



TO: Members of Troy City Council
FROM: Lori Grigg Bluhm, City Attorney
Susan M. Lancaster, Assistant City Attorney
DATE: March 25, 2010
SUBJECT: Sean Steven Seyler v. City of Troy and Troy Police Department

Oakland County Circuit Court Judge Martha Anderson has dismissed the lawsuit filed by Sean Steven Seyler against the City. In this lawsuit, Seyler claimed that the City and the Troy Police Department violated the Freedom of Information Act (FOIA), since his criminal defense attorney was not immediately provided with the police report and lab test results, which were requested within 48 hours after Seyler's drunk driving arrest. The FOIA request was submitted simultaneously with his civil discovery request. On the day after receipt of these requests, the City sent a FOIA denial letter, since the requested information would be provided as discovery in Mr. Seyler's criminal case. Five days later, Mr. Seyler's attorney filed this lawsuit, demanding \$500 in damages, plus attorney fees and costs and punitive damages. He claimed that the City's action in denying the release of his records within 48 hours of his arrest was "arbitrary and capricious."

Judge Anderson granted our Motion for Summary Disposition on March 24, 2010. This matter is now closed. If you have any questions concerning the above, please let us know.