



UNIVERSITY OF MARYLAND

OFFICE OF THE PRESIDENT

2101 Main Administration Building
College Park, Maryland 20742
301.405.4945 TEL 301.314.9395 FAX

May 16, 2007

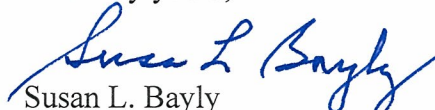
Scott Fontaine
6146 S. Cushman Avenue
Tacoma, WA 98408

Dear Mr. Fontaine:

I write in response to your April 20, 2007 letter asking for a fee waiver for the production of documents you requested in your January 30, 2007 letter. I set out the fees in my February 28, 2007 response to your letter.

The University reviews fee waiver requests in accordance with § 10-621(e) of the Maryland Public Information Act. Your request for a waiver is denied. In making this determination, the University considered the public interest and your employers' ability to pay, as well as other relevant factors including, but not limited to, the scope of the request, the costs and other burdens associated with responding to it, the type of records involved, the significance of the subject matter to the general public, and the benefit to the public of granting the fee waiver.

Sincerely yours,


Susan L. Bayly
General Counsel

cc: Sacared Bodison, M.D.
Kathleen R. Worthington



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February 28, 2007

Scott Fontaine
6146 S. Cushman Avenue
Tacoma, WA 98408

Dear Mr. Fontaine:

I write in response to your January 30, 2007 letter to University President C.D. Mote, Jr. requesting records relating to the student-athlete drug testing since January 1, 2004. The University is processing your request under the Maryland Access to Public Records Act, (Title 10, Subtitle 6, State Government Article, Annotated Code of Maryland, and referred to here as the "Act". Under §10-621 of the Act, the University charges a fee for time (in excess of the first two hours) associated with the search and preparation of requested records, as well as a reproduction fee of \$0.25 per page for photocopies. Your requests are set out below, followed by the University's response.

1. "Documentation or an accounting of all positive tests. This might include forms recording positive tests or an electronic spreadsheet or data base."

Response: The University has documentation of positive drug tests for the period August 2004 through August 2006 (academic years 2004-05 and 2005-06). The estimated fee to prepare and redact this document is \$44.00. Copying costs shall be determined upon final preparation of the document.

If you wish to obtain these data for January 2004 through July 2004 and September 2006 to date, the University estimates a fee of \$195.00 fee to locate and prepare the records for inspection. Copying costs shall be determined upon final preparation of the document.

2. "A calendar or other documentation indicating the frequency of drug tests administered to athletes."

Response: The University has previously calculated this information for calendar years 2004, 2005, and 2006 to be 413; 538; and 882, respectively. The cost to prepare these data for 2007 is included in the estimated \$195.00 fee for Request #1, above. Copying costs shall be determined upon final preparation of the document.

3. "Records related to punishments levied for positive tests."

Response: The document referenced in Request #1, above, shows this information for the period August 2004 through August 2006. Costs to prepare the data

for January 2004 through July 2004 and September 2006 to date are included in the \$195.00 fee estimate for Request #1, above. Copying costs shall be determined after document preparation.

4. "The budget for or amount of money dedicated to drug testing for fiscal or calendar years 2004, 2005, 2006 and 2007."

Response: The University estimates a search and preparation fee of \$204.00 to produce these documents. Copying costs shall be determined after document preparation.

5. "Audits or reports discussing the drug testing of athletes, excluding standardized information provided by other government agencies or the NCAA."

Response: The University estimates a search and preparation fee of \$110.00 to produce these documents. Copying fees shall be determined after document preparation.

6. "Contracts or agreements with vendors who have a role in drug testing athletes."

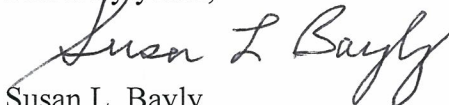
Response: The University has documents responsive to this request.

7. "All information provided by vendors the last time your institution put the drug testing of athletes up for bid or requested proposals."

Response: The University has no documents responsive to this request.

Upon my receipt of the indicated fees (payable to the University of Maryland), we will begin the search, preparation and review process. Should actual costs differ from estimates, fees will be adjusted accordingly. Review of this response may be sought in accordance with §10-623 of the Act.

Sincerely yours,


Susan L. Bayly
General Counsel

cc: Sacared Bodison, M.D.
Kathleen R. Worthington

