

November 13, 2024

Via Electronic Mail

Mississippi Division of Medicaid

c/o Public Records Officer (RFI@medicaid.ms.gov)

Gwen Dilworth (gdilworth@mississippitoday.org)

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 Gwen Dilworth (referred to herein as "Requesting Party") for Gainwell's contract with the DOM for Mississippi Medicaid Enterprise Solutions and Fiscal Agent Services, Contract Amendment #5, including any attachments.

After reviewing the PRR and the notice received from the DOM that identified responsive information to the Requesting Party's PRR, Gainwell has determined that the information contains trade secrets 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 business plans and strategies
- Confidential pricing data
- Confidential and proprietary information regarding trade secrets
- Confidential market information
- Confidential performance data and history
- Confidential internal policies
- Confidential personnel data
- Confidential information concerning clients

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 the 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 ITS, upon receipt of this notice, post it on the Mississippi procurement portal in accordance with Miss. Code Ann. § 25-61-9.

Best regards,

/s/ Katie B. Lyons

Katie B. Lyons (MSB #105904)

WATKINS & EAGER PLLC

400 E. Capitol Street

Post Office Box 650 (39205-0650)

Jackson, Mississippi 39201

(601) 965-1983

klyons@watkinseager.com