

## DEPARTMENT OF LAW

EVE V. BELFANCE  
Director of Law



DAVID HONIG  
Assistant Director of Law  
[dhonig@akronohio.gov](mailto:dhonig@akronohio.gov)

DANIEL HARRIGAN, MAYOR

July 5, 2019

### **Delivered Via E-Mail**

Beryl Lipton  
69226-32067885@requests.muckrock.com  
MuckRock News  
Dept. MR 69226  
411A Highland Ave.  
Somerville, MA 02144-2516

### **Re: February 20, 2019 Public Records Request**

Ms. Lipton:

This letter serves as a formal response to your February 20, 2019 public records request (the "Request"). The Request is overly broad and ambiguous. *R.C. 149.43 (B)(2)* and *State ex rel. Zidonis v. Columbus St. Comm. College*, 133 Ohio St.3d 122, 2012-Ohio-4228. No time period has been provided despite a March 12, 2019 email from the City seeking clarification of the time period for which the records were sought. In addition, several of the requests seek documents that contain security and infrastructure records which are exempt under Ohio law (see *R.C. 149.433*). Furthermore, Axon Enterprise, Inc. ("Axon") has specifically identified certain records as confidential which are exempt under Ohio law (see *R.C. 1333.61(D)* and *State ex rel. The Plain Dealer v. Ohio Dept. of Ins.*, 80 Ohio St.3d 513, 687 N.E.2d 661). Those confidential records include documents containing "Axon Pricing" as defined in the Master Services and Purchasing Agreement (the "Axon Agreement") between the City and Axon. *Axon Agreement at Articles 2 and 15*.

Despite the overly broad and ambiguous nature of the requests, the City has been able to compile certain records responsive to the Request. Attached hereto, please find several contracts, proposals, purchase orders, invoices, cancelled checks, and other financial records pertaining to Axon and the City with redactions for the exceptions identified herein contained on the records.

Sincerely,

David Honig  
Assistant Director of Law