



CITY OF TORRANCE

February 18, 2025

Jim Gates

VIA EMAIL & OVERNIGHT MAIL

142 Via Pasqual

Redondo Beach, CA 90277

Dear Mr. Gates:

Subject: **Demand for Return of Confidential Information re
Airport Noise Complainants and Cease of Distribution**

I am writing to you regarding a recent disclosure of certain confidential information in response to your Public Records Act (PRA) request. It has come to my attention that, due to an inadvertent error, the names of individuals who filed airport noise complaints (hereinafter, the "Complainants") were disclosed to you. These individuals were promised confidentiality, and their personal identifying information is exempt from disclosure under the Public Records Act.

The inadvertent release of these names was a mistake. I have consulted with the City Attorney's Office and wish to remind you of the relevant legal framework and the agency's rights in this matter, particularly in light of the court rulings in *Ardon v. City of Los Angeles* (2016) 62 Cal.4th 1176 and *Newark Unified School Dist. v. Superior Court* (2016) 245 Cal.App.4th 887.

In *Ardon v. City of Los Angeles*, the California Supreme Court clarified that the inadvertent disclosure of a document does not waive any applicable exemption or privilege under the Public Records Act. This means that the names of the Complainants remain confidential and protected, and the City of Torrance maintains its right to assert these protections even after the inadvertent release.

Furthermore, the Court in *Newark Unified School Dist. v. Superior Court* confirmed that public agencies may seek legal remedies to recover confidential information that has been wrongfully disclosed, including filing a motion to compel the return of such documents.

As such, I demand the immediate return of the documents received from the City Clerk's Office containing the names of the Complainants that were inadvertently disclosed to you.

Additionally, I request that you remove any online posts or digital platforms where this information has been published and cease any further distribution or sharing of the names.

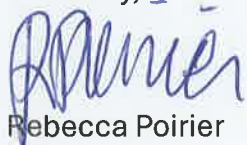
I trust that you will comply with this request and take the necessary steps to safeguard the privacy of the individuals involved.

Obviously, time is of the essence to prevent further dissemination of the identities of these individuals. Accordingly, I expect you to return all of the confidential documents (including any copies of the confidential information), remove any online posts or digital platforms where this information has been published, and cease any further distribution or sharing of the names by **February 21, 2025**. If you fail to fully comply by the deadline, I will request that the City Council consider all available legal options to enforce the rights of the City and protect the confidentiality of these individuals.

The City Clerk's Office will provide you with the properly redacted documents that you should have received by February 21, 2025.

I appreciate your cooperation in resolving this issue promptly.

Sincerely, -



Rebecca Poirier
City Clerk

cc: City Council
Airport Commission