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**ORR/Effingham County Hospital Authority**

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**From** Mills Fleming <MFleming@HunterMaclean.com>

**Date** Thu 5/22/2025 1:50 PM

**To** Jessica Szilagyi <jessica@[REDACTED]>

Jessica,

Thank you for your follow up. I tried to call you earlier today but got your voicemail.

1. As I noted in my first correspondence to you, I represent Effingham Hospital, Inc. (the "Hospital"), not the Authority.
2. For your specific requests (per your May 14 email):
  - a. No. 1 – Dr. Witt is employed by the Hospital, not the Authority. She does not have an employment agreement with the Authority.
  - b. No. 2 – The Hospital is reviewing its files to see if it has Authority meeting minutes responsive to this request.
  - c. No. 3 – The Hospital is reviewing its files to see if it has Authority records which would be responsive to this request.
  - d. No. 4 - In a good faith effort to assist you with your request (and without waiving any of my client's objections), I explained in my earlier correspondence that the financial information you are requesting relating to the Hospital's finances can be found on the Effingham Health System's website. [Here is the link](#) (it is under the "Financial Transparency" link). Please note that the Hospital operates on a fiscal-year (July 1-June 30), not a calendar-year basis. The audits show the trailing three years (2022, 2023 and 2024).
3. We appreciate your understanding as the Hospital is working to respond to your request. As permitted by law and assuming there are documents to produce, we hope to have them to you next week. I will be glad to discuss any of this with you and you are welcome to call at any time.

Kind regards,

**Mills Fleming**  
Partner

**HunterMaclean**

200 E. Saint Julian Street | Savannah, GA 31401

P.O. Box 9848 | Savannah, GA 31412-0048  
[REDACTED]

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**From:** Jessica Szilagyi <jessica@[REDACTED]>

**Sent:** Thursday, May 22, 2025 9:09 AM

**To:** Mills Fleming <MFleming@HunterMaclean.com>

**Cc:** tcallanan@effinghamcounty.org; fran.witt@effinghamhospital.org; Stephanie Johnson <sjohnson@effinghamcounty.org>

**Subject:** Re: Issue with ORR/Effingham County Hospital Authority

The request was served on the Hospital Authority, not Effingham Hospital, Inc. A corporation is not subject to the Open Records Act.

At this point, the Hospital Authority has been non-responsive, despite acknowledging receipt through a third-party attorney, to the ORR filed on May 14, 2025 and is out of compliance with the law.

I will see if the Attorney General's open government division can provide assistance on gaining compliance by the Hospital Authority.

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**From:** Mills Fleming <[MFleming@HunterMaclean.com](mailto:MFleming@HunterMaclean.com)>

**Sent:** Tuesday, May 20, 2025 10:18 PM

**To:** Jessica Szilagyi <[jessica@](mailto:jessica@)>

**Cc:** [tcallanan@effinghamcounty.org](mailto:tcallanan@effinghamcounty.org) <[tcallanan@effinghamcounty.org](mailto:tcallanan@effinghamcounty.org)>; [fran.witt@effinghamhospital.org](mailto:fran.witt@effinghamhospital.org) <[fran.witt@effinghamhospital.org](mailto:fran.witt@effinghamhospital.org)>; Stephanie Johnson <[sjohnson@effinghamcounty.org](mailto:sjohnson@effinghamcounty.org)>

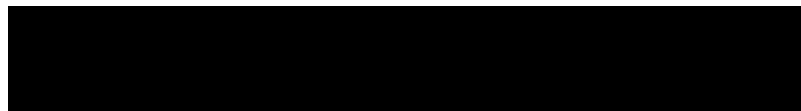
**Subject:** Re: Issue with ORR/Effingham County Hospital Authority

Thank you, Jessica. I appreciate your follow up. Effingham Hospital, Inc. is in the process of determining if it has any applicable documents responsive to the request. We appreciate your understanding. I hope to have a more formal response either this Friday or next Tuesday. Let me know if we need to have a call to discuss.

**Mills Fleming**

Partner

**HunterMaclean**



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On May 20, 2025, at 8:00 AM, Jessica Szilagyi <[jessica@](mailto:jessica@)>

Good morning,

I'm seeking assistance with an Open Records Request (ORR) I am trying to file with the Effingham County Hospital Authority.

On May 6, I emailed Mrs. Stephanie Johnson about the point of contact for the Effingham County Hospital Authority, specifically for an ORR. Mrs. Johnson replied promptly with a name - Dr. Fran Witt - and the contact information.

I reached out to Dr. Witt by email to confirm that she was the right point of contact for an ORR. Dr. Witt replied and said 'Yes. Please forward requests to my office and attention. Thank you.'

That same afternoon, I received a phone call and voicemail from a woman at SpyHop Media in Savannah. She told me she was contacted about my ORR about Effingham Hospital "which is one of our media clients," she said, explaining she wanted to know how she could help. She stated the CEO of Effingham Health System provided the information.

I did not return the call because I was too consumed by concern and surprise that a PR firm was reaching out to the media about an ORR inquiry. I also didn't want to waste the time of the marketing team.

On May 14, I emailed my Open Records Request to Witt. I did not receive a confirmation that the email had been received, but on May 16, at 4:15 p.m., I received an email from attorney Mills Fleming of Hunter Maclean who said he received my request and that 'they' needed more time because of the volume of the request. He also said some of the information was provided on publicly accessible websites but did not include any additional information about which information was available or where. He told me to direct all future correspondence relating to this matter to him.

I responded shortly after and explained that the Open Records Act requires a response time of three days and if the records cannot be provided, an expected date for production as well as a cost estimate are legally required to be provided. (For the record, that response time was Monday, May 19, 2025 at 12:30 p.m. and that deadline was missed) I also shared that I did review several websites, including that of the hospital, before filing my request and the information appeared to be out of date.

I explained that my request was fairly narrow, as I've sent it to other hospital authorities in the past and the information has been provided fairly quickly and without a cost. Notably, much of the information, like meeting minutes and CEO contracts are supposed to be readily available under the Open Records Act. Monthly profit & loss statements at other hospitals are shared during monthly authority meetings, so I did not presume this would be considered voluminous. Further, none of these documents require redaction.

Mr. Fleming kindly replied to me and said he does not represent the hospital authority, only Effingham Hospital Inc. and stated Witt is not employed by the Authority. He told me he would provide additional information on Monday, however, I have not heard from him.

With regard to the request filed on May 14, I have not heard from the CEO either.

My request remains in limbo.

Dr. Witt appears to be the noted records custodian for the Authority, per Effingham County Board of Commissioners, but has forwarded the correspondence to an attorney who does not represent the Authority. I don't believe it would be appropriate for me to work with Mr. Fleming, though I'm sure he is more than qualified, on this matter since the Authority is not his client.

Further, while it is my opinion that the request shouldn't incur costs for production, in the event that it does, it would be unreasonable to bill the requestor at the rate of a private attorney for a private entity to provide otherwise public records. While Witt may be employed by the hospital, the request was not to her in her capacity as an employee. The request was with regard to the Hospital Authority.

In my experience, the involved legal counsel is the county attorney, if the Authority does not have its own independent legal representation. After all, the Authority is appointed by the Board of Commissioners at least in part.

However, at this time, the request has been served upon the authority and to the rightful person, yet a response within the timeframe allowed under the law has not been provided.

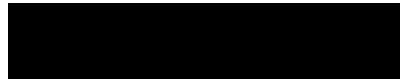
I would be less concerned if it appeared the request was moving in the right direction, but it does not. I am happy to work with whomever on a timeline for providing records, and even amending my request to suit the manner in which the Authority maintains records, but I cannot do that when there is such a disconnect.

Any guidance that could be provided would be helpful. I have also attached my initial request to this email.

Thank you,

**Jessica Szilagyi**

*Publisher*



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