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March 10, 2023

Via Electronic Mail

Mississippi Division of Medicaid

c/o Office of Procurement

Chief Procurement Officer (MSCANCHIP@medicaid.ms.gov)

Public Records Officer (RFI@medicaid.ms.gov)

Cody Smith (Cody.Smith@medicaid.ms.gov)

Winston & Strawn LLP

c/o Hannah Luke (hluke@winston.com)

Re: Notice of and Reasons for Filing Petition for Protective Order

All:

Gainwell Technologies, LLC ("Gainwell") received notice from the Mississippi Division of Medicaid ("DOM") that a Public Records Act Request ("PRR") was submitted by Winston & Strawn LLP (referred to herein as "Requesting Party") for all contracts and agreements between Gainwell Technologies LLC relating to the provision of Medicaid Management Information System services.

After reviewing the PRR and the notice received from DOM that identified responsive information to the Requesting Party's PRR, Gainwell has determined that the information contains trade secrets, confidential and proprietary commercial information, and confidential and proprietary information that is protected by the Mississippi Public Records Act. *See* Miss. Code Ann. § 25-61-9(1). Examples of this information include, but are not limited to, the following:

- Confidential and proprietary information regarding architecture, technologies, and processes.
- Confidential and proprietary work strategies
- Confidential personnel data

This information is exempt from the Mississippi Public Records Act's presumption of accessibility and therefore may not be disclosed. *See* Miss. Code §§ 25-61-9(1), 79-23-1.

Accordingly, pursuant to Miss. Code Ann. § 25-61-9 (7), Gainwell hereby gives notice to the Requesting Party and to DOM that Gainwell intends to seek a protective order from the Chancery Court of Hinds County, Mississippi to prevent the release of its information protected

by the Mississippi Public Records Act.

Gainwell respectfully requests that DOM, upon receipt of this notice, immediately post it on the Mississippi procurement portal.

Best regards,

/s/ Timothy L. Sensing
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