

Publications

Public Records Issues and Solutions in Data Center Deals

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AUTHORED ARTICLE | 1.13.2025

Vorys attorneys Sean Byrne and Eli Redfern co-authored an article titled "Public Records Issues and Solutions in Data Center Deals" for NAIOP's Winter 2024/2025 Development magazine. The article features an overview of how data center developments can protect sensitive information while complying with public records laws.

The article states:

"Data centers are critical infrastructure in the digital age. Developing these facilities, whether they are hyperscale, co-location or data mining projects, involves complex negotiations and substantial investment.

One key challenge is balancing confidentiality with the transparency required by public records laws while the developer works with local governments to lay the groundwork for the data center project on issues such as electricity, water and tax incentives. Data center companies may need to keep certain information confidential for a variety of reasons, such as to avoid tipping off competitors about project sites under consideration or affecting negotiations for tax incentives. However, these confidentiality goals may directly conflict with public records requirements."

Read the entire article [here](#).