the enforcement of your child support obligations. Part of the requirement in the enforcement process is the serving of an Income Withholding Notice on an identified employer.

The federal government requires all states to use a universal form. The Illinois income withholding law which is currently contained in the Income Withholding for Support Act (750 ILCS 28/1 et seq.) provides for the use of a universal Income Withholding for Support form to be sent to employers.

Even if a non-custodial parent is paying his/her current support and court ordered arrearage in a timely manner, Federal regulations (45 CFR Ch. 111, Section 303.72(h)(3)) allow the Department to collect unpaid past due child support through the means of state and federal tax interception.



We will submit a non-custodial parent's name to the State Department if he/she owes a past due amount of \$2,500 or more. This action is authorized via 89 Illinois Administrative code 160.70.

We will submit non-custodial parent's name to the Illinois Comptroller and/or the Illinois Department of Revenue for interception of state payments. This action is authorized pursuant to Section 10.05a of the Comptroller Act; Section 466(a)(3) of the Social Security Act; federal regulations at 45 CFR 303.102; 89 Illinois Administrative code 160.70 and 35 ILCS 5/901, 35 ILCS 5/911.3.

We will submit a non-custodial parent's name to the Department of Financial and Professional Regulation as well as other state licensing agencies to suspend or revoke a professional license. We will submit a non-custodial parent's name to the Department of Natural Resources to suspend or revoke a recreational license (hunting/fishing). These actions are authorized pursuant to 5 ILCS 100/10-65, 305 ILCS 5/10-17.6 and Illinois Administrative code 160.77.

We will submit a non-custodial parent's name to consumer reporting agencies (credit bureaus). This action is authorized pursuant to Section 466 of the Social Security Act, and 89 Illinois Administrative code 160.70.

We will submit a non-custodial parent's name to the Illinois Secretary of State to suspend a driver's license. This action is authorized pursuant to 750 ILCS 5/505 and 625 ILCS 5/7-702 et seq.

We will submit a non-custodial parent's name to the Department's Collection and Asset Recovery Unit. This action is authorized pursuant to Illinois Administrative code 160.70. This unit handles financial and property liens.

We will submit a non-custodial parent's name to the Department's Delinquent Parent Project Team for potential publication on the Department's website. This action is authorized pursuant to 89 Illinois Administrative code 160.70.

This information regarding enforcement actions that can be taken to collect past due support is listed on HFS 2766 "Notice of Intent to Pursue Collection Remedies" that was mailed to you dated August 31, 2024.

We would also like to provide some information and background for the State Disbursement Unit and their role in child support.

The State Disbursement Unit (SDU) was created by federal mandate to be a disbursement center for all court ordered child support payments within the state of Illinois. The SDU receives the child support payments, posts them to the correct court order (docket) and mails or electronically transfers the payment to the custodial parent. The payment information is then communicated to the Illinois County where the court order originated.

If there is a case for enforcement with the Illinois Department of Healthcare and Family Services, payment information is also communicated to the Department for proper crediting.

The SDU is simply a clearinghouse for child support payments for all 102 counties within Illinois. The SDU does not administer any type of enforcement action, serve or terminate income withholding notices, contact employers regarding compliance issues, do modification reviews nor do they maintain balances on support orders or other court order related matters.

To remain current in your support payments until the withholding notice takes effect, please make your child support payments directly through the State Disbursement Unit.

Please download and print a [payment form](#) or remitting your child support payments.

For your payments to be credited properly you need to identify to what account the payments are to be posted. Be sure to include:

1. Custodial parent's name
2. Name of county where order was entered (sometimes referred to as FIPS #)
3. Docket number
4. Your name
5. Your social security number



The check or money order should be made out to the State Disbursement Unit and mailed to:

State Disbursement Unit
P. O. Box 5400
Carol Stream, IL 60197

Here are other options you may use to make a payment:

www.expertpay.com

An easy and secure way for child support obligors to establish automated payments (weekly, bi-weekly etc.) You will have to register to use this service and pay a one-time registration fee of \$2.50. There is a validation period to verify the checking or savings account. It can take up to 5 business days before your payment is posted to your child support account.

Pay by Phone at 1-866-645-6348

There is a registration process for first time users. Once registered, you can make payments on-line using Visa, MasterCard or Discover. It can take up to 7 business days before your payment is posted to your child support account.

Out of State Cases/Payments: If you previously made or are currently making child support payments to a location in another state, you should resume or continue to do so. The Illinois State Disbursement Unit can only process payments made for Illinois cases.

For additional questions on making a payment, please contact the Illinois State Disbursement Unit's Customer Service at 1-877-225-7077.

I hope this response addresses your concerns. You can find answers to your questions by visiting our website at <https://www.illinois.gov/hfs/ChildSupport/parents/Pages/FAQs.aspx>.

Sincerely,

Division of Child Support Services
Illinois Department of Healthcare and Family Services

REPORT NO: 4BPAFB81
IMS REGION: A
PRINTED BY: AIDD5819

HEALTHCARE AND FAMILY SERVICES
KEY INFORMATION DELIVERY SYSTEM
NCP PAYMENT AND BALANCE REPORT

PAGE: 1
DATE: 10/18/24
TIME: 11:22:20

IVD CASE NUMBER: C02962349
NCP NAME: CAMARDA THOMAS E CLT NAME: BIEBER MICHELLE
DOCKET/FIPS: 2022D0051802 1703100

PAYEE	PRINCIPAL (P)	ADJUDICATED INTEREST (I)	TOTAL (P+I)
317593176	14,907.09	.00	14,907.09
TOTAL	14,907.09	.00	14,907.09

MOST RECENT JUDGMENT DATE : 08/25/2023

PAYMENT HISTORY:

COLLECTION DATE	AMOUNT
09/11/2023	826.15
09/25/2023	826.15
10/10/2023	826.15
10/23/2023	826.15
11/06/2023	826.15
11/20/2023	826.15
12/04/2023	826.15
12/18/2023	826.15

TOTAL PAYMENTS FOR 2023 6,609.20

01/02/2024	826.15
01/16/2024	826.15
01/29/2024	826.15
02/12/2024	991.38
02/26/2024	826.15
03/11/2024	826.15
03/25/2024	826.15
04/08/2024	579.53
04/22/2024	826.15
05/06/2024	826.15
05/20/2024	826.15
06/03/2024	826.15
06/06/2024	5,424.04
06/17/2024	826.15
07/01/2024	826.15
07/15/2024	538.24
07/29/2024	462.36
08/12/2024	226.79
08/26/2024	109.33
09/09/2024	145.94
09/23/2024	826.15
10/07/2024	826.15

REPORT NO: 4BPAFB81
IMS REGION: A
PRINTED BY: AIDD5819

HEALTHCARE AND FAMILY SERVICES
KEY INFORMATION DELIVERY SYSTEM
NCP PAYMENT AND BALANCE REPORT

PAGE: 2
DATE: 10/18/24
TIME: 11:22:20

IVD CASE NUMBER: C02962349
NCP NAME: CAMARDA THOMAS E CLT NAME: BIEBER MICHELLE
DDCKET/FIPS: 2022D0051802 1703100

PAYMENT HISTORY:

COLLECTION DATE	AMOUNT
TOTAL PAYMENTS FOR 2024	20,043.71
TOTAL PAYMENTS	26,652.91

REPORT NO: 4BPAFB81
IMS REGION: A
PRINTED BY: AIDD5819

HEALTHCARE AND FAMILY SERVICES
KEY INFORMATION DELIVERY SYSTEM
NCP PAYMENT AND BALANCE REPORT

PAGE: 3
DATE: 10/18/24
TIME: 11:22:20

IVD CASE NUMBER: C02962349
NCP NAME: CAMARDA THOMAS E CLT NAME: BIEBER MICHELLE
DOCKET/FIPS: 202200051802 1703100

THE BALANCES AND PAYMENTS SHOWN ON THIS REPORT ARE OF THE DATE AND TIME INDICATED IN THE TOP RIGHT CORNER.
NEXT CHARGE DATE: 11/01/2024

PLEASE BE ADVISED, IF THE ABOVE INFORMATION IS BEING USED IN ENTERING AN ORDER OR JUDGMENT FOR ARREARS, THE ILLINOIS DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES (HFS), PURSUANT TO 89 ILL ADM. CODE 160.89, WILL NOT CALCULATE INTEREST PRIOR TO THE ADJUDICATION. THERE MAY BE INTEREST OWED PRIOR TO JUDGMENT HOWEVER, HFS WILL NOT PROVIDE THE CALCULATION OF INTEREST PRIOR TO THE JUDGMENT. THIS DOES NOT PREVENT THE COURTS OR THE PARTIES FROM CALCULATING INTEREST ON THEIR OWN. HOWEVER, HFS WILL NOT BE INVOLVED UNLESS THE CASE MEETS THE SPECIFIC CRITERIA CONTAINED WITHIN 89 ILL ADM. CODE 160.89.

THE UNDERSIGNED CERTIFIES THAT THE INFORMATION CONTAINED IN THIS PAYMENT AND BALANCE REPORT IS A TRUE AND CORRECT REPRESENTATION OF THE INFORMATION THAT HAS BEEN PROVIDED TO AND IS IN THE CUSTODY AND RECORDS OF THE ILLINOIS DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES (HFS) EXCEPT AS TO MATTERS STATED TO BE OF INFORMATION AND BELIEF AND AS TO SUCH MATTERS, THE UNDERSIGNED CERTIFIES THAT THEY BELIEVE THE SAME TO BE TRUE.

/S/ BRYAN E. TRIBBLE

ADMINISTRATOR

10/18/24

DATE PRINTED

KEY

ADJUDICATED INTEREST (I)-AN AMOUNT OF INTEREST OWED THAT HAS BEEN ENTERED BY A COURT.

COLLECTION DATE-THE DATE HFS-DCSS USES TO CALCULATE ITS BALANCES.

PAYEE-THE PERSON OR ENTITY THAT IS OWED CHILD SUPPORT. BALANCES OWED TO INDIVIDUALS ARE IDENTIFIED BY THEIR NINE DIGIT RIN NUMBER (FOR EXAMPLE 123456789) AND STATE BALANCES ARE IDENTIFIED AS AN "S" FOLLOWED BY A NUMBER (FOR EXAMPLE:S00000040).

IV-D CASE NUMBER-A UNIQUE IDENTIFIER USED BY HFS-DCSS FOR EACH CASE. THIS NUMBER ALWAYS STARTS WITH A C (FOR EXAMPLE: C00123456).

RIN-AN ACRONYM THAT STANDS FOR RECIPIENT IDENTIFICATION NUMBER. UNIQUE NINE-DIGIT IDENTIFIER USED BY HFS-DCSS FOR EACH INDIVIDUAL (FOR EXAMPLE, 123456789).

PRINCIPAL(P)-THE AMOUNT OF UNPAID SUPPORT OWED ON A CASE EXCLUDING INTEREST.

NOTE: DCSS'S BALANCES ARE CALCULATED STARTING AT THE LAST JUDGMENT, IF ANY, ENTERED AND INCLUDE ALL PAYMENTS DCSS HAS RECEIVED SINCE THAT JUDGMENT. THE BALANCES LISTED ON THIS DOCUMENT MAY HAVE BEEN AFFECTED BY PAYMENT DISTRIBUTION. PLEASE REFER TO CIRCUIT COURT'S DOCKET FOR COPIES OF JUDGMENTS

REPORT NO: 48PAFX41
 [REDACTED] IN IMSA
 INQUIRY TYPE: CASE

HEALTHCARE AND FAMILY SERVICES
 KEY INFORMATION DELIVERY SYSTEM
 REF NUM: C02962349

PAGE: 1
 DATE: 10/18/24
 TIME: 11:23:29

10/04/2024 16:32:07 [REDACTED] CASE C02962349 MAIL FROM NCP
 OGU RECEIVED A 2766 RESPONSE FROM NCP DISPUTING BALANCE. CORRESPONDENCE SENT TO
 MRU AND THEY ADVISED THE NCP CONCERNS WERE PREVIOUSLY ADDRESSED. SENT TO
 IMAGING. NO FURTHER ACTION TAKEN. [REDACTED]

10/02/2024 13:46:31 [REDACTED] PARTIC 235149424 MAIL FROM NCP
 RECEIVED EMAIL FROM NCP. REGARDING NOW CLOSED BANK LIEN (06/14/24); FINAL
 DEMAND AND NOTICE OF INTENT TO SUE. AS THIS LETTER HAS ALSO BEEN
 RECEIVED/ADDRESSED BY CSU, NO FURTHER ACTION IS TO BE TAKEN; DOCUMENT SENT TO
 IMAGING. [REDACTED]

10/02/2024 10:37:32 [REDACTED] CASE C02962349 MAIL FROM NCP
 LETTER TO NCP ADVISING THAT THERE WAS NO CONSENT, NOR AGREEMENT, AS THIS IS NOT
 A CONTRACT SITUATION. TO BE CLEAR, HFS.DCSS IS GOVERNED BY 42 USC 666. OUR
 DEPTS GOAL IS TO SUCCESSFULLY ASSIST IN THE ENFORCEMENT OF ALL CHILD SUPPORT
 CASES. CHILD SUPPORT OBLIGATIONS ARE SET AT THE DISCRETION OF THE COURTS WITH
 CONSIDERATION OF BOTH PARENT'S INCOME AND IN ACCORDANCE WITH FEDERAL AND STATE
 GUIDELINES. FURTHERMORE, ADDITIONAL COLLECTION REMEDIES ARE AVAILABLE TO THE
 STATE TO COLLECT PAST DUE SUPPORT. THESE COLLECTION REMEDIES ARE PROVIDED FOR
 IN ARTICLE X OF THE PUBLIC AID CODE (305 ILCS/10-1 ET SEQ.) THESE COLLECTION
 REMEDIES INCLUDE FEDERAL AND STATE INCOME TAX INTERCEPTS, COLLECTION OF PAST
 DUE SUPPORT BY IDOR, SUSPENSION OF PROFESSIONAL LICENSES. ADDITIONAL COLLECTION
 REMEDIES ARE AVAILABLE AS PROVIDED BY LAW IN THE CODE OF CIVIL PROCEDURE.
 PROVIDED TERMS OF THE COURT ORDER AND SYSTEM BALANCES AS OF 10/02/2024.

10/02/2024 10:37:32 [REDACTED] CASE C02962349
 IF HE WANTS TO END THE TERMS OF THE ORDER OR REDUCE ANY ACCUMULATED BALANCES HE
 WILL NEED TO ADDRESS THAT IN THE COURT IN THE COUNTY THAT THE ORDER WAS
 ESTABLISHED. HE MAY CONSULT WITH PRIVATE LEGAL COUNSEL OR PROSE ON HIS OWN.
 PROVIDED COOK COUNTY CLERK'S OFFICE INFORMATION TO OBTAIN COURT ORDER
 DOCUMENTS. LEGAL AID. ENCLISING PAYMENT REPORT. PROVIDED ACCOUNT REVIEW
 INFORMATION AND APPEAL INFORMATION. PROVIDED SDU INFORMATION ON HOW TO MAKE
 PAYMENTS. COPY OF INQUIRY AND RESPONSE SENT TO IMAGING. CLOSING INQUIRY WITH
 CSU. [REDACTED]

09/13/2024 13:23:04 [REDACTED] CASE C02962349 MAIL FROM NCP
 LETTER SENT TO NCP THAT THERE WAS NO CONSENT, NOR AGREEMENT, AS THIS IS NOT A
 CONTRACT SITUATION. HFS.DCSS IS GOVERNED BY 42 U.S.C.666. PROVIDED COURT ORDER
 INFORMATION AND SYSTEM BALANCES AS OF 09/13/2024. IF HE WISHES TO END THE TERMS
 OF THE COURT ORDER OR REDUCE ANY ACCUMULATED BALANCES HE WOULD NEED TO SEEK
 PRIVATE LEGAL COUNSEL OF HIS CHOOSING REGARDING THIS MATTER OR PURSUE PRO SE ON
 HIS OWN. PROVIDED LEGAL AID. ADDRESSED THE ADMINISTRATIVE ENFORCEMENT REMEDIES
 AVAILABLE TO THE DEPT. EXPLAINED INCOME WITHHOLDING. PROVIDED INFORMATION ABOUT
 WHAT SDU DOES AND HOW TO MAKE PAYMENTS THROUGH THE SDU. COPY OF INQUIRY AND
 RESPONSE SENT TO IMAGING CLOSING INQUIRY WITH CSU. [REDACTED]

09/13/2024 08:52:03 AID05819 CASE C02962349 MAIL FROM NCP
 CSU DIRECT RECEIVED FROM NCP ASSIGNED [REDACTED]

REPORT NO: 4BPAFX41
IN IMSA
INQUIRY TYPE: CASE

HEALTHCARE AND FAMILY SERVICES
KEY INFORMATION DELIVERY SYSTEM
REF NUM: C02962349

PAGE: 2
DATE: 10/18/24
TIME: 11:23:29

09/04/2024 12:10:51 [REDACTED] CASE C02962349 NO CONTACT
HFS EMAIL RCVD REGARDING PAYMENTS. AFTER REVIEWING KIDS/SDU, NCP IS UNABLE TO
SATISFY ORDERS (FEDERAL LAW-CONSUMER PROTECTION ACT)-WITHHOLDING LIMITS.

06/24/2024 14:14:36 [REDACTED] PARTIC 235149424 DRIVERS LICENSE
CARU. NCP CALLED ABOUT LIEN. ADVISED OF LIEN PAYMENT POSTED 06/06. DISCUSSED
MOD PROCESS AND BALANCE. PROVIDED TITLE 88 SECTION 160.70 LAW ALLOWING BANK
LIEN. NCP STATED CP HAD REQUESTED LIEN. ADVISED NO. ENFORCEMENT DONE BY CARU TO
COLLECT ON AAA. HAD TO MOVE ON TO NEXT CALL AS NCP CONTINUED TO TALK ABOUT
THINGS NOT RELATED TO LIEN OR CS. [REDACTED]

06/14/2024 09:38:19 [REDACTED] PARTIC 235149424 NO CONTACT
FIDM PAYMENT POSTED; BANK LIEN CLOSED. [REDACTED]

05/24/2024 15:25:05 [REDACTED] PARTIC 235149424 MAIL FROM NCP
RECEIVED EMAIL FROM NCP, ACCEPTING COLA OFFER AND AUTHORIZING AN EARLY
SURRENDER, WITH REGARD TO BANK LIEN. GRANTED NCP \$2,500.00 COLA, BASED HIS GOOD
PAYMENT HISTORY. SURRENDER NOTICE FOR \$5,424.04 FAXED TO JPMORGAN CHASE BANK ON
05/24/24. [REDACTED]

05/23/2024 14:55:23 [REDACTED] CASE C02962349 NCP PHONE CALL
NCP CALLED REGARDING BANK LIEN. NCP IS GOING TO EARLY SURRENDER ANY FUNDS IN
THE ACCOUNT ABOVE WHAT WAS GRANTED ABOVE THE COLA AMOUNT. GIVEN EMAIL. ADVISED
TO ALLOW TIME FOR BANK TO SEND FUNDS OVER. [REDACTED]

05/23/2024 11:16:29 [REDACTED] PARTIC 235149424 NCP PHONE CALL
CARU BANK LIEN
NCP CALLED REGARDING BANK LIEN. INFORMED HIM OF COLA OFFER FOR EARLY SURRENDER.
INFORMED HIM ARREARAGE IS STILL A PAST-DUE BALANCE, IT JUST HAS ITS OWN SET
TERMS. STATED HE WILL THINK ON IT. [REDACTED]

05/17/2024 15:36:39 [REDACTED] PARTIC 235149424 NO CONTACT
NOTICE OF STAY FAXED AND MAILED TO JPMORGAN CHASE BANK ON 05/17/24. [REDACTED]

05/17/2024 15:32:54 [REDACTED] PARTIC 235149424 MAIL FROM NCP
RECEIVED TWO EMAILS FROM NCP, REQUESTING EMERGENCY RELIEF/COLA, WITH REGARD TO
BANK LIEN. NCP ALSO REFERENCES INCLUDED PROOF OF \$3,800.00 IN DIRECT PAYMENTS
TO CP; HOWEVER, PROVIDED PAGE IS BLANK; ALSO SUBMITTED COPY OF EMERGENCY MOTION
TO EXEMPT, FILED WITH COOK COUNTY. BASED ON NCP'S GOOD PAYMENT HISTORY, WE CAN
OFFER HIM \$2,500.00 COLA; NCP CAN AUTHORIZE THE SURRENDER OF \$5,424.04. NCP
ALSO HAS THE OPTION TO REQUEST A HEARING; HOWEVER, FUNDS WOULD REMAIN HELD
UNTIL CONCLUSION OF APPEAL. BANK LIEN TO REMAIN IN PLACE, PENDING NCP'S
RESPONSE/DECISION. [REDACTED]

05/17/2024 08:43:01 [REDACTED] CASE C02962349 NCP PHONE CALL
NCP CALLING ABOUT BANK LIEN, PROVIDED 3 OPTIONS PLUS COLA AND SAMPLE TEXT PLUS
CARU EMAIL AND FAX NUMBER, NCP WILL SEND DOCUMENTATION OF HIM MAKING DIRECT
PAYMENTS TO MOTHER. [REDACTED]

05/06/2024 16:07:49 [REDACTED] PARTIC 235149424 NO CONTACT
RECEIVED RESPONSE TO NOTICE OF LIEN FROM JPMORGAN CHASE BANK. THEY ARE HOLDING
\$7,924.04 IN A CHECKING ACCOUNT. [REDACTED]

04/26/2024 12:58:13 [REDACTED] PARTIC 235149424 NO CONTACT
ADMINISTRATIVE LIEN PROCESS STARTED-REFER ALL CALLS ABOUT LIEN TO THE CALL
CENTER. [REDACTED]

REPORT NO: 4BPAFX41
IN IMSA
INQUIRY TYPE: CASE

HEALTHCARE AND FAMILY SERVICES
KEY INFORMATION DELIVERY SYSTEM
REF NUM: C02962349

PAGE: 3
DATE: 10/18/24
TIME: 11:23:29

[REDACTED]

10/11/2023 12:14:15 [REDACTED] ADJUST C02962349 RADJ REVIEW
RADJ REVIEW
PREVIOUS ORDER TERMS:N/A
CURRENT ORDER TERMS: CUR \$1,540/MO \$20,000 A/D 8/31/23
ADJUSTMENT(S) COMPLETED: N NO FULL REVIEW COMPLETED.
ADDITIONAL INFORMATION: NO ADJUSTMENTS NEEDED AS BALANCE IS CORRECT.
EMPLOYEE NAME AND WORK UNIT: [REDACTED]

09/19/2023 10:43:24 [REDACTED] DOCKET 2022D0051802
UPDATED AS OF DATE TO 8/31/2023. [REDACTED]

09/19/2023 08:49:53 [REDACTED] ADJUST C02962349 OTHER
ORDER 08/25/23 ENTRY QC'D. B. [REDACTED]

09/18/2023 15:52:25 [REDACTED] DOCKET 2022D0051802
C/O DATED 8/25/2023. PER ORDER FOR CURRENT SUPPORT. EFF. 9/1/2023 NCP SHALL
PAY \$1540.00/MTHLY FOR CURRENT SUPPORT. NCP SHALL PAY \$358.00/MTHLY TOWARDS
DELINQUENCY. THE AMOUNT OF ARREARAGE/JUDGEMENT FOR CHILD SUPPORT IS \$20,000.00
AS OF 8/31/2023 ARREARAGE IS PAID AT 250.00/MTHLY. FWD TO QC. [REDACTED]

09/18/2023 09:05:56 [REDACTED] ADJUST C02962349 OTHER
ASSIGNED FOR ORDER ENTRY. [REDACTED]

09/18/2023 08:22:17 [REDACTED] CASE C02962349 NO CONTACT
RIOP 9/16/23 - 2022D051802 - ORDERS SENT TO COOKCAMU THIS DATE. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

REPORT NO: 4BPAFX41
[REDACTED] IN IMSA
INQUIRY TYPE: CASE

HEALTHCARE AND FAMILY SERVICES
KEY INFORMATION DELIVERY SYSTEM
REF NUM: C02962349

PAGE: 4
DATE: 10/18/24
TIME: 11:23:29

[REDACTED]

06/13/2022 15:25:47 [REDACTED] PARTIC 232122176
PARTICIPANT NAME CHANGE TYPE: PRIMARY
CHANGE REASON: ADD/REMOVE MIDDLE INIT

tcamarda@gmx.com

Thomas Camarda
500 Cunat Blvd #2B
Richmond, IL 60071
(224) 279-8856
tcamarda@gmx.com

November 6, 2024

By Email Only
Illinois Department of Healthcare and Family Services
Attention: FOIA Officer
201 S Grand Ave
Springfield, IL

**Re: FOIA Demand for Immediate Production of Records Related to
Unlawful Enforcement Actions and Asset Seizures**

To the FOIA Officer:

Pursuant to the **Freedom of Information Act (5 U.S.C. § 552)** and the **Illinois Freedom of Information Act (5 ILCS 140/1 et seq.)**, this letter constitutes a **formal demand for the immediate production of all requested records** related to the enforcement actions taken against me, Thomas Edward Camarda. I have made prior requests for this information, which have been ignored, partially fulfilled, or improperly redacted, in direct violation of federal and state FOIA statutes.

Specific Records Requested

This demand is for the full and unredacted production of all records pertaining to the following:

1. **Documentation of Enforcement Actions:** All records, including internal communications, notices, directives, or authorizations related to any levies, garnishments, or asset seizures imposed upon me, including the April 2024 levy and any subsequent actions.
2. **Procedural Documentation:** Copies of all agency policies, procedural guidelines, and training materials applicable to asset seizure, garnishment, levy processes, due process requirements, and FOIA compliance.

3. **UCC Compliance and Security Interests:** All records referencing or discussing my perfected UCC-1 Financing Statement, including any correspondence regarding my secured party status and documentation of any claims or disputes arising from it.
4. **Surety Bond Information:** Records identifying the surety bond information for named individuals responsible for executing or overseeing the levies, garnishments, and enforcement actions against me, specifically Elizabeth M. Whitehorn, Dana Kelly, Kiran Mehta, and John Doe(s) 1-10, including bond numbers, issuing entities, and coverage details.
5. **FOIA Correspondence and Justification for Redactions:** All communications related to previous FOIA requests, including internal emails, memoranda, and any justifications for the excessive redactions or refusals provided to date.
6. **Levy and Garnishment Calculations:** Full accounting of all funds seized, calculations and documents used to determine the amounts levied, and any analysis or criteria applied in the determination of asset seizure.

FOIA Compliance Requirements

Under 5 U.S.C. § 552(a)(6) and 5 ILCS 140/3, you are required to respond to this request **immediately as you are already in severe default from the original request**. Given the urgency and importance of this matter and the repeated FOIA violations, I demand an immediate response. The records requested should be produced in their entirety without redaction, alteration, or withholding unless an exemption clearly applies. **Any redactions must be accompanied by a detailed justification** referencing the specific FOIA exemption being applied.

Failure to Comply and Legal Remedies

Please be advised that non-compliance with this request will result in immediate legal action to enforce FOIA compliance, including but not limited to, filing a federal lawsuit under 5 U.S.C. § 552(a)(4)(B) and pursuing statutory penalties under 5 ILCS 140/11(j) for willful and intentional violations of Illinois FOIA law.

Deadline for Production: All requested records must be produced **immediately; no further deadlines or extensions will be allowed; federal litigation is imminent**. If you anticipate any delays or require additional information, you must contact me in writing immediately. Failure to respond or comply with this request will be construed as willful non-compliance.

Submission Instructions

Please provide the requested documents via electronic mail at **tcamarda@gmx.com** or, if preferred, through certified mail at the address listed above. Ensure all materials are complete, legible, and fully unredacted. For convenience and transparency, a copy of this FOIA demand will also be retained in my case file as an official record of my demand for compliance.

I expect full compliance with the law and a prompt response to avoid further escalation.

Thank you for your attention to this matter.

Sincerely,

Thomas Edward Camarda
Plaintiff, Pro Se
500 Cunat Blvd #2B
Richmond, IL 60071
tcamarda@gmx.com

tcamarda@gmx.com

From: tcamarda@gmx.com
Sent: Tuesday, October 1, 2024 8:30 PM
To: 'hfs.dcsscaru@illinois.gov'; 'hfs.mru@illinois.gov'; 'Michelle Bieber'
Subject: Public Records Request under Freedom of Information Act

Thomas Camarda
PRO SE LITIGANT
10/01/2024

Elizabeth M. Whitehorn, Director
Illinois Department of Healthcare and Family Services

Re: Public Records Request under Illinois FOIA (5 ILCS 140) and Federal FOIA (5 U.S.C. § 552)

Dear Ms. Whitehorn,

Pursuant to both the **Illinois Freedom of Information Act (5 ILCS 140)** and the **Federal Freedom of Information Act (5 U.S.C. § 552)**, I am formally requesting access to any and all public records in the possession, custody, or control of your agency related to the following matters. This request is made to obtain vital documentation relevant to ongoing legal considerations concerning possible violations of my civil rights under **42 U.S.C. § 1983**, as well as other applicable laws.

This request is made **for both state and federal records**, and includes any and all information your office may hold, without limitation, as follows:

1. Communications Regarding Enforcement Actions

- Any and all written, electronic, or verbal communications, including emails, texts, letters, memos, or any other forms of correspondence, pertaining to **enforcement actions** initiated against **Thomas Camarda**, including communications between your agency and third parties such as the Illinois Department of Revenue, Illinois Secretary of State, or any financial institutions.
- Documentation or recordings of telephone calls or internal discussions regarding the enforcement of child support obligations or any related matters.

2. Policies, Procedures, and Guidelines

- All current and historical procedural guidelines, manuals, directives, and policies governing the enforcement of child support obligations, particularly under **42 U.S.C. § 666** and Illinois state law. This includes documentation related to:
 - Enforcement procedures, asset seizures, levies, garnishments, and wage collections.
 - Notification and due process protocols as well as any rules concerning third-party coordination (such as with the Illinois Secretary of State or the U.S. Department of Health and Human Services).

3. Surety Bonds and Insurance Coverage

- Records identifying **the surety bond** number, policy terms, bond value, and the name of the surety or insurer providing coverage for **Elizabeth M. Whitehorn**, and any other employees involved in the enforcement actions or administrative processes related to child support.
- All communications or claims concerning the use or possible invocation of these bonds or insurance policies.

4. Third-Party Notifications

- Any and all notifications, reports, or documents sent to third-party agencies or organizations, including the **Illinois Department of Revenue**, the **Illinois Secretary of State**, financial institutions, or third-party collection agencies regarding the enforcement of judgments or child support obligations.
- All communications related to the suspension of licenses, garnishment orders, and reporting actions taken against me.

5. Financial Seizures and Asset Forfeiture Records

- Full and complete records of any financial seizures or asset forfeitures conducted under your authority against me, including:
 - The **legal basis** (e.g., court orders, administrative directives) authorizing such actions.
 - The date, amount, and source of all funds collected, garnished, or seized.
 - Documentation of any remittance of funds to the custodial party or legal beneficiary.

6. Legal Opinions and Interpretations

- Any **legal opinions, memoranda, or interpretations** provided to your office (whether from in-house counsel, the Illinois Attorney General, or federal authorities) regarding the enforcement of child support obligations under both **state and federal law**, including guidance on **due process requirements** and **constitutional limitations** on enforcement actions.

7. Investigations and Complaints

- Any internal or external investigations, audits, reviews, or complaints regarding your agency's enforcement actions in cases of child support arrears, including complaints filed by other individuals or reviews conducted by oversight bodies.
- Documentation of any disciplinary actions or reforms implemented as a result of these complaints or investigations.

8. Training Materials

- All records of **training programs**, materials, and guidelines issued to staff regarding:
 - Proper execution of child support enforcement actions in compliance with **due process** and **constitutional rights**.
 - Instructions for cooperation with other state or federal agencies in enforcement actions.

Request for Expedited Processing

Given the **time-sensitive** nature of this request and the imminent harm caused by the agency's enforcement actions against me, I am requesting **expedited processing** under both the **Illinois FOIA** and **Federal FOIA** statutes (see **5 ILCS 140/3(d)** and **5 U.S.C. § 552(a)(6)(E)**, respectively). Immediate access to these records is critical to protecting my constitutional rights.

Format of Records

Please provide these records in **electronic format (PDF)** if available. Should electronic copies not be possible, I will accept hard copies sent to my address listed above.

Fee Waiver Request

As this request is being made in the public interest to protect civil and constitutional rights, I am requesting a **waiver of all fees** associated with the retrieval and copying of these records, pursuant to **5 ILCS 140/6** and **5 U.S.C. § 552(a)(4)(A)(iii)**.

Response Deadline

Under **Illinois FOIA**, you are required to respond within **five (5) business days** of receipt of this request (as stipulated in **5 ILCS 140/3(c)**). Under **Federal FOIA**, you are required to provide a response within **twenty (20) business days** per **5 U.S.C. § 552(a)(6)**. Failure to comply with these timelines will result in legal action, including the filing of a **petition to compel disclosure** in state or federal court.

Please direct all correspondence and any questions regarding this request to my contact information provided above.

Thank you for your immediate attention to this matter.

Sincerely,

Thomas Camarda
PRO SE LITIGANT

tcamarda@gmx.com

From: tcamarda@gmx.com
Sent: Monday, October 7, 2024 11:29 AM
To: 'lizzy.whitehorn@illinois.gov'; 'hfs.dcsscaru@illinois.gov'; 'hfs.mru@illinois.gov'; 'Michelle Bieber'
Subject: [URGENT] LEGAL NOTICE REGARDING FOIA NON-COMPLIANCE AND REQUIREMENT TO ACKNOWLEDGE

Thomas Camarda
PRO SE LITIGANT
10/07/2024

Elizabeth M. Whitehorn, Director
Illinois Department of Healthcare and Family Services
201 S Grand Ave
East Springfield, IL 62763
lizzy.whitehorn@illinois.gov

Subject: Urgent: Legal Notice Regarding FOIA Non-Compliance and Requirement to Acknowledge

To Whom It May Concern,

I, Thomas Camarda, hereby serve this notice regarding your failure to respond to my FOIA request, as well as your continued silence concerning the prior notices of violations. The statutory deadline for responding to my FOIA request, which was submitted on [insert date], is rapidly approaching, and you are legally obligated to comply by midnight tonight.

Under **5 U.S.C. § 552**, the **Freedom of Information Act (FOIA)** requires the following:

1. **Acknowledgment of FOIA Request:** A federal agency is required to acknowledge receipt of the FOIA request within 10 business days.
2. **Response Deadline:** Agencies must respond to FOIA requests within 20 business days of receipt, either by providing the requested documents or issuing a written explanation for any delay. Extensions must be explicitly stated and justified.
3. **Access to Documents:** If the documents are found, you are required to either make them available in a timely fashion or provide a legal justification for why they are being withheld.
4. **Failure to Respond:** Any failure to respond to a FOIA request within the statutory deadline constitutes a violation of federal law, providing the requester with the right to take immediate legal action.

Illinois State FOIA Requirements:

Additionally, under **5 ILCS 140**, the Illinois Freedom of Information Act, you are bound by similar statutory requirements, including:

1. **Response Deadline:** A public body in Illinois is required to respond to a FOIA request within 5 business days from receipt, with the option to extend the period by 5 additional business days, provided that a written notice is issued explaining the reason for the delay.
2. **Clear Grounds for Exemption:** If any documents are withheld or redacted, the agency must provide specific legal grounds for doing so, with clear reference to applicable exemptions under Illinois law.
3. **Penalties for Non-Compliance:** Failing to respond within the statutory timeframe under Illinois law can result in legal action, including civil penalties, punitive damages, and the imposition of attorney's fees.

Your Responsibilities

Your **responsibilities** under FOIA, both at the **federal** and **state level**, include:

- Providing the requested records in full or issuing a legal determination as to why certain records are exempt.
- If additional time is needed, you are required to inform me in writing of the delay and provide a timeframe for compliance. No such communication has been received.

Your office must ensure proper oversight and compliance with FOIA standards. Silence or ignoring a request is not an option legally available to you under federal or Illinois law.

Failure to meet these requirements represents a violation of my **First Amendment** right to access public information and the lawfully guaranteed process under the **Administrative Procedure Act (5 U.S.C. §§ 701-706)** and **Illinois Freedom of Information Act (5 ILCS 140)**. Should you fail to fulfill these obligations by midnight tonight, I will move forward with litigation under FOIA for both the requested documents and for punitive damages arising from your deliberate and knowing non-compliance.

Additional Legal Violations

Your continued refusal to respond to the other notices regarding constitutional violations is further evidence of administrative negligence. This includes, but is not limited to:

- **Failure to provide due process**, as required by the **14th Amendment**, in the collection and seizure of my assets.
- Violations of statutory obligations under **42 U.S.C. § 1983**, under which government agencies may be held accountable for violations of constitutional rights.

I must emphasize that ignoring my previous notices will not absolve you of your legal responsibilities. As an agency, you are bound by judicial precedent, including recent cases such as **Loper Bright Enterprises v. Raimondo** (2024), which emphasizes limitations on administrative deference, and **Chevron U.S.A., Inc. v. Natural Resources Defense Council, Inc.** (1984), which

was recently overturned regarding agency interpretation authority. You are bound by federal case law and Supreme Court precedent.

You have until **midnight tonight** to remedy these violations by providing a full response to the FOIA request and addressing my previous legal notices. Failing to do so will leave me no choice but to initiate further legal proceedings, including the pursuit of damages and sanctions for your non-compliance.

Sincerely,
Thomas Camarda
PRO SE LITIGANT
10/07/2024

tcamarda@gmx.com

From: tcamarda@gmx.com
Sent: Tuesday, October 8, 2024 10:53 PM
To: 'lizzy.whitehorn@illinois.gov'; 'hfs.mru@illinois.gov'; 'hfs.dcscaru@illinois.gov'; 'Michelle Bieber'
Cc: 'attorney_general@ilag.gov'; 'attorney_general@atg.state.il.us'; 'cja.irc@illinois.gov'
Subject: FOIA VIOLATION NOTICE

FOIA Violation Notice

Date: 10/08/2024

From: Thomas Camarda, PRO SE LITIGANT

To: Elizabeth Whitehorn, Director

Division of Child Support Services (DCSS)

Illinois Department of Healthcare and Family Services (HFS)

201 S Grand Ave

East Springfield, IL 62763

lizzy.whitehorn@illinois.gov

Subject: Formal Notice of FOIA Violation under 5 U.S.C. § 552 (FOIA) and Illinois FOIA Act (5 ILCS 140)

Case No.: C02962349

Date of Original FOIA Request: 10/01/2024

Dear Ms. Whitehorn,

This letter serves as **Formal Notice of Violation** under the **Freedom of Information Act (FOIA)** at both the federal and state levels, pursuant to **5 U.S.C. § 552** and the **Illinois FOIA Act (5 ILCS 140)**. The Illinois Department of Healthcare and Family Services (HFS), Division of Child Support Services (DCSS) has failed to comply with the statutory requirements set forth under these acts regarding the production of public records.

FOIA Request Overview:

On **10/01/2024**, I submitted a formal FOIA request for public records concerning **communications regarding enforcement actions**, your policies procedures and guidelines, surety bonds and insurance coverage, third-party notifications, all financial seizure and asset forfeiture records, legal opinions and interpretations, training materials and all other materials related to my child support case (No. C02962349). Under the Illinois FOIA statute, you were legally obligated to provide the requested information or a justified denial within **5 business days** from receipt of the request, as codified under **5 ILCS 140/3(d)**.

To date, no responsive documents, nor any formal extension or denial, has been provided. This constitutes a violation of both federal and state FOIA requirements.

Legal Grounds for FOIA Violation:

The Division of Child Support Services has **exceeded the statutorily mandated 5-business-day response period**, during which you were required to either:

1. **Provide the requested documents** or,
2. **Issue a formal denial**, stating the specific legal grounds for such denial along with references to the appropriate exemptions under FOIA.

As of today, **6 business days** have passed without:

- Any response.
- Any extension of time notice (which would only afford an additional **5 business days** under the Illinois FOIA statute, and even then, is required to be communicated).
- Any legal explanation of exemptions under **5 ILCS 140/7** or **5 U.S.C. § 552(b)**.

Your failure to respond violates:

- **5 ILCS 140/3(d)** (Illinois FOIA)
- **5 U.S.C. § 552(a)(6)(A)** (Federal FOIA)

Furthermore, you have not met the obligation under the **Administrative Procedure Act** (5 U.S.C. § 552), which stipulates that withholding or delaying information beyond the allotted time without valid grounds can be construed as "**improper withholding**" under color of law.

Consequences of FOIA Violation:

Under FOIA law, the failure to comply with the statutory timelines for producing records or issuing a denial constitutes a **willful violation** of the act. The following legal consequences now apply:

1. **Attorney's Fees and Costs:** I reserve the right to seek full recovery of all legal fees and costs incurred as a result of your failure to comply with the FOIA.
2. **Statutory Damages:** I will pursue statutory penalties for each day of non-compliance, as permitted under **5 ILCS 140/11(j)**, for willfully and intentionally failing to comply.
3. **Judicial Relief:** Should compliance not be forthcoming within 24 hours of receipt of this notice, I will file a **lawsuit** in state or federal court seeking **injunctive relief** to compel immediate production of the requested documents, as well as damages for any harm caused by the continued withholding of information.

Final Opportunity for Compliance:

You are hereby given **one final opportunity to comply** with my FOIA request. **Within 24 hours** of receiving this notice, you must:

1. **Provide the requested documents** in their entirety, or
 2. **Deliver a legally sound explanation** for any denial of access to public records, explicitly citing the statutory exemptions you are relying on under **5 ILCS 140/7** or **5 U.S.C. § 552(b)**, with clear factual justification.
-

Failure to Comply:

Failure to comply with this demand within the next **24 hours** will result in the immediate filing of a **FOIA lawsuit**. Be advised, under **5 ILCS 140/11(i)**, the court may impose penalties for each day the violation persists, and such a delay can only worsen your legal standing.

Conclusion:

Your deliberate failure to honor your obligations under FOIA is a clear and unjustifiable violation of the law. I urge you to avoid further escalation by taking immediate corrective action. This is your final warning before legal action is taken.

This notice will be part of the official record of your non-compliance and will be submitted as evidence should litigation become necessary.

I look forward to your immediate compliance.

Sincerely,

Thomas Camarda
PRO SE LITIGANT

Cc:

- Illinois Attorney General
 - Office of the General Counsel
-

tcamarda@gmx.com

From: tcamarda@gmx.com
Sent: Wednesday, October 9, 2024 12:02 AM
To: 'lizzy.whitehorn@illinois.gov'; 'hfs.dcscaru@illinois.gov'; 'hfs.mru@illinois.gov'; 'Michelle Bieber'
Cc: 'attorney_general@atg.state.il.us'; 'ethics.OEIG@ilag.gov'; 'OIG.InspectorGeneral@illinois.gov'
Subject: [FINAL LEGAL NOTICE] - UCC VIOLATIONS, FOIA NON-COMPLIANCE, TERMINATION OF FRAUDULENT ARREARS, ILLEGAL DEBT ACCELERATION, UNLAWFUL LEVY OF \$8,400 AND IMMEDIATE DEMAND FOR RESTITUTION

Final UCC Default and Legal Notice: Termination of Fraudulent Arrears, Restitution for Illegal Levy, FOIA Non-Compliance, and Legal Consequences
Date: 10/09/2024

From: Thomas Camarda
PRO SE LITIGANT

To: Elizabeth Whitehorn, Director
Division of Child Support Services (DCSS)
Illinois Department of Healthcare and Family Services (HFS)
50 W Washington St., Room 1001
Chicago, IL 60602

Division of Child Support Services (DCSS)
Illinois Department of Healthcare and Family Services (HFS)
201 S Grand Ave
East Springfield, IL 62763
lizzy.whitehorn@illinois.gov

Subject: Final Legal Notice – UCC Violations, FOIA Non-Compliance, Termination of Fraudulent Arrears, Illegal Debt Acceleration, Unlawful Levy of \$8,400, and Immediate Demand for Restitution
Case No.: C02962349

Dear Ms. Whitehorn,

This letter serves as **your final notice** regarding the **illegal actions** taken by your office, which have resulted in fraudulent claims, unlawful levies, and violations of my rights under both the **Uniform Commercial Code (UCC)** and **FOIA law**. The damage caused by your actions has been extensive, and it's time to address these matters comprehensively and conclusively.

I trust that you understand the gravity of this situation. This notice outlines not only your obligations but also the consequences of failing to meet them. **While this is a formal demand, it is important to remember that it represents a chance to resolve these issues responsibly before further legal action becomes necessary.**

See all prior notices for further clarification of your duties, responsibilities and requirements as a government agency including: **FINAL DEMAND NOTICE**, **PUBLIC RECORDS REQUEST** dated on 10/01/2024, **DEMAND FOR CLARIFICATION OF AUTHORITY** dated 10/03/2024, **FINAL DEMAND NOTICE**, **NOTICE OF RESPONSIBILITIES**, **NOTICE OF INTENT TO FILE CLAIM AGAINST SURETY**

BOND dated 10/04/2024, NOTICE OF UCC VIOLATIONS AND DEMAND FOR CURE dated 10/04/2024, REQUEST FOR ADMISSIONS, LEGAL NOTICES FOR FOIA NON-COMPLIANCE, CEASE AND DESIST dated 10/07/2024, and FOIA VIOLATION NOTICE dated 10/08/2024.

I. Fraudulent Arrears and Debt Acceleration in Violation of UCC Provisions:

Your office is attempting to enforce a **fraudulent arrears amount of \$15,733.24**, which was **illegally accelerated** without any legal basis, proper notice, or justification. Under **UCC § 9-609**, **debt acceleration** is only lawful when it's carried out in line with the terms of the original obligation, and it must involve prior notification. Your actions failed to comply with both of these requirements.

1. Violation of UCC § 9-609 (Enforcement of Debt Without Notice):

Your office unilaterally accelerated the amount owed, completely disregarding **UCC protocols**, especially **UCC § 9-611**, which requires proper notification before such actions are taken. At no point was I given an opportunity to contest or respond to this accelerated figure. The absence of due process, transparency, and documentation behind this figure is concerning.

2. Constructive Fraud Under UCC § 9-625:

The arbitrary nature of the arrears calculation, coupled with the lack of transparency, amounts to **constructive fraud**. **UCC § 9-625** provides for remedies when a debtor has been wronged due to improper handling of secured obligations. The accelerated amount of \$15,733.24 is clearly excessive, unsupported by any factual record, and legally unsound.

This is a clear violation of UCC protections, rendering the arrears amount invalid and unenforceable.

II. Illegal Levy of \$8,400 Without Due Process:

In **April**, your office executed an **illegal levy of \$8,400** from my bank account without warning or proper legal authority. This is a serious violation of my rights under both the **UCC** and **due process** laws. The seizure wiped out all working capital and had devastating financial consequences.

This levy was carried out in violation of **UCC § 9-609(b)**, which mandates lawful seizure of property only when it follows the appropriate legal process. In this case, there was **no notice** of this impending action, nor any court authorization.

The Consequences of This Levy:

- The seizure **bankrupted** my business, stripping away critical operating funds and causing long-term financial damage.

- It placed me in a precarious personal financial situation, leading to a series of negative consequences, including **irreparable credit damage** and missed obligations.
- This levy was carried out in such a reckless manner that it left me no recourse to dispute or mitigate the damage, violating my right to due process.

This unlawful action cannot stand. The **\$8,400 must be immediately returned**, along with interest accrued from the date of the levy.

III. FOIA Violations and Non-Compliance:

In addition to the above UCC violations, your office has repeatedly ignored **Freedom of Information Act (FOIA)** requests I have made in accordance with **5 ILCS 140/3**. These requests sought transparency and records related to the arrears calculations, levy actions, and other pertinent details.

Your office's failure to respond in a timely and complete manner constitutes a blatant violation of **FOIA** regulations, further casting doubt on the integrity of your actions. Each day that passes without a response only exacerbates the legal ramifications you now face.

Specific FOIA Failures:

- **Non-responsiveness** to legitimate FOIA requests within the statutory timeframe, per **5 ILCS 140/3(d)**.
- **Obstruction of public records**, preventing access to critical documents necessary to audit your office's claims and actions.
- **Failure to correct inaccurate public records**, including those relating to the fraudulent arrears and illegal levy.

It is crucial that these records be produced without further delay. Failure to do so will result in immediate legal action under **5 ILCS 140/11**, with statutory penalties for each day of non-compliance.

IV. Demands for Immediate Action:

Given the serious nature of these violations, I am formally demanding the following actions, which must be taken within **five (5) business days** from the date of this letter:

1. Termination of All Fraudulent Arrears:

The **arrears amount of \$15,733.24** must be immediately voided. This amount was calculated through improper acceleration of debt and in violation of **UCC laws**, making it invalid and unenforceable. I will accept nothing less than a full termination of this figure.

2. Restitution of \$8,400 Illegally Levied:

You are required to return the full amount of **\$8,400** that was unlawfully levied from my account, plus applicable interest. This levy was illegal from the outset and caused catastrophic financial harm. Your office has no legal claim to this money, and it must be returned immediately.

3. Immediate FOIA Compliance:

All outstanding **FOIA requests** must be fulfilled without delay. The requested records must be provided in full, including documents related to the calculation of arrears, the levy process, and internal communications regarding my case.

4. Cease and Desist All Collection Efforts:

Your office must immediately cease any further collection efforts on the fraudulent arrears amount. Any continued attempts to collect on this invalid debt will result in further legal action.

V. Legal and Financial Consequences of Non-Compliance:

Should you fail to meet these demands within **five (5) business days**, I will have no choice but to pursue all available legal remedies, which will include:

1. Civil Lawsuit for UCC Violations:

I will initiate legal action under **UCC § 9-625**, seeking damages for the fraudulent arrears, illegal levy, and failure to comply with proper procedures. This includes restitution for the **financial harm** caused by your office's reckless and illegal actions.

2. FOIA Litigation:

In the absence of compliance with FOIA, I will pursue **FOIA litigation** to compel the release of public records, seek statutory penalties for non-compliance, and hold your office accountable for obstructing access to critical information.

3. Federal Civil Rights Action:

Your actions have violated my **constitutional rights**, including due process. I reserve the right to file a **42 U.S.C. § 1983** claim for violations of civil rights under color of law, should you fail to remedy these issues promptly.

4. Referral for Criminal Investigation:

In light of the fraudulent and potentially criminal nature of your office's actions, I am prepared to escalate this matter to law enforcement for investigation into **fraud, financial exploitation, and abuse of power**.

I strongly urge you to take this notice seriously. The legal consequences of inaction are substantial,

and I will not hesitate to take every step necessary to protect my rights and recover what has been unlawfully taken.

This is your final notice. You have five (5) business days to comply with the demands listed herein, or I will proceed with legal action.

Sincerely,

Thomas E. Camarda

PRO SE LITIGANT

CC:

- Illinois Attorney General's Office
 - Office of the Inspector General
 - Legal Counsel for Illinois Department of Healthcare and Family Services
-

tcamarda@gmx.com

From: tcamarda@gmx.com
Sent: Monday, October 14, 2024 9:43 AM
To: 'lizzy.whitehorn@illinois.gov'; 'hfs.dcsscaru@illinois.gov'; 'hfs.mru@illinois.gov'; 'attorney_general@atg.state.il.us'; 'attorney_general@illeg.gov'; 'ethics.OEIG@illeg.gov'; 'OIG.InspectorGeneral@illinois.gov'
Subject: DEMAND FOR COMPLIANCE WITH FOIA AND CLARIFICATION OF AUTHORITY – Refutation of Illegal Modification by Administrative Agency; FOIA Non-Compliance; and Demand for Clarification of Authority

Formal Refutation and Demand for Compliance with FOIA and Clarification of Authority

Thomas Camarda

Secured Party, Pro Se Litigant, Real Party in Interest, Claimant of Record
500 Cunat Blvd #2B
Richmond, IL 60071
tcamarda@gmx.com

10/14/2024

Elizabeth Whitehorn, Director
Division of Child Support Services (DCSS)
Illinois Department of Healthcare and Family Services (HFS)
201 S Grand Ave
East Springfield, IL 62763
lizzy.whitehorn@illinois.gov

Subject: Refutation of Illegal Modification by Administrative Agency; FOIA Non-Compliance; and Demand for Clarification of Authority

Dear **Elizabeth Whitehorn**,

This letter serves as a **formal and detailed legal refutation** of the administrative response dated **October 11, 2024**, which fails to comply with **legal standards** under constitutional law, **FOIA requirements**, and **principles of administrative law**. Additionally, I demand a full clarification of the legal authority under which your agency has acted, as your actions appear to exceed lawful boundaries, thus infringing upon my rights under both federal and state law.

1. Illegal Modification by Administrative Agency

The modifications and actions taken by your agency constitute **unlawful administrative overreach** and violate key principles of constitutional law and administrative law. Under established case law, administrative agencies **do not have the authority to modify, interpret, or extend statutes beyond the scope clearly defined by Congress**. Your agency's actions violate this fundamental principle in the following ways:

A. Violation of the Separation of Powers Doctrine

Administrative agencies, as executive bodies, are prohibited from exercising powers outside their narrowly defined mandate under Article II of the U.S. Constitution. In ***INS v. Chadha*, 462 U.S. 919 (1983)**, the U.S. Supreme Court made it clear that agencies cannot **extend their own authority** beyond the express will of Congress. In this case, your agency's interpretation and enforcement of

income withholding goes beyond your statutory limits and fails to account for due process and equal protection rights under the **5th and 14th Amendments**.

B. Unconstitutional Delegation of Legislative Authority

The U.S. Supreme Court has long held that **administrative bodies cannot engage in rule-making that effectively amounts to legislating**. In *A.L.A. Schechter Poultry Corp. v. United States*, 295 U.S. 495 (1935), the Court struck down such overreach, and in *Mistretta v. United States*, 488 U.S. 361 (1989), the Court reiterated that Congress cannot delegate legislative power without clear, enforceable standards. Your agency has acted **ultra vires**—beyond its authority—in making substantive modifications to my legal standing without proper statutory authority.

C. Arbitrary and Capricious Standard (5 U.S.C. § 706(2))

Under the **Administrative Procedure Act (APA)**, specifically **5 U.S.C. § 706(2)(A)**, any agency action that is **arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law** must be set aside. Your agency's decision to withhold income based on improperly derived authority is precisely the kind of **arbitrary and capricious action** that the APA was designed to prevent. Moreover, your actions fail to provide a rational connection between the facts presented and the decision made, violating *Motor Vehicle Mfrs. Ass'n v. State Farm Mut. Auto. Ins. Co.*, 463 U.S. 29 (1983).

2. FOIA Non-Compliance (5 U.S.C. § 552)

Your response of **October 11, 2024**, does not comply with the requirements outlined under **FOIA**. The **Freedom of Information Act** mandates that **any person has the right to request access to federal agency records** except those protected from disclosure by specific exemptions or exclusions.

- **FOIA Section 552(b)(5)** specifically applies to **exemptions**, yet your agency has failed to justify how any valid exemption applies to my request. In *NLRB v. Robbins Tire & Rubber Co.*, 437 U.S. 214 (1978), the Court upheld the principle that **FOIA exemptions must be narrowly construed**, and any withholding of documents must be justified with specificity.
- Additionally, under **5 U.S.C. § 552(a)(6)(A)(i)**, your agency is required to respond within **20 business days** with a substantive determination or reason for delay. Your failure to provide the requested records or cite a specific exemption within the legally required timeframe is a clear violation of **statutory deadlines**.

FOIA Case Law Supporting Prompt and Full Disclosure

- *U.S. Dep't of Justice v. Tax Analysts*, 492 U.S. 136 (1989) clarified that all agency records, not just final decisions, are subject to disclosure unless a specific exemption applies.
- *Citizens for Responsibility and Ethics in Washington v. U.S. Dep't of Justice*, 846 F.3d 1235 (D.C. Cir. 2017) affirmed that failure to meet the required response deadline for FOIA requests amounts to a **violation of procedural due process**.

Therefore, I demand immediate disclosure of **all records, communications, and legal bases** related to the actions taken in my case, and any failure to provide such records will result in legal action to compel compliance under FOIA.

3. Demand for Clarification of Authority (UCC § 1-308)

I invoke **UCC § 1-308** to **explicitly reserve my rights** regarding any actions, agreements, or modifications related to this case. Under UCC provisions, I am entitled to seek **clarification of the authority** under which your agency is acting. If you are unable to provide a **legal, statutory basis** for your actions, any enforcement of your actions will be considered null and void under commercial law.

- **UCC § 9-609** requires strict adherence to proper procedures before repossession or enforcement of assets (including income). Your failure to properly notify or follow legal procedures invalidates your withholding order under commercial law.

4. Violations of Consumer Protection Laws

The enforcement actions taken by your agency are subject to scrutiny under the **Fair Debt Collection Practices Act (FDCPA), 15 U.S.C. § 1692**, which prohibits the **improper garnishment of wages** without lawful and clear basis. Your actions also violate **state consumer protection laws** that safeguard individuals from improper financial enforcement actions.

- Under **FTC v. Sperry & Hutchinson Co., 405 U.S. 233 (1972)**, even administrative agencies are bound by the principles of **fairness** in their enforcement actions. The arbitrary withholding of my wages without lawful explanation constitutes a violation of **consumer protection standards**.

5. Remedies Demanded

In light of the illegal actions, violations of my rights under the U.S. Constitution, FOIA, UCC, and state laws, I demand the following remedies:

1. **Immediate rescission** of the illegal income withholding order.
2. **Immediate compliance** with the **FOIA request** by providing all records related to the enforcement actions.
3. **Full legal clarification** of the authority under which your agency has acted, citing **specific statutory provisions**.
4. A formal acknowledgment of the **constitutional violations** and a commitment to **corrective action**.
5. Compensation for any **economic damages** incurred as a result of the unlawful actions taken by your agency.

Failure to comply with these demands within **10 business days** will result in the initiation of **civil litigation** under **42 U.S.C. § 1983** for violation of my civil rights, alongside claims under **FOIA**, the **UCC**, and **state consumer protection laws**.

Conclusion

Your agency's actions represent a gross violation of my legal and constitutional rights. I expect a prompt and substantive response to this letter, acknowledging the errors and taking corrective measures. Failure to act will compel me to seek all available legal remedies to defend my rights.

Sincerely,

Thomas Camarda

Secured Party, Pro Se Litigant, Real Party in Interest, Claimant of Record

Case Law Citations

- **INS v. Chadha**, 462 U.S. 919 (1983) – Limitations on agency power.
 - **A.L.A. Schechter Poultry Corp. v. United States**, 295 U.S. 495 (1935) – Unlawful delegation of power.
 - **Motor Vehicle Mfrs. Ass'n v. State Farm Mut. Auto. Ins. Co.**, 463 U.S. 29 (1983) – Arbitrary and capricious standard.
 - **NLRB v. Robbins Tire & Rubber Co.**, 437 U.S. 214 (1978) – FOIA exemptions must be narrowly construed.
 - **U.S. Dep't of Justice v. Tax Analysts**, 492 U.S. 136 (1989) – Requirement for prompt disclosure under FOIA.
 - **FTC v. Sperry & Hutchinson Co.**, 405 U.S. 233 (1972) – Fairness in administrative enforcement.
-

tcamarda@gmx.com

From: tcamarda@gmx.com
Sent: Monday, October 14, 2024 9:48 AM
To: 'lizzy.whitehorn@illinois.gov'; 'hfs.dcsscaru@illinois.gov'; 'hfs.mru@illinois.gov'; 'attorney_general@atg.state.il.us'; 'attorney_general@ilag.gov'; 'OIG.InspectorGeneral@illinois.gov'; 'ethics.OIG@ilag.gov'; 'Michelle Bieber'
Subject: RE: DEMAND FOR COMPLIANCE WITH FOIA AND CLARIFICATION OF AUTHORITY – Refutation of Illegal Modification by Administrative Agency; FOIA Non-Compliance; and Demand for Clarification of Authority

Correction and Final Notice of Deadline for Compliance

Thomas Camarda
Secured Party
500 Cunat Blvd #2B
Richmond, IL 60071
tcamarda@gmx.com

10/14/2024

Elizabeth Whitehorn, Director
Division of Child Support Services (DCSS)
Illinois Department of Healthcare and Family Services (HFS)
201 S Grand Ave
East Springfield, IL 62763
lizzy.whitehorn@illinois.gov

Subject: Final Notice – Correction Regarding Compliance Deadline

Dear **Elizabeth Whitehorn**,

This letter serves as a **correction** to my previous correspondence regarding your agency's response to my **FOIA request** and related enforcement actions. I acknowledge the **five-day extension** that has been granted. As such, you have until the **end of this five-day extension** to comply fully with the demands outlined in my original letter.

Failure to provide the requested documentation and clarification of authority by the conclusion of this extended deadline will result in immediate legal action to enforce my rights under **FOIA, 42 U.S.C. § 1983**, the **UCC**, and **state consumer protection laws**.

Please note, the extension does not change the **substantive obligations** outlined in my previous letter. Your agency's actions continue to constitute **unlawful overreach** and **non-compliance** with **FOIA** and established legal standards. This final notice emphasizes that no further extensions will be granted beyond the current five-day period.

So there is no ambiguity, I expect full compliance by **Monday, October 21, 2024**.

Sincerely,

Thomas Camarda
Secured Party

From: tcamarda@gmx.com <tcamarda@gmx.com>

Sent: Monday, October 14, 2024 9:43 AM

To: 'lizzy.whitehorn@illinois.gov' <lizzy.whitehorn@illinois.gov>; 'hfs.dcsscaru@illinois.gov' <hfs.dcsscaru@illinois.gov>; 'hfs.mru@illinois.gov' <hfs.mru@illinois.gov>; 'attorney_general@atg.state.il.us' <attorney_general@atg.state.il.us>; 'attorney_general@ilag.gov' <attorney_general@ilag.gov>; 'ethics.OEIG@ilag.gov' <ethics.OEIG@ilag.gov>; 'OIG.InspectorGeneral@Illinois.gov' <OIG.InspectorGeneral@Illinois.gov>

Subject: DEMAND FOR COMPLIANCE WITH FOIA AND CLARIFICATION OF AUTHORITY – Refutation of Illegal Modification by Administrative Agency; FOIA Non-Compliance; and Demand for Clarification of Authority

Formal Refutation and Demand for Compliance with FOIA and Clarification of Authority

Thomas Camarda

Secured Party, Pro Se Litigant, Real Party in Interest, Claimant of Record

500 Cunat Blvd #2B

Richmond, IL 60071

tcamarda@gmx.com

10/14/2024

Elizabeth Whitehorn, Director

Division of Child Support Services (DCSS)

Illinois Department of Healthcare and Family Services (HFS)

201 S Grand Ave

East Springfield, IL 62763

lizzy.whitehorn@illinois.gov

Subject: Refutation of Illegal Modification by Administrative Agency; FOIA Non-Compliance; and Demand for Clarification of Authority

Dear **Elizabeth Whitehorn**,

This letter serves as a **formal and detailed legal refutation** of the administrative response dated **October 11, 2024**, which fails to comply with **legal standards** under constitutional law, **FOIA requirements**, and **principles of administrative law**. Additionally, I demand a full clarification of the legal authority under which your agency has acted, as your actions appear to exceed lawful boundaries, thus infringing upon my rights under both federal and state law.

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2. FOIA Non-Compliance (5 U.S.C. § 552)

Your response of **October 11, 2024**, does not comply with the requirements outlined under **FOIA**. The **Freedom of Information Act** mandates that **any person has the right to request access to federal agency records** except those protected from disclosure by specific exemptions or exclusions.

- **FOIA Section 552(b)(5)** specifically applies to **exemptions**, yet your agency has failed to justify how any valid exemption applies to my request. In *NLRB v. Robbins Tire & Rubber Co.*, 437 U.S. 214 (1978), the Court upheld the principle that **FOIA exemptions must be narrowly construed**, and any withholding of documents must be justified with specificity.
- Additionally, under **5 U.S.C. § 552(a)(6)(A)(i)**, your agency is required to respond within **20 business days** with a substantive determination or reason for delay. Your failure to provide the requested records or cite a specific exemption within the legally required timeframe is a clear violation of **statutory deadlines**.

FOIA Case Law Supporting Prompt and Full Disclosure

- *U.S. Dep't of Justice v. Tax Analysts*, 492 U.S. 136 (1989) clarified that all agency records, not just final decisions, are subject to disclosure unless a specific exemption applies.

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Therefore, I demand immediate disclosure of **all records, communications, and legal bases** related to the actions taken in my case, and any failure to provide such records will result in legal action to compel compliance under FOIA.

3. Demand for Clarification of Authority (UCC § 1-308)

I invoke **UCC § 1-308** to **explicitly reserve my rights** regarding any actions, agreements, or modifications related to this case. Under UCC provisions, I am entitled to seek **clarification of the authority** under which your agency is acting. If you are unable to provide a **legal, statutory basis** for your actions, any enforcement of your actions will be considered null and void under commercial law.

- **UCC § 9-609** requires strict adherence to proper procedures before repossession or enforcement of assets (including income). Your failure to properly notify or follow legal procedures invalidates your withholding order under commercial law.

4. Violations of Consumer Protection Laws

The enforcement actions taken by your agency are subject to scrutiny under the **Fair Debt Collection Practices Act (FDCPA)**, **15 U.S.C. § 1692**, which prohibits the **improper garnishment of wages** without lawful and clear basis. Your actions also violate **state consumer protection laws** that safeguard individuals from improper financial enforcement actions.

- Under **FTC v. Sperry & Hutchinson Co.**, **405 U.S. 233 (1972)**, even administrative agencies are bound by the principles of **fairness** in their enforcement actions. The arbitrary withholding of my wages without lawful explanation constitutes a violation of **consumer protection standards**.

5. Remedies Demanded

In light of the illegal actions, violations of my rights under the U.S. Constitution, FOIA, UCC, and state laws, I demand the following remedies:

1. **Immediate rescission** of the illegal income withholding order.
2. **Immediate compliance** with the **FOIA request** by providing all records related to the enforcement actions.
3. **Full legal clarification** of the authority under which your agency has acted, citing **specific statutory provisions**.
4. A formal acknowledgment of the **constitutional violations** and a commitment to **corrective action**.

5. Compensation for any **economic damages** incurred as a result of the unlawful actions taken by your agency.

Failure to comply with these demands within **10 business days** will result in the initiation of **civil litigation** under **42 U.S.C. § 1983** for violation of my civil rights, alongside claims under **FOIA**, the **UCC**, and **state consumer protection laws**.

Conclusion

Your agency's actions represent a gross violation of my legal and constitutional rights. I expect a prompt and substantive response to this letter, acknowledging the errors and taking corrective measures. Failure to act will compel me to seek all available legal remedies to defend my rights.

Sincerely,

Thomas Camarda

Secured Party, Pro Se Litigant, Real Party in Interest, Claimant of Record

Case Law Citations

- **INS v. Chadha**, 462 U.S. 919 (1983) – Limitations on agency power.
 - **A.L.A. Schechter Poultry Corp. v. United States**, 295 U.S. 495 (1935) – Unlawful delegation of power.
 - **Motor Vehicle Mfrs. Ass'n v. State Farm Mut. Auto. Ins. Co.**, 463 U.S. 29 (1983) – Arbitrary and capricious standard.
 - **NLRB v. Robbins Tire & Rubber Co.**, 437 U.S. 214 (1978) – FOIA exemptions must be narrowly construed.
 - **U.S. Dep't of Justice v. Tax Analysts**, 492 U.S. 136 (1989) – Requirement for prompt disclosure under FOIA.
 - **FTC v. Sperry & Hutchinson Co.**, 405 U.S. 233 (1972) – Fairness in administrative enforcement.
-

tcamarda@gmx.com

From: tcamarda@gmx.com
Sent: Friday, October 18, 2024 5:38 PM
To: 'lizzy.whitehorn@illinois.gov'; 'hfs.dcsscaru@illinois.gov'; 'hfs.mru@illinois.gov'; 'attorney_general@atg.state.il.us'; 'attorney_general@ilag.gov'; 'ethics.OEIG@ilag.gov'; 'OIG.InspectorGeneral@illinois.gov'; 'Michelle Bieber'
Subject: FINAL DEMAND FOR FULL DISCLOSURE AND IMMEDIATE REMEDY VIOLATION OF FOIA, UCC LAW, AND CONSTITUTIONAL RIGHTS; RE: #secure# FOIA request response

Thomas E. Camarda
Secured Party, Pro Se Litigant, Real Party in Interest, Claimant of Record and UCC-1 Holder
500 Cunat Blvd Apt 2B
Richmond, IL 60071
Email: tcamarda@gmx.com
Phone: (224) 279-8856

October 18, 2024

Illinois Department of Healthcare and Family Services
Elizabeth M. Whitehorn, Director
Division of Child Support Services (DCSS)
Attn: FOIA Officer
Email: lizzy.whitehorn@illinois.gov

RE: Final Demand for Full Disclosure and Immediate Remedy, Violation of FOIA, UCC Law, and Constitutional Rights

Dear Ms. Whitehorn,

This letter is to **demand immediate and uncompromised compliance** with my lawful requests under the Illinois Freedom of Information Act (**5 ILCS 140**) and various **federal laws**, which your department continues to willfully violate. Your office's gross mishandling of my FOIA request, particularly after I lawfully established myself as a secured party under **UCC-1**, is not only illegal but also a **deliberate attempt to obstruct justice**. You are hereby placed on notice that failure to comply immediately will result in aggressive legal action, including but not limited to federal litigation, damages, and injunctions against your office and its officials personally.

1. Flagrant Violations of FOIA and Obstruction of Justice

The redacted and incomplete response provided on October 18, 2024, is a clear and deliberate violation of **5 ILCS 140/1.2**, which mandates transparency in all government records unless explicitly exempt by statute. You have **failed to articulate any legitimate exemption** under FOIA that justifies your heavy redactions, and therefore, these actions constitute an illegal attempt to hide critical information. Your failure to comply violates **NLRB v. Robbins Tire & Rubber Co., 437 U.S. 214 (1978)**, which clearly establishes that withholding information essential to a party's legal defense is an obstruction of due process. Let me be clear—**your office's concealment will not stand**.

I demand **full, unredacted copies** of all communications, documents, and records related to the enforcement of any alleged obligations against me, particularly following my designation as a

secured party under **UCC-1**. **Any further delay or failure to comply** will be met with immediate legal action, including filing for writs of **mandamus** to compel disclosure.

2. Violation of Due Process and Fundamental Constitutional Rights

Your department's actions have breached the **Due Process Clause of the Fifth and Fourteenth Amendments**, as established in **Goldberg v. Kelly, 397 U.S. 254 (1970)**, which mandates that individuals be given clear notice and an opportunity to contest government actions that impact their rights. Your **unjustifiable redactions** and refusal to provide complete records prevent me from defending myself against unlawful liens, garnishments, and levies imposed without proper legal authority or due process. This failure to provide transparency and to ensure I am afforded the opportunity to contest your actions is a **gross violation of my constitutional rights**.

Your office is now required to **immediately cease and desist** from further obstruction, disclose all relevant documentation in unredacted form, and allow me to challenge the enforcement of financial actions that **violate UCC law**, state law, and federal law.

3. UCC Violations: Unauthorized Actions Against a Secured Party

Your office's reckless actions have interfered with my rights as a **secured party** under the **Uniform Commercial Code (UCC-1)**. I have lawfully perfected my security interest and demanded proper accounting and disclosure under **UCC Articles 9-610 and 9-611**. Your continued refusal to provide full documentation, particularly regarding the bank levy and the unauthorized lien applied on **June 14, 2024**, amounts to a blatant violation of the UCC. You are **in direct breach** of your obligations under both state and federal law.

This is your **final opportunity** to correct this violation. Should you fail to immediately disclose all relevant records, I will initiate a **secured party enforcement action** against your department and all individuals responsible for violating my UCC rights. This includes but is not limited to pursuing remedies under **UCC-9** for wrongful repossession, misappropriation of secured collateral, and illegal financial actions.

4. Bad Faith and Deceptive Practices

Your conduct also raises substantial concerns under the **Illinois Consumer Fraud and Deceptive Business Practices Act (815 ILCS 505)**. The withholding of essential records and failure to properly notify me of actions taken against my secured interest constitutes **deceptive business practices** by a state agency. You are **deliberately misleading** me by refusing to provide the necessary information to verify the legitimacy of your actions, thus attempting to impose financial obligations without legal standing.

I demand that you immediately provide full and accurate disclosures or face swift legal consequences. The courts have been clear that deceptive practices, especially in the administration of public duties, will not be tolerated. **FTC v. Sperry & Hutchinson Co., 405 U.S. 233 (1972)** specifically addresses this type of deceptive governmental behavior. **I will not hesitate to bring legal action** under this doctrine to hold your department accountable for these violations.

5. Legal and Financial Consequences for Continued Non-Compliance

This is your **final notice** to provide the unredacted records requested, issue a clear legal justification for your department's actions, and cease any further illegal or unauthorized enforcement activities. Should you fail to comply within **five (5) business days** of this notice, I will immediately file legal action in both state and federal court to compel disclosure, recover damages, and seek injunctive relief.

Additionally, I reserve the right to file a **civil suit against the individuals responsible** for these violations in their personal capacity, including but not limited to claims of **abuse of process** and **misconduct in public office**.

Let me be unequivocally clear: **any further attempts to obstruct or delay** will result in **litigation** seeking full compensatory damages, punitive damages, and court costs, and I will pursue criminal complaints against any officials engaging in willful misconduct or fraudulent activities. I suggest your office reconsider its position immediately. You are now facing a matter of significant legal exposure.

Sincerely,

Thomas Camarda

Secured Party, UCC-1 Holder, Pro Se Litigant, Real Party in Interest, Claimant of Record

From: HFS.MRU <HFS.MRU@Illinois.gov>
Sent: Friday, October 18, 2024 4:04 PM
To: tcamarda@gmx.com
Cc: HFS.MRU <HFS.MRU@Illinois.gov>
Subject: #secure# FOIA request response

Please see attached in response to your FOIA request:
Letter dated 10/18/2024
Letter dated 10/02/2024
Letter dated 09/13/2024
Payment report.
Redacted notes screen

For additional information, visit <https://www.illinois.gov/hfs/ChildSupport/parents/Pages/FAQs.aspx> to review Frequently Asked Questions (FAQs).

IMPORTANT NOTICE: You may experience a delay in the receipt of important Child Support Services mail. We appreciate your patience as we diligently attempt to resolve the issue. For questions or additional details, please contact the Child Support Services Call Center at 800.447.4278.

Sincerely,

Customer Service Unit
Child Support Services

Healthcare and Family Services

CONFIDENTIALITY NOTICE: This e-mail, including attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information or otherwise be protected by law. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender and destroy all copies and the original message.

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tcamarda@gmx.com

From: tcamarda@gmx.com
Sent: Friday, October 18, 2024 11:01 PM
To: 'lizzy.whitehorn@illinois.gov'; 'hfs.dccscuru@illinois.gov'; 'hfs.mru@illinois.gov'; 'attorney_general@atg.state.il.us'; 'attorney_general@atg.state.il.us'; 'OIG.InspectorGeneral@illinois.gov'; 'ethics.OIG@ilag.gov'; 'Michelle Bieber'
Subject: RE: FINAL DEMAND FOR FULL DISCLOSURE AND IMMEDIATE REMEDY VIOLATION OF FOIA, UCC LAW, AND CONSTITUTIONAL RIGHTS; RE: #secure# FOIA request response

ADDITIONAL NOTICE OF FRAUDULENT RECORDS & INTENTIONAL OBSTRUCTION

1. Fraudulent Bankruptcy Record:

It has come to my attention that your records fraudulently claim a Chapter 7 bankruptcy filing (Case No. 19-81344, Northern District, Illinois), supposedly initiated on **June 3, 2019**. Let me make this unequivocally clear: **no such bankruptcy filing ever took place**, and this is a blatant falsification of my financial records.

This is not a minor administrative mistake; this is a **gross violation** of my rights, and it has directly impacted ongoing legal proceedings and financial obligations. I demand that you:

- **Immediately launch a full investigation** into this fabricated bankruptcy entry and provide a detailed account of how such false information came to be included in my records.
- **Fully expunge** this fraudulent entry from all your systems, with written confirmation of its complete removal.
- **Provide full transparency** on the chain of custody regarding this falsified information and the individuals responsible for inputting and processing it.

If this matter is not rectified immediately, you will leave me no choice but to **pursue all available legal avenues**, including filing suit for damages resulting from this malicious misrepresentation of my financial status. I will not tolerate any further mishandling or obstruction of my cas

2. Intentional Obstruction via Redacted Documents:

Furthermore, your deliberate withholding of critical documents—heavily redacted to the point of absurdity, with entire pages blacked out—constitutes **intentional obstruction** of justice and an egregious abuse of the discovery process.

I am formally demanding that you:

- **Produce complete, unredacted copies** of all documents immediately. Your redactions are nothing more than a transparent attempt to conceal information critical to my defense and I will not stand for it.
- **Disclose the legal grounds** for any redactions you claim are justified, and if you fail to provide a valid legal rationale for each, I will consider this an act of bad faith.

This kind of stunt shows a complete lack of respect for the legal process and will be met with **swift legal action**. If you continue to obstruct the full release of documents, I will pursue sanctions against your office, up to and including penalties for withholding critical evidence.

Make no mistake: I will not allow you to bury this case in red tape and bureaucratic games. Your failure to comply with this notice will result in **immediate legal escalation**.

3. Surety Bond Violation & Evasion:

Let's address the elephant in the room—the **surety bond** for Elizabeth Whitehorn, which you have **persistently ignored and sidestepped** throughout this entire process.

I am fully aware of her position and the legal obligations that come with her role. By avoiding acknowledgment and failing to address her surety bond, you are openly defying **legal accountability**.

This blatant avoidance is unacceptable. The surety bond exists to **protect the public from abuses of authority**—and that is exactly what is happening here.

By allowing Elizabeth Whitehorn to continue in her role without addressing the damages caused by her reckless actions and enforcement, **you are complicit** in this violation.

Let me make it clear: if you **do not immediately produce** all relevant surety bond information, including **policy numbers, coverage amounts, and any necessary contact details**, I will take legal steps to **file a claim** directly against the surety bond for damages incurred as a result of her gross negligence and misconduct.

Failing to address this issue is a **direct violation of my rights**, and I will **escalate** this matter, holding all responsible parties accountable.

From: tcamarda@gmx.com <tcamarda@gmx.com>

Sent: Friday, October 18, 2024 5:38 PM

To: 'lizzy.whitehorn@illinois.gov' <lizzy.whitehorn@illinois.gov>; 'hfs.dcsscru@illinois.gov' <hfs.dcsscru@illinois.gov>; 'hfs.mru@illinois.gov' <hfs.mru@illinois.gov>; 'attorney_general@atg.state.il.us' <attorney_general@atg.state.il.us>; 'attorney_general@ilag.gov' <attorney_general@ilag.gov>; 'ethics.OEIG@ilag.gov' <ethics.OEIG@ilag.gov>; 'OIG.InspectorGeneral@Illinois.gov' <OIG.InspectorGeneral@Illinois.gov>; 'Michelle Bieber' <michellebieber76@yahoo.com>

Subject: FINAL DEMAND FOR FULL DISCLOSURE AND IMMEDIATE REMEDY VIOLATION OF FOIA, UCC LAW, AND CONSTITUTIONAL RIGHTS; RE: #secure# FOIA request response

Thomas E. Camarda

Secured Party, Pro Se Litigant, Real Party in Interest, Claimant of Record and UCC-1 Holder

500 Cunat Blvd Apt 2B

Richmond, IL 60071

Email: tcamarda@gmx.com

Phone: (224) 279-8856

October 18, 2024

Illinois Department of Healthcare and Family Services

Elizabeth M. Whitehorn, Director

Division of Child Support Services (DCSS)

Attn: FOIA Officer

Email: lizzy.whitehorn@illinois.gov

RE: Final Demand for Full Disclosure and Immediate Remedy, Violation of FOIA, UCC Law, and Constitutional Rights

Dear Ms. Whitehorn,

This letter is to **demand immediate and uncompromised compliance** with my lawful requests under the Illinois Freedom of Information Act (**5 ILCS 140**) and various **federal laws**, which your department continues to willfully violate. Your office's gross mishandling of my FOIA request, particularly after I lawfully established myself as a secured party under **UCC-1**, is not only illegal but also a **deliberate attempt to obstruct justice**. You are hereby placed on notice that failure to comply immediately will result in aggressive legal action, including but not limited to federal litigation, damages, and injunctions against your office and its officials personally.

1. Flagrant Violations of FOIA and Obstruction of Justice

The redacted and incomplete response provided on October 18, 2024, is a clear and deliberate violation of **5 ILCS 140/1.2**, which mandates transparency in all government records unless explicitly exempt by statute. You have **failed to articulate any legitimate exemption** under FOIA that justifies your heavy redactions, and therefore, these actions constitute an illegal attempt to hide critical information. Your failure to comply violates **NLRB v. Robbins Tire & Rubber Co., 437 U.S. 214 (1978)**, which clearly establishes that withholding information essential to a party's legal defense is an obstruction of due process. Let me be clear—**your office's concealment will not stand**.

I demand **full, unredacted copies** of all communications, documents, and records related to the enforcement of any alleged obligations against me, particularly following my designation as a secured party under **UCC-1**. **Any further delay or failure to comply** will be met with immediate legal action, including filing for writs of **mandamus** to compel disclosure.

2. Violation of Due Process and Fundamental Constitutional Rights

Your department's actions have breached the **Due Process Clause of the Fifth and Fourteenth**

Amendments, as established in **Goldberg v. Kelly, 397 U.S. 254 (1970)**, which mandates that individuals be given clear notice and an opportunity to contest government actions that impact their rights. Your **unjustifiable redactions** and refusal to provide complete records prevent me from defending myself against unlawful liens, garnishments, and levies imposed without proper legal authority or due process. This failure to provide transparency and to ensure I am afforded the opportunity to contest your actions is a **gross violation of my constitutional rights**.

Your office is now required to **immediately cease and desist** from further obstruction, disclose all relevant documentation in unredacted form, and allow me to challenge the enforcement of financial actions that **violate UCC law**, state law, and federal law.

3. UCC Violations: Unauthorized Actions Against a Secured Party

Your office's reckless actions have interfered with my rights as a **secured party** under the **Uniform Commercial Code (UCC-1)**. I have lawfully perfected my security interest and demanded proper accounting and disclosure under **UCC Articles 9-610 and 9-611**. Your continued refusal to provide full documentation, particularly regarding the bank levy and the unauthorized lien applied on **June 14, 2024**, amounts to a blatant violation of the UCC. You are in **direct breach** of your obligations under both state and federal law.

This is your **final opportunity** to correct this violation. Should you fail to immediately disclose all relevant records, I will initiate a **secured party enforcement action** against your department and all individuals responsible for violating my UCC rights. This includes but is not limited to pursuing remedies under **UCC-9** for wrongful repossession, misappropriation of secured collateral, and illegal financial actions.

4. Bad Faith and Deceptive Practices

Your conduct also raises substantial concerns under the **Illinois Consumer Fraud and Deceptive Business Practices Act (815 ILCS 505)**. The withholding of essential records and failure to properly notify me of actions taken against my secured interest constitutes **deceptive business practices** by a state agency. You are **deliberately misleading** me by refusing to provide the necessary information to verify the legitimacy of your actions, thus attempting to impose financial obligations without legal standing.

I demand that you immediately provide full and accurate disclosures or face swift legal consequences. The courts have been clear that deceptive practices, especially in the administration of public duties, will not be tolerated. **FTC v. Sperry & Hutchinson Co., 405 U.S. 233 (1972)** specifically addresses this type of deceptive governmental behavior. **I will not hesitate to bring legal action** under this doctrine to hold your department accountable for these violations.

5. Legal and Financial Consequences for Continued Non-Compliance

This is your **final notice** to provide the unredacted records requested, issue a clear legal justification for your department's actions, and cease any further illegal or unauthorized enforcement activities. Should you fail to comply within **five (5) business days** of this notice, I will immediately file legal action in both state and federal court to compel disclosure, recover damages, and seek injunctive relief.

Additionally, I reserve the right to file a **civil suit against the individuals responsible** for these violations in their personal capacity, including but not limited to claims of **abuse of process** and **misconduct in public office**.

Let me be unequivocally clear: **any further attempts to obstruct or delay** will result in **litigation** seeking full compensatory damages, punitive damages, and court costs, and I will pursue criminal complaints against any officials engaging in willful misconduct or fraudulent activities. I suggest your office reconsider its position immediately. You are now facing a matter of significant legal exposure.

Sincerely,

Thomas Camarda

Secured Party, UCC-1 Holder, Pro Se Litigant, Real Party in Interest, Claimant of Record

From: HFS.MRU <HFS.MRU@Illinois.gov>
Sent: Friday, October 18, 2024 4:04 PM
To: tcamarda@gmx.com
Cc: HFS.MRU <HFS.MRU@Illinois.gov>
Subject: #secure# FOIA request response

Please see attached in response to your FOIA request:

Letter dated 10/18/2024
Letter dated 10/02/2024
Letter dated 09/13/2024
Payment report.
Redacted notes screen

For additional information, visit <https://www.illinois.gov/hfs/ChildSupport/parents/Pages/FAQs.aspx> to review Frequently Asked Questions (FAQs).

IMPORTANT NOTICE: You may experience a delay in the receipt of important Child Support Services mail. We appreciate your patience as we diligently attempt to resolve the issue. For questions or additional details, please contact the Child Support Services Call Center at 800.447.4278.

Sincerely,

Customer Service Unit
Child Support Services
Healthcare and Family Services

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tcamarda@gmx.com

From: tcamarda@gmx.com
Sent: Monday, October 21, 2024 4:35 PM
To: 'Harkins, Heather T.'; 'Michele.Hodgson@illinois.gov'; 'Patricia.Petersen@illinois.gov'; 'sharon.shapiro@illinois.gov'; 'lizzy.whitehorn@illinois.gov'
Subject: RE: #secure# FOIA 24-522 Camarda
Importance: High

Subject: Formal Objection to the FOIA Response and Demand for Unredacted Disclosure – FOIA #24-522 Camarda

Dear Mr. Mehta, Ms. Harkins, and the Illinois Department of Healthcare and Family Services FOIA Team,

I acknowledge receipt of your response to my FOIA request dated October 15, 2024, regarding FOIA request #24-522. However, the extensive redactions and the blanket application of exemptions pursuant to **Sections 7(1)(a), 7(1)(b), and 7(1)(f)** are unacceptable and in direct contradiction to the spirit of the Illinois Freedom of Information Act (FOIA), **5 ILCS 140**, which mandates transparency and openness in government operations. This letter serves as a **formal objection** to your response and an **immediate demand for unredacted disclosure** of all relevant records related to my case.

Your application of exemptions demonstrates a clear overreach and constitutes a violation of my rights to access public records under FOIA. The exemptions you cited do not provide sufficient legal justification to withhold or redact the vast majority of the documents. Below, I will address each exemption in turn and explain why they fail to meet legal standards, followed by a demand for full and unredacted disclosure.

1. Section 7(1)(a) Exemption – Alleged Prohibition by Federal or State Law

In your response, you invoked Section 7(1)(a), which allows the withholding of records specifically prohibited from disclosure by federal or state law. Specifically, you cited **45 C.F.R. § 303.21** and **305 ILCS 5/11-9**, which pertain to the protection of personal information of public aid recipients.

A. Misapplication of Federal Regulations:

While it is true that certain federal regulations prohibit the release of personal identifying information (PII) such as **Social Security numbers, addresses, and employment details**, these statutes were intended to protect **individual privacy**, not to shield entire administrative actions, communications, or legal reasoning from disclosure.

45 C.F.R. § 303.21 restricts the sharing of **specific identifying information**, such as a person's location or finances, without proper legal justification. However, the records I have requested relate to the **Department's administrative processes, decisions, and communications** regarding my case. **These do not fall under the definition of "personal identifying information" and should not be redacted.**

B. State Law and Public Access to Program Administration Records:

305 ILCS 5/11-9 provides limited protection to public aid recipients by restricting access to certain types of records, but it also explicitly allows for the disclosure of documents that are "**necessary for purposes directly connected with the administration of the program.**" Given that I am the subject of this child support case, the actions, decisions, and policies employed by your department in administering my case are not only relevant to me—they are **directly connected to the administration of the program** and therefore must be disclosed.

I am not requesting private, confidential information about third parties. I am demanding access to the **decisions, actions, and communications involving your agency's handling of my case, including the legal rationale behind the enforcement actions taken against me.** These records do not meet the standard of exemption under **Section 7(1)(a)** and should be disclosed in full.

Demand: Provide full unredacted records related to my case's administration, communications, and decision-making processes, with any redactions limited only to specific and narrowly-defined PII protected by law.

2. Section 7(1)(b) Exemption – Alleged Protection of Private Information

You also invoked **Section 7(1)(b)**, which exempts "private information" as defined by the Illinois FOIA, including employee identifiers. This exemption appears to be another blanket overreach.

A. Inappropriate Redactions of Employee and Administrative Information:

While the FOIA defines "private information" to include unique identifiers such as Social Security numbers, passwords, and other data that could be used to locate or identify an individual, this exemption does not apply to **public officials' work-related actions, communications, and decisions.**

Public employees conducting public business, especially those involved in administrative decision-making, are **not entitled to shield their actions or communications behind the guise of "private information."** The public has a right to know the actions taken by public employees in their official capacities, especially where those actions have a direct impact on individuals such as myself.

By redacting the names and actions of employees involved in my case, your department is denying me essential information regarding **who was responsible for key decisions** and how these decisions were made. This impedes my ability to hold those individuals accountable and understand the exact process used in administering my case. **Public employees working on child support enforcement matters are subject to public oversight**, and your excessive use of this exemption undermines that principle.

Demand: Provide unredacted versions of records that identify public employees acting in their official capacities in relation to my case. The use of **Section 7(1)(b)** should be limited only to the redaction of personal contact information or sensitive unique identifiers as narrowly defined under FOIA.

3. Section 7(1)(f) Exemption – Predecisional Material and Deliberative Process

The most problematic of your cited exemptions is **Section 7(1)(f)**, which covers preliminary drafts, notes, recommendations, memoranda, and other records in which opinions are expressed, or policies or actions are formulated.

A. Misapplication of the Deliberative Process Privilege:

While I understand that **Section 7(1)(f)** is intended to protect the free flow of ideas during the policy-making process, this exemption has been **over-applied** in this case. Courts have ruled that the deliberative process exemption cannot be used to withhold documents that consist of **factual material, final decisions**, or other non-deliberative content. In particular, the Illinois Appellate Court has held that **Section 7(1)(f)** cannot be used as a **catch-all exemption** to shield agency action from public scrutiny.

Your department has **redacted or withheld large portions of records that do not qualify as “preliminary” or deliberative in nature**. Decisions regarding enforcement actions in my case have already been made, and the records I am seeking pertain to the **final decisions and communications** that resulted in these actions. Any factual information, legal analysis, or finalized communications related to my case should be fully disclosed.

B. Deliberative Process vs. Factual Information:

The records that have been withheld or redacted appear to contain not just opinions, but factual material and administrative actions that have already been executed. Under Illinois law, once a decision has been made or a policy has been formulated, the agency can no longer claim that the records are protected by the deliberative process exemption.

Therefore, **any factual summaries, communications involving final actions, or records documenting the decisions taken in my case are not protected by Section 7(1)(f)** and should be disclosed in full.

Demand: Provide full, unredacted versions of all records containing factual material, final decisions, and post-decisional communications. **Section 7(1)(f)** should only be applied to redact predecisional, internal opinions where they pertain solely to the formulation of yet-to-be-made decisions.

4. Conclusion – Rejection of Overbroad Exemptions

Your department’s response to my FOIA request represents a clear and intentional overreach of the Illinois FOIA exemptions, designed to withhold documents that should rightfully be made public. The intent of FOIA is transparency, and its exemptions should be applied narrowly to protect specific, sensitive information—not to shield the actions of a public agency from scrutiny.

Failure to provide these records in unredacted form will leave me no choice but to pursue further legal recourse, including filing a formal complaint with the **Public Access Counselor (PAC)** in the Office of the Illinois Attorney General, as well as initiating **judicial review** under **5 ILCS 140/11**.

I expect a prompt and full reconsideration of your position and the immediate provision of the requested documents, with only **legally appropriate, narrowly-tailored redactions**. Please confirm receipt of this letter and indicate when I can expect the revised disclosure.

Sincerely,
Thomas Camarda
Secured Party, UCC-1 Holder

From: Harkins, Heather T. <Heather.Harkins@Illinois.gov>
Sent: Monday, October 21, 2024 4:01 PM
To: tcamarda@gmx.com
Cc: Mehta, Kiran <Kiran.Mehta@Illinois.gov>; Hodgson, Michele <Michele.Hodgson@Illinois.gov>; Petersen, Patricia <Patricia.Petersen@Illinois.gov>; Shapiro, Sharon <Sharon.Shapiro@Illinois.gov>
Subject: #secure# FOIA 24-522 Camarda

Good afternoon:

Please see the attached documents in response to your FOIA request.

Thank you,
Heather Harkins
Paralegal Assistant
Office of General Counsel
Phone: +1 217-782-6837
heather.harkins@Illinois.gov



HFS

Illinois Department of
Healthcare and Family Services



We improve lives.

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To: 'attorney_general@atg.state.il.us'; 'attorney_general@ileg.gov'; 'ethics.OEIG@ileg.gov'; 'OIG.InspectorGeneral@Illinois.gov'
Subject: FW: #secure# FOIA 24-522 Camarda
Importance: High

From: tcamarda@gmx.com <tcamarda@gmx.com>
Sent: Monday, October 21, 2024 4:35 PM
To: 'Harkins, Heather T.' <Heather.Harkins@Illinois.gov>; 'Michele.Hodgson@illinois.gov' <Michele.Hodgson@illinois.gov>; 'Patricia.Petersen@Illinois.gov' <Patricia.Petersen@Illinois.gov>; 'sharon.shapiro@illinois.gov' <sharon.shapiro@illinois.gov>; 'lizzy.whitehorn@illinois.gov' <lizzy.whitehorn@illinois.gov>
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me essential information regarding **who was responsible for key decisions** and how these decisions were made. This impedes my ability to hold those individuals accountable and understand the exact process used in administering my case. **Public employees working on child support enforcement matters are subject to public oversight**, and your excessive use of this exemption undermines that principle.

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4. Conclusion – Rejection of Overbroad Exemptions

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I expect a prompt and full reconsideration of your position and the immediate provision of the requested documents, with only **legally appropriate, narrowly-tailored redactions**. Please confirm receipt of this letter and indicate when I can expect the revised disclosure.

Sincerely,
Thomas Camarda
Secured Party, UCC-1 Holder

From: Harkins, Heather T. <Heather.Harkins@Illinois.gov>
Sent: Monday, October 21, 2024 4:01 PM
To: tcamarda@gmx.com
Cc: Mehta, Kiran <Kiran.Mehta@Illinois.gov>; Hodgson, Michele <Michele.Hodgson@Illinois.gov>; Petersen, Patricia <Patricia.Petersen@Illinois.gov>; Shapiro, Sharon <Sharon.Shapiro@Illinois.gov>
Subject: #secure# FOIA 24-522 Camarda

Good afternoon:

Please see the attached documents in response to your FOIA request.

Thank you,
Heather Harkins
Paralegal Assistant
Office of General Counsel
Phone: +1 217-782-6837
heather.harkins@Illinois.gov





We improve lives.

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tcamarda@gmx.com

From: tcamarda@gmx.com
Sent: Tuesday, October 22, 2024 8:18 AM
To: 'HFS.MRU'
Subject: RE: FOIA Request C02962349 - Thomas E. Camarda

Subject: Re: FOIA Request - Response to Default

Good Morning,

Thank you for your message regarding the FOIA request. However, I would like to make it clear that this communication does not address the current legal default that remains in place. The deadline for compliance has passed, and the ongoing delay in providing an adequate response to the FOIA request does not resolve or mitigate the existing default. It is strongly recommended to consider the terms of settlement at this time.

At this point, the failure to comply within the required timeframes places your office in continued violation of its legal obligations, and as such, this matter remains unresolved. I expect a timely and complete response to my settlement offer and the legal deficiencies at issue.

If you have any further questions or require clarification, I am available to discuss this further.

Sincerely,
Thomas Camarda

From: HFS.MRU <HFS.MRU@Illinois.gov>
Sent: Monday, October 21, 2024 4:05 PM
To: tcamarda@gmx.com
Cc: HFS.MRU <HFS.MRU@Illinois.gov>
Subject: FOIA Request C02962349 - Thomas E. Camarda

10/21/2024

Good Afternoon Mr. Carmarda:

You will soon be receiving a response regarding your FOIA request soon.

If you have any additional questions or concerns regarding your response. You may contact Wade.Gadberry@Illinois.gov

Thank you.

Sincerely,

Customer Service Unit
Child Support Services

Healthcare and Family Services

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tcamarda@gmx.com

From: tcamarda@gmx.com
Sent: Tuesday, October 22, 2024 9:01 AM
To: 'Mehta, Kiran'
Subject: RE: [External] RE: #secure# FOIA 24-522 Camarda

Subject: Re: Review of FOIA Redactions

Dear Mr. Mehta,

Thank you for your response and for reconsidering the redactions. However, I would like to reiterate that this does not change the fact that your office is in **default** regarding the legal deadlines that have passed.

I appreciate your efforts to review the FOIA materials, but I expect prompt resolution of the broader legal issues at hand, which remain outstanding.

Please let me know if you require any additional clarification.

Sincerely,

Thomas Camarda
Secured Party, UCC-1 Holder

From: Mehta, Kiran <Kiran.Mehta@Illinois.gov>
Sent: Tuesday, October 22, 2024 8:40 AM
To: tcamarda@gmx.com
Cc: Harkins, Heather T. <Heather.Harkins@Illinois.gov>; Petersen, Patricia <Patricia.Petersen@Illinois.gov>; Hodgson, Michele <Michele.Hodgson@Illinois.gov>; Shapiro, Sharon <Sharon.Shapiro@Illinois.gov>
Subject: FW: [External] RE: #secure# FOIA 24-522 Camarda
Importance: High

Mr. Camarda,

We are reviewing your email below as well as the materials provided and reconsidering some of the redactions. Thank you for your patience while we review the materials.

Kiran Mehta
Freedom of Information Act Officer

Kiran Mehta
Assistant General Counsel
Healthcare and Family Services
ph: 312-793-4805
fax: 312-793-3355
kiran.mehta@illinois.gov
www.hfs.illinois.gov

From: tcamarda@gmx.com <tcamarda@gmx.com>

Sent: Monday, October 21, 2024 4:35 PM

To: Harkins, Heather T. <Heather.Harkins@Illinois.gov>; Hodgson, Michele <Michele.Hodgson@Illinois.gov>; Petersen, Patricia <Patricia.Petersen@Illinois.gov>; Shapiro, Sharon <Sharon.Shapiro@Illinois.gov>; Whitehorn, Lizzy <Lizzy.Whitehorn@Illinois.gov>

Subject: [External] RE: #secure# FOIA 24-522 Camarda

Importance: High

Subject: Formal Objection to the FOIA Response and Demand for Unredacted Disclosure – FOIA #24-522 Camarda

Dear Mr. Mehta, Ms. Harkins, and the Illinois Department of Healthcare and Family Services FOIA Team,

I acknowledge receipt of your response to my FOIA request dated October 15, 2024, regarding FOIA request #24-522. However, the extensive redactions and the blanket application of exemptions pursuant to **Sections 7(1)(a), 7(1)(b), and 7(1)(f)** are unacceptable and in direct contradiction to the spirit of the Illinois Freedom of Information Act (FOIA), **5 ILCS 140**, which mandates transparency and openness in government operations. This letter serves as a **formal objection** to your response and an **immediate demand for unredacted disclosure** of all relevant records related to my case.

Your application of exemptions demonstrates a clear overreach and constitutes a violation of my rights to access public records under FOIA. The exemptions you cited do not provide sufficient legal justification to withhold or redact the vast majority of the documents. Below, I will address each exemption in turn and explain why they fail to meet legal standards, followed by a demand for full and unredacted disclosure.

1. Section 7(1)(a) Exemption – Alleged Prohibition by Federal or State Law

In your response, you invoked Section 7(1)(a), which allows the withholding of records specifically prohibited from disclosure by federal or state law. Specifically, you cited **45 C.F.R. § 303.21** and **305 ILCS 5/11-9**, which pertain to the protection of personal information of public aid recipients.

A. Misapplication of Federal Regulations:

While it is true that certain federal regulations prohibit the release of personal identifying information (PII) such as **Social Security numbers, addresses, and employment details**, these statutes were intended to protect **individual privacy**, not to shield entire administrative actions, communications, or legal reasoning from disclosure.

45 C.F.R. § 303.21 restricts the sharing of **specific identifying information**, such as a person's location or finances, without proper legal justification. However, the records I have requested relate to the **Department's administrative processes, decisions, and communications** regarding my case. **These do not fall under the definition of "personal identifying information" and should not be redacted.**

B. State Law and Public Access to Program Administration Records:

305 ILCS 5/11-9 provides limited protection to public aid recipients by restricting access to certain types of records, but it also explicitly allows for the disclosure of documents that are "**necessary for purposes directly connected with the administration of the program.**" Given that I am the subject of this child support case, the actions, decisions, and policies employed by your department in administering my case are not only relevant to me—they are **directly connected to the administration of the program** and therefore must be disclosed.

I am not requesting private, confidential information about third parties. I am demanding access to the **decisions, actions, and communications involving your agency's handling of my case, including the legal rationale behind the enforcement actions taken against me.** These records do not meet the standard of exemption under **Section 7(1)(a)** and should be disclosed in full.

Demand: Provide full unredacted records related to my case's administration, communications, and decision-making processes, with any redactions limited only to specific and narrowly-defined PII protected by law.

2. Section 7(1)(b) Exemption – Alleged Protection of Private Information

You also invoked **Section 7(1)(b)**, which exempts "private information" as defined by the Illinois FOIA, including employee identifiers. This exemption appears to be another blanket overreach.

A. Inappropriate Redactions of Employee and Administrative Information:

While the FOIA defines "private information" to include unique identifiers such as Social Security numbers, passwords, and other data that could be used to locate or identify an individual, this exemption does not apply to **public officials' work-related actions, communications, and decisions.**

Public employees conducting public business, especially those involved in administrative decision-making, are **not entitled to shield their actions or communications behind the guise of "private information."** The public has a right to know the actions taken by public employees in their official capacities, especially where those actions have a direct impact on individuals such as myself.

By redacting the names and actions of employees involved in my case, your department is denying me essential information regarding **who was responsible for key decisions** and how these decisions were made. This impedes my ability to hold those individuals accountable and understand the exact process used in administering my case. **Public employees working on child support enforcement matters are subject to public oversight**, and your excessive use of this exemption undermines that principle.

Demand: Provide unredacted versions of records that identify public employees acting in their official capacities in relation to my case. The use of **Section 7(1)(b)** should be limited only to the

redaction of personal contact information or sensitive unique identifiers as narrowly defined under FOIA.

3. Section 7(1)(f) Exemption – Predecisional Material and Deliberative Process

The most problematic of your cited exemptions is **Section 7(1)(f)**, which covers preliminary drafts, notes, recommendations, memoranda, and other records in which opinions are expressed, or policies or actions are formulated.

A. Misapplication of the Deliberative Process Privilege:

While I understand that **Section 7(1)(f)** is intended to protect the free flow of ideas during the policy-making process, this exemption has been **over-applied** in this case. Courts have ruled that the deliberative process exemption cannot be used to withhold documents that consist of **factual material, final decisions**, or other non-deliberative content. In particular, the Illinois Appellate Court has held that **Section 7(1)(f)** cannot be used as a **catch-all exemption** to shield agency action from public scrutiny.

Your department has **redacted or withheld large portions of records that do not qualify as “preliminary” or deliberative in nature**. Decisions regarding enforcement actions in my case have already been made, and the records I am seeking pertain to the **final decisions and communications** that resulted in these actions. Any factual information, legal analysis, or finalized communications related to my case should be fully disclosed.

B. Deliberative Process vs. Factual Information:

The records that have been withheld or redacted appear to contain not just opinions, but factual material and administrative actions that have already been executed. Under Illinois law, once a decision has been made or a policy has been formulated, the agency can no longer claim that the records are protected by the deliberative process exemption.

Therefore, **any factual summaries, communications involving final actions, or records documenting the decisions taken in my case are not protected by Section 7(1)(f)** and should be disclosed in full.

Demand: Provide full, unredacted versions of all records containing factual material, final decisions, and post-decisional communications. **Section 7(1)(f)** should only be applied to redact predecisional, internal opinions where they pertain solely to the formulation of yet-to-be-made decisions.

4. Conclusion – Rejection of Overbroad Exemptions

Your department’s response to my FOIA request represents a clear and intentional overreach of the Illinois FOIA exemptions, designed to withhold documents that should rightfully be made

public. The intent of FOIA is transparency, and its exemptions should be applied narrowly to protect specific, sensitive information—not to shield the actions of a public agency from scrutiny. Failure to provide these records in unredacted form will leave me no choice but to pursue further legal recourse, including filing a formal complaint with the **Public Access Counselor (PAC)** in the Office of the Illinois Attorney General, as well as initiating **judicial review** under **5 ILCS 140/11**.

I expect a prompt and full reconsideration of your position and the immediate provision of the requested documents, with only **legally appropriate, narrowly-tailored redactions**. Please confirm receipt of this letter and indicate when I can expect the revised disclosure.

Sincerely,
Thomas Camarda
Secured Party, UCC-1 Holder

From: Harkins, Heather T. <Heather.Harkins@Illinois.gov>
Sent: Monday, October 21, 2024 4:01 PM
To: tcamarda@gmx.com
Cc: Mehta, Kiran <Kiran.Mehta@Illinois.gov>; Hodgson, Michele <Michele.Hodgson@Illinois.gov>; Petersen, Patricia <Patricia.Petersen@Illinois.gov>; Shapiro, Sharon <Sharon.Shapiro@Illinois.gov>
Subject: #secure# FOIA 24-522 Camarda

Good afternoon:

Please see the attached documents in response to your FOIA request.

Thank you,
Heather Harkins
Paralegal Assistant
Office of General Counsel
Phone: +1 217-782-6837
heather.harkins@Illinois.gov



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tcamarda@gmx.com

From: tcamarda@gmx.com
Sent: Tuesday, October 22, 2024 9:39 AM
To: 'lizzy.whitehorn@illinois.gov'; 'HFS.MRU'; 'hfs.dcscaru@illinois.gov'; 'Harkins, Heather T.'; 'Mehta, Kiran'; 'sharon.shapiro@illinois.gov'; 'Michele.Hodgson@illinois.gov'; 'Patricia.Petersen@illinois.gov'
Subject: RE: [External] RE: FOIA REQUEST - SERIOUS NON-COMPLIANCE AND CONTINUED DEFAULT

Subject: RE: FOIA Request - Serious Non-Compliance and Continued Default

Dear Ms. Mehta and All Relevant Parties,

I am writing to address not only the matter of the FOIA request but the **ongoing and serious non-compliance** by your office regarding the **original FOIA request submitted on October 1, 2024**. The reference to an October 15, 2024, request is simply **incorrect** and irrelevant to the reality of the situation. Your office has already **far exceeded the legal timeframe** for compliance on the October 1 request, and these delay tactics are simply unacceptable.

Let me be clear: **Your office remains in legal default**. No attempts to invoke holiday delays or five-day extensions can alter this fact. The failure to comply with the FOIA request by the original statutory deadline is **undisputed** and has placed your office in clear violation of your legal obligations. Any further attempts to delay this process will only compound the evidence of **bad faith** and deepen the legal consequences your office is already facing.

This default is not a mere technicality—it is a significant breach of your legal responsibilities, and it will be treated with the seriousness it deserves. Your continued non-compliance only strengthens my legal standing and weakens any defense your office might hope to rely upon in the future.

Further, I would like to remind you that a settlement offer has already been provided. Your office now has an opportunity to resolve these issues promptly and avoid further legal consequences. The settlement offer provides a clear path forward, but continued delays will only close the window for resolution and force escalation.

I expect immediate action to correct this violation and a full response, without further delay, to my original FOIA request. Any further failure to address this promptly will necessitate **escalation** of this matter to the fullest extent of the law.

This is a final opportunity to avoid further legal consequences related to your non-compliance and to **consider the settlement offer seriously**.

Sincerely,
Thomas Camarda
Secured Party, UCC-1 Holder

From: tcamarda@gmx.com <tcamarda@gmx.com>
Sent: Tuesday, October 22, 2024 9:01 AM
To: 'Mehta, Kiran' <Kiran.Mehta@Illinois.gov>
Subject: RE: [External] RE: #secure# FOIA 24-522 Camarda

Subject: Re: Review of FOIA Redactions

Dear Mr. Mehta,

Thank you for your response and for reconsidering the redactions. However, I would like to reiterate that this does not change the fact that your office is in **default** regarding the legal deadlines that have passed.

I appreciate your efforts to review the FOIA materials, but I expect prompt resolution of the broader legal issues at hand, which remain outstanding.

Please let me know if you require any additional clarification.

Sincerely,

Thomas Camarda
Secured Party, UCC-1 Holder

From: Mehta, Kiran <Kiran.Mehta@Illinois.gov>
Sent: Tuesday, October 22, 2024 8:40 AM
To: tcamarda@gmx.com
Cc: Harkins, Heather T. <Heather.Harkins@Illinois.gov>; Petersen, Patricia <Patricia.Petersen@Illinois.gov>; Hodgson, Michele <Michele.Hodgson@illinois.gov>; Shapiro, Sharon <Sharon.Shapiro@Illinois.gov>
Subject: FW: [External] RE: #secure# FOIA 24-522 Camarda
Importance: High

Mr. Camarda,

We are reviewing your email below as well as the materials provided and reconsidering some of the redactions. Thank you for your patience while we review the materials.

Kiran Mehta
Freedom of Information Act Officer

Kiran Mehta
Assistant General Counsel
Healthcare and Family Services
ph: 312-793-4805
fax: 312-793-3355
kiran.mehta@illinois.gov
www.hfs.illinois.gov

From: tcamarda@gmx.com <tcamarda@gmx.com>
Sent: Monday, October 21, 2024 4:35 PM
To: Harkins, Heather T. <Heather.Harkins@Illinois.gov>; Hodgson, Michele <Michele.Hodgson@Illinois.gov>; Petersen, Patricia <Patricia.Petersen@Illinois.gov>; Shapiro, Sharon <Sharon.Shapiro@Illinois.gov>; Whitehorn, Lizzy <Lizzy.Whitehorn@Illinois.gov>
Subject: [External] RE: #secure# FOIA 24-522 Camarda
Importance: High

Subject: Formal Objection to the FOIA Response and Demand for Unredacted Disclosure – FOIA #24-522 Camarda

Dear Mr. Mehta, Ms. Harkins, and the Illinois Department of Healthcare and Family Services FOIA Team,

I acknowledge receipt of your response to my FOIA request dated October 15, 2024, regarding FOIA request #24-522. However, the extensive redactions and the blanket application of exemptions pursuant to **Sections 7(1)(a), 7(1)(b), and 7(1)(f)** are unacceptable and in direct contradiction to the spirit of the Illinois Freedom of Information Act (FOIA), **5 ILCS 140**, which mandates transparency and openness in government operations. This letter serves as a **formal objection** to your response and an **immediate demand for unredacted disclosure** of all relevant records related to my case.

Your application of exemptions demonstrates a clear overreach and constitutes a violation of my rights to access public records under FOIA. The exemptions you cited do not provide sufficient legal justification to withhold or redact the vast majority of the documents. Below, I will address each exemption in turn and explain why they fail to meet legal standards, followed by a demand for full and unredacted disclosure.

1. Section 7(1)(a) Exemption – Alleged Prohibition by Federal or State Law

In your response, you invoked Section 7(1)(a), which allows the withholding of records specifically prohibited from disclosure by federal or state law. Specifically, you cited **45 C.F.R. § 303.21** and **305 ILCS 5/11-9**, which pertain to the protection of personal information of public aid recipients.

A. Misapplication of Federal Regulations:

While it is true that certain federal regulations prohibit the release of personal identifying information (PII) such as **Social Security numbers, addresses, and employment details**, these statutes were intended to protect **individual privacy**, not to shield entire administrative actions, communications, or legal reasoning from disclosure.

45 C.F.R. § 303.21 restricts the sharing of **specific identifying information**, such as a person's location or finances, without proper legal justification. However, the records I have requested relate to the **Department's administrative processes, decisions, and communications** regarding my case. **These do not fall under the definition of "personal identifying information" and should not be redacted.**

B. State Law and Public Access to Program Administration Records:

305 ILCS 5/11-9 provides limited protection to public aid recipients by restricting access to certain types of records, but it also explicitly allows for the disclosure of documents that are "**necessary for purposes directly connected with the administration of the program.**" Given that I am the subject of this child support case, the actions, decisions, and policies employed by your department in administering my case are not only relevant to me—they are **directly connected to the administration of the program** and therefore must be disclosed.

I am not requesting private, confidential information about third parties. I am demanding access to the **decisions, actions, and communications involving your agency's handling of my case, including the legal rationale behind the enforcement actions taken against me.** These records do not meet the standard of exemption under **Section 7(1)(a)** and should be disclosed in full.

Demand: Provide full unredacted records related to my case's administration, communications, and decision-making processes, with any redactions limited only to specific and narrowly-defined PII protected by law.

2. Section 7(1)(b) Exemption – Alleged Protection of Private Information

You also invoked **Section 7(1)(b)**, which exempts "private information" as defined by the Illinois FOIA, including employee identifiers. This exemption appears to be another blanket overreach.

A. Inappropriate Redactions of Employee and Administrative Information:

While the FOIA defines "private information" to include unique identifiers such as Social Security numbers, passwords, and other data that could be used to locate or identify an individual, this exemption does not apply to **public officials' work-related actions, communications, and decisions.**

Public employees conducting public business, especially those involved in administrative decision-making, are **not entitled to shield their actions or communications behind the guise of "private information."** The public has a right to know the actions taken by public employees in their official capacities, especially where those actions have a direct impact on individuals such as myself.

By redacting the names and actions of employees involved in my case, your department is denying me essential information regarding **who was responsible for key decisions** and how these decisions were made. This impedes my ability to hold those individuals accountable and understand the exact process used in administering my case. **Public employees working on child support enforcement matters are subject to public oversight**, and your excessive use of this exemption undermines that principle.

Demand: Provide unredacted versions of records that identify public employees acting in their official capacities in relation to my case. The use of **Section 7(1)(b)** should be limited only to the

redaction of personal contact information or sensitive unique identifiers as narrowly defined under FOIA.

3. Section 7(1)(f) Exemption – Predecisional Material and Deliberative Process

The most problematic of your cited exemptions is **Section 7(1)(f)**, which covers preliminary drafts, notes, recommendations, memoranda, and other records in which opinions are expressed, or policies or actions are formulated.

A. Misapplication of the Deliberative Process Privilege:

While I understand that **Section 7(1)(f)** is intended to protect the free flow of ideas during the policy-making process, this exemption has been **over-applied** in this case. Courts have ruled that the deliberative process exemption cannot be used to withhold documents that consist of **factual material, final decisions**, or other non-deliberative content. In particular, the Illinois Appellate Court has held that **Section 7(1)(f)** cannot be used as a **catch-all exemption** to shield agency action from public scrutiny.

Your department has **redacted or withheld large portions of records that do not qualify as “preliminary” or deliberative in nature**. Decisions regarding enforcement actions in my case have already been made, and the records I am seeking pertain to the **final decisions and communications** that resulted in these actions. Any factual information, legal analysis, or finalized communications related to my case should be fully disclosed.

B. Deliberative Process vs. Factual Information:

The records that have been withheld or redacted appear to contain not just opinions, but factual material and administrative actions that have already been executed. Under Illinois law, once a decision has been made or a policy has been formulated, the agency can no longer claim that the records are protected by the deliberative process exemption.

Therefore, **any factual summaries, communications involving final actions, or records documenting the decisions taken in my case are not protected by Section 7(1)(f)** and should be disclosed in full.

Demand: Provide full, unredacted versions of all records containing factual material, final decisions, and post-decisional communications. **Section 7(1)(f)** should only be applied to redact predecisional, internal opinions where they pertain solely to the formulation of yet-to-be-made decisions.

4. Conclusion – Rejection of Overbroad Exemptions

Your department’s response to my FOIA request represents a clear and intentional overreach of the Illinois FOIA exemptions, designed to withhold documents that should rightfully be made

public. The intent of FOIA is transparency, and its exemptions should be applied narrowly to protect specific, sensitive information—not to shield the actions of a public agency from scrutiny. Failure to provide these records in unredacted form will leave me no choice but to pursue further legal recourse, including filing a formal complaint with the **Public Access Counselor (PAC)** in the Office of the Illinois Attorney General, as well as initiating **judicial review** under **5 ILCS 140/11**.

I expect a prompt and full reconsideration of your position and the immediate provision of the requested documents, with only **legally appropriate, narrowly-tailored redactions**. Please confirm receipt of this letter and indicate when I can expect the revised disclosure.

Sincerely,
Thomas Camarda
Secured Party, UCC-1 Holder

From: Harkins, Heather T. <Heather.Harkins@Illinois.gov>
Sent: Monday, October 21, 2024 4:01 PM
To: tcamarda@gmx.com
Cc: Mehta, Kiran <Kiran.Mehta@Illinois.gov>; Hodgson, Michele <Michele.Hodgson@Illinois.gov>; Petersen, Patricia <Patricia.Petersen@Illinois.gov>; Shapiro, Sharon <Sharon.Shapiro@Illinois.gov>
Subject: #secure# FOIA 24-522 Camarda

Good afternoon:

Please see the attached documents in response to your FOIA request.

Thank you,
Heather Harkins
Paralegal Assistant
Office of General Counsel
Phone: +1 217-782-6837
heather.harkins@Illinois.gov



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tcamarda@gmx.com

From: tcamarda@gmx.com
Sent: Tuesday, October 22, 2024 4:25 PM
To: Harkins, Heather T.
Cc: lizzy.whitehorn@illinois.gov; Hodgson, Michele; Petersen, Patricia; Mehta, Kiran; Shapiro, Sharon
Subject: RE: FOIA #24-522 CAMARDA – PROCEURAL DEFAULT AND SETTLEMENT URGENCY

Subject: RE: FOIA #24-522 Camarda – Procedural Default and Settlement Urgency

Dear Ms. Mehta,

Thank you for your communication extending the FOIA deadline. I understand the department's intent to use the additional five business days as outlined in **5 ILCS 140/3(e)**. However, I must emphasize that this extension does not alleviate the department's **procedural defaults** that remain unresolved in connection to previous FOIA-related obligations and deadlines.

The department's non-compliance with its previous deadlines, combined with this new extension, only highlights the necessity for a **timely resolution** to the larger legal matters at hand. I strongly encourage you to consider this delay as further support for settling the matter swiftly.

The settlement offer remains a crucial opportunity to resolve these issues, and I urge the department to take decisive action without unnecessary delay.

Best regards,

Thomas Camarda

Secured Party, UCC-1 Holder

On 10/22/24 at 4:14 PM, Harkins, Heather T. wrote:

From: "Harkins, Heather T." <Heather.Harkins@Illinois.gov>
Date: October 22, 2024

To: "tcamarda@gmx.com" <tcamarda@gmx.com>
Cc: "Petersen, Patricia" <Patricia.Petersen@Illinois.gov>,
"Mehta, Kiran" <Kiran.Mehta@Illinois.gov>,
"Hodgson, Michele" <Michele.Hodgson@illinois.gov>,
"Shapiro, Sharon" <Sharon.Shapiro@Illinois.gov>
Subject: FOIA 24-522 Camarda
Good afternoon:

Please see the attached extension letter for your FOIA request.

Thank you,
Heather Harkins
Paralegal Assistant
Office of General Counsel
Phone: +1 217-782-6837
heather.harkins@illinois.gov



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tcamarda@gmx.com

From: tcamarda@gmx.com
Sent: Tuesday, October 22, 2024 4:31 PM
To: lizzy.whitehom@illinois.gov
Cc: Harkins, Heather T.; Mehta, Kiran; lizzy.whitehom@illinois.gov; Hodgson, Michele; Shapiro, Sharon; Petersen, Patricia
Subject: Re: RE FOIA #24-522 CAMARDA - PROCEURAL DEFAULT AND SETTLEMENT URGENCY

Subject: RE: FOIA #24-522 Camarda – Further Notice Regarding Procedural Default and Obligations

Dear Ms. Mehta and all Relevant Parties,

Thank you for your response indicating an extension to the FOIA deadline under **5 ILCS 140/3(e)**, extending your response deadline to **October 29, 2024**. For further clarification, while I recognize the department's right to extend under this provision, I must emphasize that this extension does **not** relieve the department from its **ongoing procedural defaults** regarding previous legal obligations, both in connection to this FOIA request and other related matters.

Previous Defaults Remain:

- **FOIA Non-Compliance:** While the current extension allows you additional time to fulfill the request, the department has already missed critical deadlines related to prior requests, which places you in a **default** status. This cannot be corrected by merely extending a current deadline. Your previous failure to comply with statutory deadlines remains in violation of **5 ILCS 140**, specifically concerning my earlier request from **October 1, 2024**.
- **Broader Legal Obligations:** In addition to the FOIA-related defaults, I must remind the department that other legal obligations, particularly those related to procedural fairness and timely compliance, remain unresolved. Extending FOIA deadlines does not absolve the department from these broader **legal failures**.

Secondary Notice Regarding October 29, 2024 Deadline:

In light of your communication, I will expect full compliance by **October 29, 2024**. Should you fail to produce the required information by this date, I reserve the right to:

1. **Escalate the matter** to the **Public Access Counselor** in the Illinois Attorney General's Office, as outlined under **5 ILCS 140/9.5(a)**, citing your continued failure to comply with statutory obligations.
2. **Pursue further judicial remedies** to compel compliance and address your ongoing procedural defaults, as permitted under **5 ILCS 140/11(a)**.

Settlement Urgency:

The delays in fulfilling these requests, combined with the department's previous failures to meet critical deadlines, further highlights the necessity for a timely resolution through **settlement**. At this point, it is in the department's best interest to close these outstanding issues without further delay.

I strongly encourage the department to consider the **settlement offer** as an opportunity to resolve these matters swiftly and avoid additional complications, legal exposure, and oversight actions.

Please ensure that all communications and records are provided within the **FOIA deadline** of October 29, 2024, or face further legal action.

Sincerely,

Thomas Camarda

Secured Party

On 10/22/24 at 4:24 PM, tcamarda@gmx.com wrote:

From: tcamarda@gmx.com

Date: October 22, 2024

To: "Harkins, Heather T." <Heather.Harkins@Illinois.gov>

Cc: "Petersen, Patricia" <Patricia.Petersen@Illinois.gov>,

"Hodgson, Michele" <Michele.Hodgson@illinois.gov>,

"Mehta, Kiran" <Kiran.Mehta@Illinois.gov>,

lizzy.whitehorn@illinois.gov,
"Shapiro, Sharon" <Sharon.Shapiro@Illinois.gov>
Subject: RE: FOIA #24-522 CAMARDA - PROCEURAL DEFAULT AND
SETTLEMENT URGENCY

Subject: RE: FOIA #24-522 Camarda – Procedural Default and
Settlement Urgency

Dear Ms. Mehta,

Thank you for your communication extending the FOIA deadline. I understand the department's intent to use the additional five business days as outlined in **5 ILCS 140/3(e)**. However, I must emphasize that this extension does not alleviate the department's **procedural defaults** that remain unresolved in connection to previous FOIA-related obligations and deadlines.

The department's non-compliance with its previous deadlines, combined with this new extension, only highlights the necessity for a **timely resolution** to the larger legal matters at hand. I strongly encourage you to consider this delay as further support for settling the matter swiftly.

The settlement offer remains a crucial opportunity to resolve these issues, and I urge the department to take decisive action without unnecessary delay.

Best regards,

Thomas Camarda

Secured Party, UCC-1 Holder

On 10/22/24 at 4:14 PM, Harkins, Heather T. wrote:

From: "Harkins, Heather T." <Heather.Harkins@Illinois.gov>
Date: October 22, 2024

To: "tcamarda@gmx.com" <tcamarda@gmx.com>
Cc: "Petersen, Patricia" <Patricia.Petersen@Illinois.gov>,
"Mehta, Kiran" <Kiran.Mehta@Illinois.gov>,
"Hodgson, Michele" <Michele.Hodgson@illinois.gov>,
"Shapiro, Sharon" <Sharon.Shapiro@Illinois.gov>
Subject: FOIA 24-522 Camarda
Good afternoon:

Please see the attached extension letter for your FOIA request.

Thank you,
Heather Harkins
Paralegal Assistant
Office of General Counsel
Phone: +1 217-782-6837
heather.harkins@illinois.gov



We improve lives.

State of Illinois - CONFIDENTIALITY NOTICE: The information contained in this communication is confidential, may be attorney-client privileged or attorney work product, may constitute inside information or internal deliberative staff communication, and is intended only for the use of the addressee. Unauthorized use, disclosure or copying of this communication or any part thereof is strictly prohibited and may be unlawful. If you have received this communication in error, please notify the sender immediately by return e-mail and destroy this communication and all copies thereof, including all attachments. Receipt by an unintended recipient does not waive attorney-client privilege, attorney work product privilege, or any other exemption from disclosure.

tcamarda@gmx.com

From: tcamarda@gmx.com
Sent: Tuesday, October 22, 2024 5:25 PM
To: Kiran.Mehta@Illinois.gov; Sharon.Shapiro@Illinois.gov; Heather.Harkins@Illinois.gov; lizzy.whitehom@Illinois.gov; Patricia.Petersen@Illinois.gov; Michele.Hodgson@Illinois.gov
Subject: RE: FOIA #24-522 CAMARDA – PROCEURAL DEFAULT AND SETTLEMENT URGENCY

Subject: RE: FOIA #24-522 Camarda – Surety Bond, Secured Party Status, and Personal Liability Considerations

Dear Ms. Mehta and Legal Team,

In addition to the procedural issues outlined in previous notices and communications, I wish to bring to your attention the matter of the **surety bond** tied to individuals involved in the case. As you are aware, under relevant Illinois law, **public officials** and agencies are required to maintain surety bonds to ensure **compliance** with statutory obligations and to protect against **misconduct**.

Given the ongoing **procedural defaults**, FOIA delays, and the failure to address critical matters related to this case, I feel it necessary to remind you that the **surety bond** exists as a safeguard for individuals affected by actions taken under the authority of this department. This includes issues of **non-compliance**, delayed responses, and potential **misconduct**.

Additionally, I would like to remind you that I am the **secured party**, as recognized in the UCC-1 financing statement filed in connection with this matter. I request that all future communications formally acknowledge my status as the **secured party** in this context, as this pertains to my legal and financial interest in the outcome of these proceedings.

Importance of the Surety Bond:

- **Personal Accountability:** If further procedural delays continue or if the department fails to meet its obligations under **FOIA** or other statutes, the surety bond may become relevant in assessing the **personal liability** of those responsible for administering these matters.

- **Escalation Point:** In the event that these matters remain unresolved or if further delays occur, I will have no choice but to pursue a claim under the **surety bond** to ensure accountability and resolution.

Opportunity to Resolve:

To avoid further escalation, including pursuing claims under the surety bond, I encourage the department to respond promptly to my previous settlement offer and resolve this matter without delay. Settlement remains the most efficient and fair resolution for all parties involved.

Thank you for your attention to this critical matter. Please ensure that my status as the **secured party** is acknowledged in all future correspondence.

Sincerely,

Thomas Camarda, Secured Party

On 10/22/24 at 4:30 PM, tcamarda@gmx.com wrote:

From: tcamarda@gmx.com

Date: October 22, 2024

To: "lizzy.whitehorn@illinois.gov" <lizzy.whitehorn@illinois.gov>

Cc: "Mehta, Kiran" <Kiran.Mehta@Illinois.gov> ,

"Shapiro, Sharon" <Sharon.Shapiro@Illinois.gov> ,

"Petersen, Patricia" <Patricia.Petersen@Illinois.gov> ,

lizzy.whitehorn@illinois.gov ,

"Hodgson, Michele" <Michele.Hodgson@illinois.gov> ,

"Harkins, Heather T." <Heather.Harkins@Illinois.gov>

Subject: Re: RE: FOIA #24-522 CAMARDA - PROCEURAL DEFAULT AND SETTLEMENT URGENCY

Subject: RE: FOIA #24-522 Camarda – Further Notice Regarding Procedural Default and Obligations

Dear Ms. Mehta and all Relevant Parties,

Thank you for your response indicating an extension to the FOIA deadline under **5 ILCS 140/3(e)**, extending your response deadline to **October 29**,

2024. For further clarification, while I recognize the department's right to extend under this provision, I must emphasize that this extension does **not** relieve the department from its **ongoing procedural defaults** regarding previous legal obligations, both in connection to this FOIA request and other related matters.

Previous Defaults Remain:

- **FOIA Non-Compliance:** While the current extension allows you additional time to fulfill the request, the department has already missed critical deadlines related to prior requests, which places you in a **default** status. This cannot be corrected by merely extending a current deadline. Your previous failure to comply with statutory deadlines remains in violation of **5 ILCS 140**, specifically concerning my earlier request from **October 1, 2024**.
- **Broader Legal Obligations:** In addition to the FOIA-related defaults, I must remind the department that other legal obligations, particularly those related to procedural fairness and timely compliance, remain unresolved. Extending FOIA deadlines does not absolve the department from these broader **legal failures**.

Secondary Notice Regarding October 29, 2024 Deadline:

In light of your communication, I will expect full compliance by **October 29, 2024**. Should you fail to produce the required information by this date, I reserve the right to:

1. **Escalate the matter** to the **Public Access Counselor** in the Illinois Attorney General's Office, as outlined under **5 ILCS 140/9.5(a)**, citing your continued failure to comply with statutory obligations.
2. **Pursue further judicial remedies** to compel compliance and address your ongoing procedural defaults, as permitted under **5 ILCS 140/11(a)**.

Settlement Urgency:

The delays in fulfilling these requests, combined with the department's previous failures to meet critical deadlines, further highlights the necessity for a timely resolution through **settlement**. At this point, it is in the

department's best interest to close these outstanding issues without further delay.

I strongly encourage the department to consider the **settlement offer** as an opportunity to resolve these matters swiftly and avoid additional complications, legal exposure, and oversight actions.

Please ensure that all communications and records are provided within the **FOIA deadline** of October 29, 2024, or face further legal action.

Sincerely,

Thomas Camarda

Secured Party

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From: tcamarda@gmx.com

Date: October 22, 2024

To: "Harkins, Heather T." <Heather.Harkins@Illinois.gov>

Cc: "Petersen, Patricia" <Patricia.Petersen@Illinois.gov> ,

"Hodgson, Michele" <Michele.Hodgson@illinois.gov> ,

"Mehta, Kiran" <Kiran.Mehta@Illinois.gov> ,

lizzy.whitehorn@illinois.gov ,

"Shapiro, Sharon" <Sharon.Shapiro@Illinois.gov>

Subject: RE: FOIA #24-522 CAMARDA - PROCEURAL DEFAULT AND SETTLEMENT URGENCY

Subject: RE: FOIA #24-522 Camarda – Procedural Default and Settlement Urgency

Dear Ms. Mehta,

Thank you for your communication extending the FOIA deadline. I understand the department's intent to use the additional five

business days as outlined in **5 ILCS 140/3(e)**. However, I must emphasize that this extension does not alleviate the department's **procedural defaults** that remain unresolved in connection to previous FOIA-related obligations and deadlines.

The department's non-compliance with its previous deadlines, combined with this new extension, only highlights the necessity for a **timely resolution** to the larger legal matters at hand. I strongly encourage you to consider this delay as further support for settling the matter swiftly.

The settlement offer remains a crucial opportunity to resolve these issues, and I urge the department to take decisive action without unnecessary delay.

Best regards,

Thomas Camarda

Secured Party, UCC-1 Holder

On 10/22/24 at 4:14 PM, Harkins, Heather T. wrote:

From: "Harkins, Heather T." <Heather.Harkins@Illinois.gov>
Date: October 22, 2024
To: "tcamarda@gmx.com" <tcamarda@gmx.com>
Cc: "Petersen, Patricia" <Patricia.Petersen@Illinois.gov>,
"Mehta, Kiran" <Kiran.Mehta@Illinois.gov>,
"Hodgson, Michele" <Michele.Hodgson@illinois.gov>,
"Shapiro, Sharon" <Sharon.Shapiro@Illinois.gov>
Subject: FOIA 24-522 Camarda
Good afternoon:

Please see the attached extension letter for your FOIA request.

Thank you,
Heather Harkins
Paralegal Assistant
Office of General Counsel
Phone: +1 217-782-6837
heather.harkins@illinois.gov



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tcamarda@gmx.com

From: tcamarda@gmx.com
Sent: Friday, October 25, 2024 3:18 PM
To: Michele.Hodgson@illinois.gov; sharon.shapiro@illinois.gov; Patricia.Petersen@illinois.gov; lizzy.whitehorn@illinois.gov; hfs.dcsscanu@illinois.gov; heather.harkings@illinois.gov; dana.kelly@illinois.gov; HFS.MRU@illinois.gov
Subject: Re: FOIA 24-522 Camarda

October 25, 2024

Thomas Camarda

tcamarda@gmx.com

RE: Immediate and Final Settlement Demand—Refutation of False Claims, Procedural Violations, and Legal Accountability

Dear **Elizabeth Whitehorn, Kiran Mehta** and the Illinois Department of Healthcare and Family Services (HFS),

Your recent communications and incomplete responses have crossed the line from administrative errors into **intentional misconduct**, with the latest response being a blatant example of **fabrication** and **legal evasion**.

Refutation of False Claims and Procedural Violations:

I have confirmed with the court that **no motion has been filed** regarding my case, and there is **no hearing scheduled**. Your repeated references to needing notice of a hearing to "represent the department" are nothing more than a **stalling tactic**. There is no legal action pending, and your attempt to create the **illusion of judicial proceedings** is not only misleading but also indicative of **bad faith**.

- The last docketed action was **July 8, 2024**, and since then, your department has taken no legitimate steps to address the legal violations I've raised.
- This reference to a non-existent court hearing is **fabricated** and used solely as a pretext to delay resolution.

Your department has not only failed to provide **FOIA-compliant responses** but also has engaged in **fabrication** by suggesting court action is forthcoming. These actions are unlawful, and you are hereby put on final notice that **continued evasion and misconduct** will no longer be tolerated.

Continued FOIA Non-Compliance:

Your failure to comply with the **Illinois Freedom of Information Act (FOIA)** is clear. The repeated redactions and incomplete documents provided reflect a willful attempt to **withhold critical information**. Your department's use of **Section 7(1)(a) and 7(1)(o)** exemptions has been applied far beyond the scope intended by the law.

- **FOIA's purpose is transparency**, and your redactions do not meet the standards of privacy concerns but rather serve to obstruct legal accountability.
- I demand the **immediate disclosure** of all documents, emails, and internal communications regarding decisions made in my case. This demand includes unredacted records related to all **internal communications**, especially those concerning the illegal levy and actions taken under **42 U.S.C. § 666**.

Your Agency's Responsibility Under 42 U.S.C. § 666:

While you repeatedly reference **42 U.S.C. § 666** to shield your actions, it is important to note that this does not give your agency the right to **overstep** the bounds of legal process or violate **constitutional rights**. Any attempt to use federal law as a **pretext** to justify your lack of compliance with **FOIA**, **due process**, or proper procedures in handling support matters is **misguided and legally untenable**.

Your department's actions violate my **constitutional rights** under **42 U.S.C. § 1983**, and I intend to pursue every possible avenue of legal recourse should you continue to evade transparency.

Pattern of Administrative Misconduct:

The administrative decisions to **close inquiries** without action, despite legitimate disputes, are further evidence of **negligence** and **mismanagement** by your department. The **Monitoring and Reporting Unit (MRU)** closed my inquiries on **October 4, 2024**, without proper investigation or resolution. These actions are not only dismissive but legally insufficient and harmful.

Moreover, the **non-responsiveness** of your agency has caused severe **financial damage**, including:

- **Repossession** of critical assets.
- **Utility disconnections**.
- **Severe financial and emotional harm**.
-

These damages are directly tied to the illegal actions taken by your agency, and I will be **seeking full compensation** for all harm caused.

Immediate Settlement Demand:

In light of your **egregious misconduct** and continued violation of legal obligations, I hereby demand the following:

1. **Full and Unredacted FOIA Disclosure:** Provide all requested records, emails, and communications related to my case **immediately**. There is no further basis for delay.
2. **Financial Compensation for Damages:** The illegal levy and resulting **financial harm** are clear grounds for compensatory and punitive damages. I expect your **settlement offer** to reflect the magnitude of harm caused by your department.
3. **Immediate Compliance with Law:** You must cease all further delays and fabrications. There is no legal basis for further stalling, and your continued disregard for the law will only increase your liability.

Consequences of Non-Compliance:

If you fail to meet these demands within **48 hours**, the following actions will be taken:

1. **Escalation to Federal Oversight:** I will escalate this matter to the **U.S. Department of Health and Human Services (HHS)** and other federal oversight bodies to investigate your repeated non-compliance and violations under **Title IV-D**.
2. **Formal Legal Action:** I will initiate a **42 U.S.C. § 1983** civil rights lawsuit for deprivation of my constitutional rights and financial harm caused by your illegal actions.
3. **Surety Bond Claims:** I will begin pursuing claims against the **surety bonds** of individuals within your department who are responsible for these violations. You have been notified repeatedly, and continuing your non-compliance only increases your **personal financial liability**.

Your Time is Running Out:

The window for compliance is closing quickly. I will not tolerate further **evasion, lies, or fabricated procedural excuses**. This is your final opportunity to resolve this matter before it escalates to the highest levels of federal investigation and legal action.

I trust you understand the seriousness of this situation and the **irreversible consequences** that will follow if you fail to act.

Sincerely,

Thomas Camarda

Secured Party, UCC-1 Holder, Real Party in Interest

On 10/25/24 at 2:32 PM, Harkins, Heather T. wrote:

From: "Harkins, Heather T." <Heather.Harkins@Illinois.gov>

Date: October 25, 2024

To: "tcamarda@gmx.com" <tcamarda@gmx.com>

Cc: "Shapiro, Sharon" <Sharon.Shapiro@Illinois.gov> ,

"Hodgson, Michele" <Michele.Hodgson@illinois.gov> ,

"Perino, Daun" <Daun.Perino@illinois.gov> ,

"Mehta, Kiran" <Kiran.Mehta@Illinois.gov> ,

"Petersen, Patricia" <Patricia.Petersen@Illinois.gov>

Subject: FOIA 24-522 Camarda

Good afternoon:

Please see the attached documents in response to your FOIA request

Thank you,

Heather Harkins

Paralegal Assistant

Office of General Counsel

Phone: +1 217-782-6837

heather.harkins@illinois.gov



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tcamarda@gmx.com

From: tcamarda@gmx.com
Sent: Friday, October 25, 2024 4:32 PM
To: heather.harkings@illinois.gov; HFS.MRU@Illinois.gov; hfs.dcscaru@Illinois.gov; sharon.shapiro@Illinois.gov; lizzy.whitehorn@Illinois.gov; Michele.Hodgson@Illinois.gov; dana.kelly@Illinois.gov; Patricia.Petersen@Illinois.gov
Subject: Immediate Surrender of Surety Bond Information and Compliance with Legal Obligations

Thomas E. Camarda
Secured Party, Surety Bond Claimant
500 Cunat Blvd #2B
Richmond, IL 60071
tcamarda@gmx.com
(224) 279-8856

October 25, 2024

Elizabeth Whitehorn, Director
Illinois Department of Healthcare and Family Services
201 South Grand Ave
East Springfield, IL 62763

Re: Immediate Surrender of Surety Bond Information and Compliance with Legal Obligations

Dear Ms. Whitehorn,

This letter serves as a **formal demand** for the **immediate disclosure** of the **surety bond** held by the **Illinois Department of Healthcare and Family Services (HFS)**, which is mandated by law to cover damages arising from **official misconduct** or **unlawful actions**. This bond is required to protect individuals like myself from the unlawful actions your agency has engaged in, which include **violations of federal law, UCC default, and constitutional breaches**.

Background:

On multiple occasions, I have formally requested disclosure of the surety bond that covers the personal liability of agency officials in cases of misconduct. To date, this request has been **ignored**, despite clear legal requirements to make this information accessible.

As you are fully aware, **surety bonds** are not only a legal requirement for government officials and agencies but also a **financial guarantee** against improper actions taken by those in positions of power. The failure to disclose this information reflects **bad faith** and a **further violation** of my rights under **42 U.S.C. § 1983** and other relevant laws.

Legal Basis for This Demand:

Under **UCC Article 9**, public officials are held financially accountable through **surety bonds** in cases of breach of duty, mismanagement, or other unlawful actions. Your refusal to provide access to this bond information constitutes an **obstruction of justice, administrative failure**, and a violation of the protections guaranteed to me by federal and state law.

Furthermore, **42 U.S.C. § 1983** establishes that any deprivation of rights under the color of law subjects officials to **personal financial liability**, which this surety bond is intended to cover. By failing to comply with the bond disclosure requirements, your agency is compounding its legal exposure.

Immediate Action Required:

You are hereby **demanded** to provide full disclosure of the **surety bond** details, including:

- **Bond number**
- **Bonding company**
- **Value of the bond**
- **Details of the coverage**

You must provide this information **within 48 hours** of receiving this letter. Failure to comply will result in the immediate filing of a **formal complaint** with state and federal oversight bodies, as well as legal actions to compel disclosure and claim damages through **judicial proceedings**.

Further Consequences:

In the event that you do not comply with this demand, I will have no choice but to escalate this matter by filing a **formal legal complaint** against both the agency and all responsible individuals. This will include seeking injunctive relief for the **immediate disclosure** of the surety bond, as well as initiating a **surety bond claim** for

compensation arising from the unlawful actions and negligence committed by your agency.

Next Steps:

Please deliver the **requested bond information** by **October 29, 2024**, to my contact details above.

Failure to respond or continued refusal will confirm your agency's **ongoing non-compliance**, and I will proceed with further legal actions without any additional warnings.

Sincerely,

Thomas E. Camarda

Secured Party, UCC-1 Holder, Real Party in Interest

On 10/25/24 at 3:17 PM, tcamarda@gmx.com wrote:

From: tcamarda@gmx.com
Date: October 25, 2024
To: heather.harkings@illinois.gov,
HFS.MRU@Illinois.gov,
hfs.dcsscaru@illinois.gov,
sharon.shapiro@illinois.gov,
lizzy.whitehorn@illinois.gov,
Michele.Hodgson@illinois.gov,
dana.kelly@illinois.gov,
Patricia.Petersen@Illinois.gov
Cc:
Subject: Re: FOIA 24-522 Camarda
October 25, 2024
Thomas Camarda
tcamarda@gmx.com

RE: Immediate and Final Settlement Demand—Refutation of False Claims, Procedural Violations, and Legal Accountability

Dear **Elizabeth Whitehorn, Kiran Mehta** and the Illinois Department of Healthcare and Family Services (HFS),

Your recent communications and incomplete responses have crossed the line from administrative errors into **intentional misconduct**, with the latest response being a blatant example of **fabrication** and **legal evasion**.

Refutation of False Claims and Procedural Violations:

I have confirmed with the court that **no motion has been filed** regarding my case, and there is **no hearing scheduled**. Your repeated references to needing notice of a hearing to "represent the department" are nothing more than a **stalling tactic**. There is no legal action pending, and your attempt to create the **illusion of judicial proceedings** is not only misleading but also indicative of **bad faith**.

- The last docketed action was **July 8, 2024**, and since then, your department has taken no legitimate steps to address the legal violations I've raised.
- This reference to a non-existent court hearing is **fabricated** and used solely as a pretext to delay resolution.

Your department has not only failed to provide **FOIA-compliant responses** but also has engaged in **fabrication** by suggesting court action is forthcoming. These actions are unlawful, and you are hereby put on final notice that **continued evasion and misconduct** will no longer be tolerated.

Continued FOIA Non-Compliance:

Your failure to comply with the **Illinois Freedom of Information Act (FOIA)** is clear. The repeated redactions and incomplete documents provided reflect a willful attempt to **withhold critical information**. Your department's use of **Section 7(1)(a) and 7(1)(o)** exemptions has been applied far beyond the scope intended by the law.

- **FOIA's purpose is transparency**, and your redactions do not meet the standards of privacy concerns but rather serve to obstruct legal accountability.
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Your department's actions violate my **constitutional rights** under **42 U.S.C. § 1983**, and I intend to pursue every possible avenue of legal recourse should you continue to evade transparency.

Pattern of Administrative Misconduct:

The administrative decisions to **close inquiries** without action, despite legitimate disputes, are further evidence of **negligence** and **mismanagement** by your department. The **Monitoring and Reporting Unit (MRU)** closed my inquiries on **October 4, 2024**, without proper investigation or resolution. These actions are not only dismissive but legally insufficient and harmful.

Moreover, the **non-responsiveness** of your agency has caused severe **financial damage**, including:

- **Repossession** of critical assets.
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-

These damages are directly tied to the illegal actions taken by your agency, and I will be **seeking full compensation** for all harm caused.

Immediate Settlement Demand:

In light of your **egregious misconduct** and continued violation of legal obligations, I hereby demand the following:

1. **Full and Unredacted FOIA Disclosure:** Provide all requested records, emails, and communications related to my case **immediately**. There is no further basis for delay.
2. **Financial Compensation for Damages:** The illegal levy and resulting **financial harm** are clear grounds for compensatory and punitive damages. I expect

your **settlement offer** to reflect the magnitude of harm caused by your department.

3. **Immediate Compliance with Law:** You must cease all further delays and fabrications. There is no legal basis for further stalling, and your continued disregard for the law will only increase your liability.

Consequences of Non-Compliance:

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The window for compliance is closing quickly. I will not tolerate further **evasion, lies, or fabricated procedural excuses**. This is your final opportunity to resolve this matter before it escalates to the highest levels of federal investigation and legal action.

I trust you understand the seriousness of this situation and the **irreversible consequences** that will follow if you fail to act.

Sincerely,

Thomas Camarda

Secured Party, UCC-1 Holder, Real Party in Interest

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Date: October 25, 2024
To: "tcamarda@gmx.com" <tcamarda@gmx.com>
Cc: "Shapiro, Sharon" <Sharon.Shapiro@Illinois.gov>,
"Hodgson, Michele" <Michele.Hodgson@illinois.gov>,
"Perino, Daun" <Daun.Perino@illinois.gov>,
"Mehta, Kiran" <Kiran.Mehta@Illinois.gov>,
"Petersen, Patricia" <Patricia.Petersen@Illinois.gov>
Subject: FOIA 24-522 Camarda
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Thank you,
Heather Harkins
Paralegal Assistant
Office of General Counsel
Phone: +1 217-782-6837
heather.harkins@illinois.gov



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From: tcamarda@gmx.com
Sent: Friday, October 25, 2024 10:39 PM
To: Whitehorn, Lizzy; hfs.dcscaru@illinois.gov; dana.kelly@illinois.gov; hfs.mru@illinois.gov; Heather.Hartins@illinois.gov; Patricia.Petersen@illinois.gov; Michele.Hodgson@illinois.gov; Sharon.Shapiro@illinois.gov; Kiran.Mehta@illinois.gov
Subject: FINAL WARNING FOR FULL DISCLOSURE AND COMPLIANCE WITH FEDERAL AND STATE LAW – IMMINENT LEGAL ACTION

Subject: Final Warning for Full Disclosure and Compliance with Federal and State Law – Imminent Legal Action

Date: October 25, 2024

To: Illinois Department of Healthcare and Family Services

CC: All relevant agencies and oversight bodies

Dear Elizabeth Whitehorn,

After extensive review of the documents you have provided, it is with complete legal clarity that I assert the following: your department's actions have crossed into dangerous and indefensible territory. We have already discovered significant legal violations hidden behind your unlawful redactions, and further crimes are evident from the documents we have been able to scrutinize. The deliberate attempts to obscure the truth will not shield your agency from full accountability under the law.

Enough is enough. For far too long, you have acted with impunity, flaunting federal and state laws while thinking you could evade the truth. That ends now.

Your actions have crossed every conceivable legal and ethical line, and the consequences are coming fast. The records, the incomplete FOIA responses, the illegal lien, and the gross violations of **42 U.S.C. § 666, the Freedom of Information Act, and constitutional due process** demonstrate not just negligence but outright **malfeasance**. This isn't just incompetence; it's willful defiance of the **rule of law**.

Who do you think you are? To ignore the very foundation of the legal system you serve is not just reckless—it is **criminal**. You may think you can hide behind redacted documents, stonewalling, and delay tactics, but let me assure you—the **full weight of federal law and UCC provisions** is coming down upon you like a gavel pounding the final judgment. **Your games are over.**

1. Irrefutable Legal Violations:

You have brazenly violated both **state and federal mandates** governing the disclosure of information, and your illegal lien on my assets has destroyed my ability to maintain any semblance of financial stability. Under **United States v. Sage**, you cannot exempt yourself from the application of federal law. Your claim that the **UCC does not apply** is both factually and legally absurd. **All commerce is governed by federal regulation**, and your attempts to squirm out from under that jurisdiction are futile and laughable.

I am coming after your surety bond, and make no mistake, your personal financial liability will be laid bare for all to see. If you think that a title of “Director” protects you from **personal accountability**, you are sorely mistaken.

Your records, even in their heavily and **illegally redacted form**, reveal the true depth of your misconduct. We already see the **illegal withholding of information** in violation of **5 U.S.C. § 552 (FOIA)**. The redactions you’ve made are clear attempts to hide your violations, but they are transparent to us. Your redaction of public records, which should be fully accessible, is **a direct violation of FOIA** and carries severe penalties, including **\$5,000 per violation, per day, under federal FOIA penalties**.

Furthermore, your illegal garnishment and liens violate **15 U.S.C. § 1673** (the Consumer Credit Protection Act) and **42 U.S.C. § 666** (Child Support Enforcement), which specifically prohibits the types of unilateral, non-adjudicated actions you’ve taken. For these violations alone, **personal liability** attaches under **42 U.S.C. § 1983**, subjecting you to **compensatory and punitive damages**.

We have also discovered violations of **the Privacy Act of 1974**, wherein you have **failed to maintain accurate records**, leading to gross miscarriages of justice. Know this: **every step you’ve taken** to obscure these violations only strengthens our case.

2. Illegal Redactions and Failure to Comply with FOIA

The redactions in your recent FOIA response constitute a flagrant violation of both federal and state law. FOIA requires transparency in the handling of public information, and your actions to withhold key communications under false pretenses are illegal. Under **5 U.S.C. § 552(a)(3)**, public agencies are compelled to provide information unless specific and legally justified exemptions apply, which have not been demonstrated in your case. Your continued evasion on this matter will result in **civil**

penalties, as detailed under *5 U.S.C. § 552(a)(4)(E)(i)*, and further *42 U.S.C. § 1983* violations for acting under the color of law.

The half-baked responses to my FOIA requests are not only inadequate—they are outright **obstructive**. Your redactions are excessive, illegal, and a transparent attempt to hide the trail of your misconduct. **This is a violation of the Freedom of Information Act**, and I demand full, unredacted disclosures **immediately**.

Your fabricated excuses about court dockets and “no further action needed” fly in the face of every legal reality. **I see through your lies**, and so will the courts.

3. Violations of Federal Child Support Enforcement Mandates

Your failure to comply with UCC-1 regulations and other federal requirements, including *42 U.S.C. § 666*, has led to personal financial devastation. Let me be very clear: **you do not have the legal option to disregard UCC mandates**. Your claims that your agency is not subject to the Uniform Commercial Code are unfounded and illegal. Under *United States v. Sage*, all commercial entities and actions are subject to federal law, and this applies equally to your agency’s handling of child support collections.

4. Reckless Retaliation and Intimidation Attempts

I remind you that further retaliation or intimidation tactics, including withholding necessary information, are illegal. Any attempt to obscure the truth or exert pressure will be met with legal action under *18 U.S.C. § 241* (conspiracy against rights) and *18 U.S.C. § 242* (deprivation of rights under color of law). The deliberate financial sabotage of my life—causing repossessions, utility disconnections, and loss of employment—is unconscionable, and your agency is fully liable for these damages under the law.

5. Consequences and Legal Penalties

This department is now liable for **compensatory damages**, **punitive damages**, and statutory penalties. Based on initial calculations, the financial compensation owed for the destruction of my business, loss of income, and emotional distress exceeds **\$500,000**, not including punitive measures that may be added. You are hereby on notice that this matter will escalate to **federal court** if not resolved immediately.

Full disclosure of records must be made, including all **emails, inter-agency communications, and financial documents** related to your actions in my case.

6. Surety Bond Default:

Your agency's default under the **Uniform Commercial Code** is clear. As of **October 4, 2024**, you have been in **full legal default**, and yet you continue to act as if there are no consequences. **You are wrong**. I demand full disclosure of your surety bond information within **48 hours**, as I am prepared to pursue every avenue to hold you and your agency **personally and financially liable**.

Demands:

1. **Immediate Settlement:** I demand the full settlement for damages, including the illegal lien, financial destruction, and emotional harm caused.
2. **Full Surety Bond Disclosure:** I will not wait another day for this. Your agency's **bond claim** is imminent.
3. **Immediate Disclosure of All FOIA Documents:** Full, unredacted, and compliant with the **Freedom of Information Act**.

Failure to comply with these demands will result in **immediate escalation** of this matter to the **courts, oversight bodies, and legal authorities**. You will not escape responsibility, and I will not stop until **justice is served** in its fullest form. This is not a matter of negotiation; this is a **final demand**.

Final Notice: Your Time is Running Out

This letter is your **FINAL WARNING**. Your department has until **5:00 PM on October 29, 2024** to comply with all outstanding demands. Any failure to provide the unredacted documents, the surety bond details, and a finalized settlement agreement will result in **immediate litigation**. This is not a negotiation. This is the law. And the law will prevail.

Secured Party, UCC-1 Holder, Real Party in Interest, Surety Bond Claimant, Claimant of Record, Pro Se Litigant

Yours sincerely,

Thomas Camarda
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*In the eyes of the law, **justice is neither negotiable nor deferred.** Your continued evasion of responsibility and blatant disregard for legal mandates reflect the arrogance of those who believe they stand above the law. Let me disabuse you of that notion. **The law is not your shield to wield only in convenience—it is the sword of truth, impartial and unwavering, striking down those who act outside its bounds.***

*You have trampled on constitutional rights, disobeyed federal mandates, and acted in direct defiance of the sacred principles of justice that govern this land. **The courts are not blind to your violations, and neither am I. I stand as the Secured Party, UCC-1 Holder, and Claimant of Record,** backed by the unshakeable foundation of federal statutes, U.S. judicial precedents, and my unyielding will for accountability. **You cannot outrun the law, nor can you silence the truth.***

*This is your final moment to step back from the brink of total legal devastation. Make no mistake, every passing second intensifies your exposure to **monetary penalties, criminal liability, and absolute legal ruin.** I will pursue justice with relentless precision, and the truth will cut through every lie, deception, and unlawful act that you've committed. **Your time is up—** settle now or face the full consequences of your choices.*

I am the law, and the law is on my side.