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Town of South Hill v. Hawkins

Court of Appeals of Virginia - December 10, 2024 - 82 Va.App. 801 - 908 S.E.2d 920

Requester, who sought documents from town pursuant to Virginia Freedom of Information Act (VFOIA), petitioned for writ of mandamus after town produced responsive documents from one category of documents requested but indicated there were no nonexempt responsive documents for other categories, seeking to compel town to produce remaining documents.

The Mecklenburg Circuit Court granted writ as to two of seven documents at issue and determined town properly withheld others. The Supreme Court reversed and remanded for further proceedings, and on remand the Circuit Court ordered that previously-withheld documents be produced with minimal redactions and determined requester was entitled to costs, but not attorney fees. Town appealed, and requester cross-appealed.

The Court of Appeals held that:

- Court would unseal only specific facts mentioned in opinion;
- Demand letter from town employee's attorney, which requester sought, was not "contract" within meaning of VFOIA provision;
- Court of Appeals would affirm trial court's decision to require production of all documents requested with minimal redactions;
- Requester substantially prevailed on merits of case; and
- Remand for limited purpose of determining value of reasonable attorney fees of requester was necessary.