

June 3, 2026

White Lake Township
Attn: Township Supervisor / Head of Public Body
7525 Highland Road
White Lake, MI 48383

Re: FOIA Appeal of Denial and Narrowed Request — Communications Involving Supervisor Rik Kowall and Levy / Burroughs / Reuben Maxbauer

Dear Supervisor Kowall and White Lake Township FOIA Coordinator:

This letter is a FOIA APPEAL under Section 10 of the Michigan Freedom of Information Act, MCL 15.240, regarding White Lake Township's May 26, 2026 denial of my May 21, 2026 FOIA request.

My original request sought copies of communications between White Lake Township and The Levy Group of Companies, Levy, Burroughs Materials Corporation, Burroughs, or Reuben Maxbauer from January 1, 2025 through December 31, 2025. The Township denied the request on the basis that "no records were found" and stated that the response served as a certificate that the requested documents do not exist under the name provided or another name reasonably known to the Township.

I am appealing that denial because I do not believe the Township's response reflects an adequate search for responsive public records. After receiving the written denial, I received a phone call from Trish Pergament, Deputy Supervisor and FOIA Officer. During that call, Ms. Pergament explained that she had asked around whether anyone had heard of the company and that everyone said no. She further explained that the scope of the request was too large and would be too time consuming and costly for the Township.

Those explanations raise concern because they are materially different from a formal determination that no responsive records exist. If the Township's position is that the request is too broad, time consuming, or costly, then the Township should provide an itemized fee estimate under Michigan FOIA or request clarification. That is not the same as denying the request on the basis that no records exist after an informal inquiry.

To resolve any claimed burden and to provide a narrower, more focused request, I hereby narrow the scope of the request on appeal as follows:

Please provide copies of all communications, records, and attachments from January 1, 2025 through December 31, 2025 involving Township Supervisor Rik Kowall and any of the following names, entities, or search terms:

1. The Levy Group of Companies
2. Levy
3. Levey
4. Burroughs Materials Corporation
5. Burroughs

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6. Burrough
7. Reuben Maxbauer
8. Ruben Maxbauer
9. Maxbauer

This narrowed request includes, but is not limited to, emails, letters, memoranda, meeting notes, calendar invitations, attachments, text messages or other electronic messages, and any records documenting phone calls or meetings involving Supervisor Rik Kowall.

Please search Supervisor Rik Kowall's Township email account, calendar records, electronic files, paper files, phone/message records to the extent maintained by the Township, and any Township records in which communications involving Supervisor Kowall may be stored or archived.

I also want to note that the Township's May 26, 2026 response contains typographical errors that could affect the adequacy of any search. The response refers to "Whitie Lake Township" rather than "White Lake Township" and "The Levey Group of Companies" rather than "The Levy Group of Companies." Because spelling variations may affect electronic searches, I am specifically requesting that the Township search both the correct spellings and reasonable variants, including "Levy" and "Levey."

I respectfully request that the Township reverse the denial and conduct a reasonable, documented search for records responsive to this narrowed request. If responsive records exist, please provide them electronically. If the Township contends that any responsive records are exempt, please identify the records withheld and the specific statutory exemption relied upon. If the Township contends that fees will be incurred, please provide an itemized fee estimate before processing the request.

If, after conducting a reasonable search of Supervisor Rik Kowall's records using the terms above, the Township still maintains that no responsive records exist, I request that the Township describe the search conducted, including the records systems searched, the search terms used, the date range applied, and the custodians whose records were searched.

Thank you for your attention to this appeal. Please provide the Township's written determination within the time required by Michigan FOIA.

Sincerely,

Kara Okonewski
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