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Sarah Riley Howard
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September 16, 2025

Michael Bogren
Plunkett Cooney

VIA EMAIL ONLY at mbogren@plunkettcooney.com

Re: ***Hill and Sanner v. Ottawa County et al.***, Case No. 24-8010-CZ

Dear Mike,

As you know, I proposed the following settlement agreement in the Hill and Sanner FOIA case earlier this month. After yesterday's hearing granting judgment to my clients, I am writing to advise that our settlement offer is still open, but it terminates as of the close of the County Commission meeting on Tuesday, September 23, 2025. After that date, my clients and I will be filing a Notice of Appeal to challenge the Court's denial of attorney fees and costs, despite the Court granting judgment for my clients.

You will recall that our offer to settle is for the following terms:

- (1) the County's payment of \$21,000 in attorney fees and costs;
- (2) the County's acknowledgement that it should have inquired about existence of potentially responsive documents in personal accounts per the Court's ruling back when the FOIA requests came in (or negotiable language to that effect).

So far, we have more than \$34,000 in fees and costs in the case (not including

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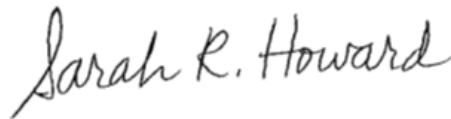
the recent briefing and motion hearing), so we are proposing a significant discount. This is the best offer of a discount that I can make on the fees and costs in this matter.

My clients and I intend to go the distance through the appeal process if we are unable to reach a settlement. We consider the FOIA issues to be sufficiently important to continue litigating. We also believe that the Court granting judgment to us, but denying us attorney fees and costs, clearly violates FOIA on its face and provides us with a solid appealable issue. But we recognize the value to everyone, particularly the County's taxpayers, in ending it now prior to the appeal, given the way in which appeal will escalate attorney fees and costs.

I will look forward to hearing from you.

Very Truly Yours,

PINSKY SMITH PC

A handwritten signature in cursive script that reads "Sarah R. Howard".

Sarah Riley Howard

SRH/