



**Karen E. Howell**

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**NOTICE OF INTENT TO SEEK PROTECTIVE ORDER AND REASONS FOR  
PROTECTIVE ORDER PURSUANT TO MISS. CODE ANN. § 25-61-9(7)**

**TO: FEI.com, Inc. d/b/a FEI Systems**  
Scott Morrow, General Counsel  
9755 Patuxent Woods Drive, Suite 300  
Columbia, Maryland 21046  
[scott.morrow@feisystems.com](mailto:scott.morrow@feisystems.com)

and

c/o John P. Sneed  
Charles Cowan  
Wise Carter Child & Caraway  
P.O. Box 651  
Jackson, MS 39205-0651  
[jps@wisecarter.com](mailto:jps@wisecarter.com)  
[cec@wisecarter.com](mailto:cec@wisecarter.com)

**Mississippi Division of Medicaid**  
c/o Jill Chastant, Procurement Officer  
550 High Street, Suite 1000  
Jackson, MS 39201  
[Jill.Chastant@medicaid.ms.gov](mailto:Jill.Chastant@medicaid.ms.gov)

**FROM: Conduent State Healthcare, LLC**  
c/o Karen E. Howell ([khowell@brunini.com](mailto:khowell@brunini.com))  
William Drinkwater ([wdrinkwater@brunini.com](mailto:wdrinkwater@brunini.com))

**Re: *Public Records Request Related to Proposal for Support and Hosting of the  
Medicaid Eligibility System***

Dear Ladies and Gentlemen:

On December 2, 2022, the Mississippi Division of Medicaid (MDOM) notified Conduent State Healthcare, LLC ("Conduent") of a public records request from FEI.com, Inc. ("FEI") seeking unredacted copies of all proposals and evaluation material associated with Request for Proposal ("RFP") Number 20220401.

Pursuant to Miss. Code Ann. § 25-61-9, Conduent hereby gives notice ("Notice") to FEI, the requestor issuing the public records request, of its intent to seek a protective order from the Chancery Court of Hinds County, Mississippi, First Judicial District, protecting Conduent's

confidential and proprietary information and trade secrets contained in its proposal and submissions to MDOM related to the RFP, including all redacted portions, and of its reasons for the protective order. FEI has agreed that delivery of this Notice via email to its designated representative(s) will suffice to satisfy the service requirements of Miss. Code Ann. § 25-61-9(7) and Rule 4 of the Mississippi Rules of Civil Procedure.

The reasons Conduent intends to seek a protective order include the fact that the redacted portions of the proposal and submissions to MDOM related to the RFP include confidential, proprietary, and trade secret information belonging to Conduent. More specifically, such information includes, but is not limited to: technical approaches and business plans and strategies; approaches to security; confidential data pertaining to customer contract information, services and lists, and tabulated data that is not publicly available (such as contract value, accounts transactions, number of locations, etc.); proposed staffing plans; subcontractor information; the exceptions Conduent proposed; performance history; internal policies and procedures; and personal information, including names of key employees of Conduent. None of this information should be disclosed to FEI (or otherwise). The release of this information would cause Conduent competitive harm and permit an unfair commercial advantage to Conduent's competitors by allowing them to bid more effectively against Conduent for contracts, including without limitation contracts for the services contemplated by the RFP. Thus, Conduent hereby provides notice of its intent to request such information be treated as confidential and exempt from disclosure under Miss. Code Ann. §§ 25-61-1 and 79-23-1.

Conduent has submitted a redacted version of its proposal in which confidential and proprietary commercial or financial information and/or trade secrets are redacted. Conduent has no objection to MDOM releasing a copy of the redacted proposal.

Unless FEI withdraws or modifies its request within seven days, Conduent will file its Petition for Protective Order in the Chancery Court of Hinds County, Mississippi, First Judicial District and, unless waived, will issue process to FEI and DOM. In accordance with the requirements of the applicable statutes and rules, this Notice, which includes the reasons for Conduent's request for a protective order, will be posted on the Mississippi procurement portal for a minimum of seven days before Conduent files its Petition.

Any questions related to this Notice, the reasons for the Petition, or the Petition itself, should be directed to the undersigned counsel for Conduent. Thank you.

Sincerely,

**Conduent State Healthcare, LLC**



Karen E. Howell