

## NOTICE AND REASONS FOR PROTECTIVE ORDER

(Pursuant to Section 25-61-9 of the Mississippi Code of 1972 and applicable law)

**TO: Molina Healthcare of Mississippi, Inc.**  
c/o Phillip Buffington, Jr. ([phil.buffington@arlaw.com](mailto:phil.buffington@arlaw.com))

and

United States Corporation Company  
109 Executive Drive, Suite 3  
Madison, Mississippi 39110

**Mississippi Division of Medicaid**  
c/o Cody Smith  
Attorney II  
Mississippi Division of Medicaid  
550 High Street, Suite 1000  
Jackson, Mississippi 39201

**FROM: TrueCare**  
c/o George H. Ritter ([ghr@wisecarter.com](mailto:ghr@wisecarter.com))  
John P. Sneed ([jps@wisecarter.com](mailto:jps@wisecarter.com))

Ladies and Gentlemen:

On August 18, 2022, Molina Healthcare of Mississippi, Inc. (“Requestor”), issued a public records request (“PRR”) to Mississippi Division of Medicaid (“DOM”) seeking information (“Information”) relating to DOM’s Request for Qualifications No. 2021 1210 (the “RFQ”), including confidential information of, among others, TrueCare and its contractors and/or subcontractors, as identified in Requestor’s letter to DOM, a true copy of which is attached hereto as Exhibit 1.

**Please take notice** that pursuant to Section 25-61-9(7) of the Mississippi Code of 1972, TrueCare hereby gives notice to Requestor of TrueCare’s intent to seek a protective order from the Chancery Court of Hinds County, Mississippi, First Judicial District, seeking to protect TrueCare’s confidential and proprietary information and trade secrets contained in the Information subject to the PRR. This notice is provided to Requestor pursuant to the Mississippi Rules of Civil Procedure by service on Requestor’s agent for service of process, CT Corporation System. Notice is also being provided by email to Requestor’s representative who made the request, Phillip Buffington, Jr. ([phil.buffington@arlaw.com](mailto:phil.buffington@arlaw.com)).

Further and pursuant to Section 25-61-9(7), TrueCare intends to seek a protective order regarding the redacted portions of the proposal it submitted to DOM in response to the Coordinated Care Procurement. These redacted portions contain exempt “trade secrets” and

“confidential commercial and financial information” pertaining or belonging to TrueCare and its contractors and/or subcontractors, that is not subject to public disclosure pursuant to Miss. Code Ann. § 25-61-9(1). Examples include, but are not limited to, the following:

- Confidential commercial and financial information
- Trade secrets
- Proprietary and confidential methods utilized in providing healthcare services
- Market information
- Historical performance data
- Population health data
- Claims processing methods and related data
- Scorecard metrics and data analytics
- Encounters timeliness data and tracking methods
- Claim collection, validation and submission data and methods
- Cost avoidance data
- Claim trend data
- Employment staffing and personnel personal data
- Data protection and cyber security information

As the foregoing Information and any other related Information is protected, none of it may be disclosed to the Requestor (or otherwise) pursuant to the Mississippi Public Records Act exemptions, including those found in Sections 25-61-1 and 79-23-1(1) of the Mississippi Code of 1972.

Unless Requestor withdraws or modifies its PRR within seven (7) days, TrueCare will file its petition or complaint for a protective order in the Chancery Court of Hinds County, Mississippi (First Judicial District) and will issue process to both Requestor and DOM. This notice and reasons will be posted on the Mississippi procurement portal (MAGIC) for a minimum of seven (7) days before TrueCare files its petition or complaint for a protective order in accordance with the requirements of the applicable statutes and rules.

Any questions related to this notice and reasons or the petition for protective order itself shall be directed to the undersigned counsel for TrueCare.

This the 1st day of September, 2022.

**TrueCare**

By:  \_\_\_\_\_

George H. Ritter

John P. Sneed

**Wise Carter Child & Caraway**

P. O. Box 651

Jackson, MS 39205-0651

[ghr@wisecarter.com](mailto:ghr@wisecarter.com)

[jps@wisecarter.com](mailto:jps@wisecarter.com)

ADAMS AND REESE LLP

**RECEIVED**  
AUG 18 2022

**DIVISION OF MEDICAID  
EXECUTIVE DIVISION**

Attorneys at Law  
Alabama  
Colorado  
Florida  
Georgia  
Louisiana  
Mississippi  
North Carolina  
South Carolina  
Tennessee  
Texas  
Washington, DC

August 18, 2022

Mr. Drew Snyder  
Executive Director  
Mississippi Division of Medicaid  
550 High Street, Suite 1000  
Jackson, MS 39201

Phillip Buffington, Jr.  
Direct: 601.292.0745  
E-Fax: 601.944.9357  
phil.buffington@arlaw.com

Re: Notification of Decision - Mississippi Division of Medicaid Coordinated Care  
RFQ #20211210 RFX #3150003991

Dear Mr. Snyder:

Our firm represents Molina Healthcare of Mississippi, Inc. Pursuant to the Mississippi Public Records Act of 1983 (MS. Code Annotated §25-61-1, et seq.), we hereby request copies all documents held by the Mississippi Division of Medicaid relating to the above-referenced RFQ and RFX. In particular, the public records request seeks information/materials including, but not limited to, the following:

1. Any and all protests made by any party in connection with the above-referenced RFQ and RFX, including any exhibits to said protest. This request seeks all public records, created, possessed or maintained by the Mississippi Division of Medicaid or any of its employees, officers, departments, offices, or agencies in connection with the above-referenced RFQ and RFX in connection with or related to those protest.

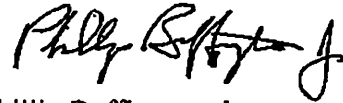
This request seeks the broadest range of materials permitted under the Mississippi Public Records Act of 1983. Pursuant to MS. Code Annotated §25-61-3, this includes all books, records, maps, accounts, letters, photographs, films, cards, tapes, recordings or reproductions thereof, and any other documentary materials, regardless of physical form or characteristics, having been used, being in use, or prepared, possessed or retained for use in the conduct, transaction or performance of any business, transaction, work, duty or function with the Mississippi Division of Medicaid in connection with any protest of the above-referenced matter.

Please provide the requested documents to us as soon as possible but no later than seven (7) working days, as required by MS Code Annotated §25-61-5. We will pay the reasonable charges incurred in making copies of the requested documents in accordance with the provisions of MS Code Annotated §25-61-7.

Mr. Drew Snyder  
August 18, 2022  
Page 2

If any portion of the request is denied, please provide a written statement on the specific exemption relied upon for the denial, as required by MS Code Annotated §25-61-5. We appreciate your assistance in this matter. If you should have any questions or comments, please do not hesitate to contact us.

Sincerely,  
ADAMS AND REESE, LLP

A handwritten signature in black ink, appearing to read "Phillip Buffington, Jr.", with a stylized flourish at the end.

Phillip Buffington, Jr.

CPB, jr./an