

BOROUGH OF BOUND BROOK

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Jasmine D. McCoy
Borough Clerk/ Assistant Administrator

April 10, 2023

Via Email ([opra+request-37358-76267dcb@requests.opramachine.com])

[Anonymous]

Re: OPRA Request – Supplemental Response

Dear Anonymous:

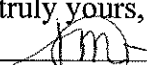
In follow-up to the Borough of Bound Brook's (the "Borough") amended initial response, dated February 23, 2023 and supplemental responses dated March 9, 2023 and March 23, 2023 to your Open Public Records Act ("OPRA") request, enclosed are additional documents responsive to your request. Specifically enclosed are:

- DeCotiis attorney invoices for periods ending 12/31/20 through 7/31/21 and 9/30/21; and
- Vaughn Index for DeCotiis attorney invoices for periods ending 12/31/20 through 7/31/21 and 9/30/21.

Please be advised that certain entries have been redacted for information which contains attorney-client communications and attorney work-product. See N.J.S.A. 47:1A-1.1 OPRA specifically provides that a "government record" shall not include "any record within the attorney-client privilege." *Ibid.* Notably, OPRA permits records to be redacted to remove any information protected by the attorney-client privilege. See *Rodriguez v. Kean University*, GRC Complaint No. 2013-323 (Oct. 2014) ("[A] custodian may redact [attorney or consultant bills or invoices] to remove any information protected by attorney-client privilege."). In addition, New Jersey law exempts from public disclosure attorney work-product, consisting of "the mental impressions, conclusions, opinions, or legal theories" shared by legal counsel. *Id.* (citing N.J.S.A. 47:1A-1.1 and N.J.S.A. 47:1A-9); see also *Scheeler v. Twp. of Galloway*, GRC Complaint No. 2012-151 (July 2013); *O'Boyle v. Bor. of Longport*, 218 N.J. 168 (2014); *Keddie v. Rutgers, State Univ.*, 148 N.J. 36 (1997). Further, certain entries have been redacted to protect the privacy interest and personnel record of a specific government employee. See N.J.S.A. 47:1A-1; N.J.S.A. 47:1A-10; *Kovalcik v. Somerset Cnty. Prosecutor's Office*, 206 N.J. 581, 592-93 (2011).

The Borough will continue to respond to your request on a rolling basis. The Borough requires an additional two weeks, or until about Monday April 24, 2023, to provide an additional response.

Very truly yours,



Jasmine D. McCoy
Borough Clerk / Assistant Administrator