

September 26, 2021

**VIA E-MAIL AND HAND DELIVERY**

Ms. Callie Oettinger



**Re: Return of Inadvertently Produced Documents**

Dear Ms. Oettinger:

This firm represents the Fairfax County School Board. It is my understanding that you are in possession of records that were mistakenly and inadvertently released by Fairfax County Public Schools (FCPS), in response to a request submitted under the Virginia Freedom of Information Act. As you know, these records contain sensitive, non-public information pertaining to third-parties, including students. In an effort to protect the privacy of these third parties, I am working with FCPS officials to contain and remediate the dissemination of this confidential information, and I would appreciate your cooperation in that regard.

On September 25, 2021, Ellen Kennedy, Deputy Division Counsel, wrote a letter to you requesting a return call by noon today to make arrangements for the return of the records, among other things. Ms. Kennedy has not received a response to that letter. Ms. Kennedy and I made a call to you this morning and left a voicemail message, which has not been returned yet.

Please contact me by no later than Monday, September 27 at 10 a.m. so that we may arrange for the return of these records and other items mentioned in Ms. Kennedy's letter. If I do not hear from you by that time, FCPS will be forced to pursue legal action against you to recover the records and prevent their further dissemination. I trust that you understand the urgency of this situation given the privacy implications, and I look forward to your cooperation.

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In the meantime, as you were previously instructed, do not share or disseminate the inadvertently produced records and we ask that you immediately remove the records from any internet postings.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Bates", with a stylized flourish at the end.

Ryan M. Bates