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October 24, 2025

**VIA ELECTRONIC MAIL**

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Diedre E. Carreno, Esq.  
Hennenous, Carroll, Lombardo, LLC  
One Citizens Plaza, Suite 1010  
Providence, RI 02903

**Re: Access to Public Records Act (APRA) Requests  
of Nicole Solas to Barrington Public Schools**

Dear Ms. Carreno:

I represent Nicole Solas in connection with her September 12 and 18, 2025 APRA Requests (the “Requests”) submitted to Barrington Public Schools, and write in reply to your correspondence of September 24, 2025 (the “Response”) regarding those Requests.

The Requests sought two principal categories of records (the “Records”) pertaining to the tenure of Barrington High School teacher Ben Fillo—lawful disclosure of public records, consistent with the APRA’s policy favoring “the free flow and disclosure of information to the public.”<sup>1</sup> Yet your Response interposes a prohibitive and facially unreasonable cost estimate of **\$116,751**, that effectively shields the requested Records from disclosure.<sup>2</sup>

As to Request No. 1, concerning Mr. Fillo’s curriculum materials, the Response’s exorbitant cost estimate (at 2) appears inflated by a series of unrealistic assumptions, including:

- That Mr. Fillo used and maintained entirely unique class materials for each separate, simultaneous section of the same course (The estimate of more than ten “courses” per year implies separate counting of each classroom section.);

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<sup>1</sup> *Downey v. Carcieri*, 996 A.2d 1144, 1151 (R.I. 2010).

<sup>2</sup> As to one portion of the Requests, for a narrower set of email records, Ms. Solas has tendered payment of the School’s cost estimate. I have therefore omitted discussion of that portion of the Requests and deducted its share from the Response’s cost estimate, but the payment to receive those records in a timely fashion should not be construed as any agreement that the estimate was reasonable, approval of the methodology by which it was calculated, or admission of any kind.

- That your client would undertake a separate, three-minute (or ten-minute) search for *each individual document*, when they are acknowledged to be maintained together on a few common learning management systems; and
- That each handout, assignment, etc. (including duplicates, of which there are likely to be many for the reasons stated above) would require three minutes of review—even though the Response does not indicate that they contain any confidential information.

Likewise, as to Request No. 2 concerning email correspondence from 2016 to the present, your Response fails to justify its cost estimate. The Response (at 3) asserts in conclusory fashion that the presence in “[s]ome” of the documents of “personnel and/or personal individually identifiable records” demands an onerous exercise in review and redaction. But the Response fails to describe the nature of the protected information. Notably, it stops short of claiming any of the Records are actual personnel files, or contending that any Records contain information “highly personal in nature,” such as might be exempt from disclosure.<sup>3</sup> Nor does not take the position that any responsive records are “otherwise deemed confidential by federal or state law or regulation,” R.I. Gen. Laws § 38-2-2(4)(A)(I)(b). Without more, it is impossible to assess whether your client can satisfy its burden to show that disclosure “would constitute a clearly unwarranted invasion of personal privacy.” *Id.*; *see also id.* § 38-2-10.

Moreover, a reviewing court would likely waive costs altogether, based on the public interest in disclosure. *See id.* § 38-2-4(e). Mr. Fillo’s tenure at Barrington High School has recently come under significant public scrutiny, due to his comments (widely shared and viewed after he published them on TikTok) celebrating the assassination of Charlie Kirk. In response to that controversy, Mr. Fillo has been placed on administrative leave; the local teachers union has removed him as co-president; and the Barrington School Committee voted unanimously to retain legal counsel to conduct an outside investigation into the matter. At the same time, students of Mr. Fillo have come forward with evidence of his viewpoint discrimination and political bias in the classroom.<sup>4</sup> His curriculum materials and conduct as a teacher are manifestly a subject of high public interest, warranting disclosure at no cost.

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<sup>3</sup> *Pawtucket Teachers All. Loc. No. 920, AFT, AFL-CIO v. Brady*, 556 A.2d 556, 559 (R.I. 1989).

<sup>4</sup> Reinforcing the distinct public interest in Mr. Fillo’s records is the wave of local and national media attention to his case, *e.g.*: <https://www.abc6.com/barrington-teacher-on-administrative-leave-after-charlie-kirk-social-media-post/>; <https://www.eastbayri.com/barrington/stories/barrington-high-school-teacher-removed-from-union-leadership-role,134142>; <https://www.golocalprov.com/news/barrington-school-comm.-appoints-investigator-to-review-teachers-social-med>; <https://nypost.com/2025/09/17/us-news/rhode-island-high-schoolers-call-for-teacher-benjamin-fillo-firing-after-charlie-kirk-comments-tiktok-video/>

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Thus without (at minimum) a drastic revision of the Response's cost estimate, the Superior Court will likely find your client in violation of the APRA; order full production of the Records at no cost to Ms. Solas; charge your client with Ms. Solas' reasonable attorney's fees and costs; and potentially assess civil fines as well. See R.I. Gen Laws § 38-2-9.

Please consider this letter a renewed submission of the Requests. Ms. Solas reserves all her rights, and I look forward to discussing this matter further to attempt to reach a resolution.

Sincerely,

*/s/ James P. McGlone*

James P. McGlone

JPM:klf

4920-9339-5315