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October 31, 2022

Via Electronic Mail

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Via Hand Delivery and Certified Mail

TK Elevator Corporation
c/o Prentice-Hall Corporation System, Inc.
109 Executive Drive, Suite 3
Madison, MS 39110

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

All:

Diversified Elevator Service & Equipment Co., Inc. ("Diversified") received notice that a representative of TK Elevator Corporation ("TKE") submitted a public records request to Mississippi State University ("MSU"), seeking "an opportunity to inspect or obtain copies of public records that pertain to the Mississippi State University, RFP #22-29: Elevator and Escalator. Requesting Bid and Technical Results with notes and scoring."

Diversified hereby gives notice to MSU and TKE that Diversified is seeking a protective order from the Chancery Court of Oktibbeha County, Mississippi that precludes Diversified's confidential and proprietary information from being disclosed. *See* Miss. Code §25- 61-9(7).

Diversified desires a protective order because the TKE request, if fully responded to, would require the production of documents that contain Diversified's trade secrets, confidential and proprietary commercial information, and confidential, proprietary and/or competitively sensitive financial information. Examples of this information include, but are not limited to, the following:

- confidential and proprietary financial information, including budgets, costs, and expenses;
- confidential information regarding key personnel;
- confidential information regarding current and past clients, including services provided to the same;

- confidential information regarding corporate ownership and structure;
- confidential information regarding trade secrets and proprietary technologies and processes; and
- confidential and proprietary strategies for pricing, staffing, marketing, management, and cost-containment.

This information is exempt from the Mississippi Public Records Act's presumption of accessibility. *See* Miss. Code §§ 25-61-9(1), 79-23-1. Accordingly, the foregoing information and any similar information may not be disclosed. Unless TKE withdraws or modifies its request, Diversified will move forward with its petition for a protective order in the Chancery Court of Oktibbeha County, Mississippi.

I request MSU immediately publish this notice on the Mississippi procurement portal. Further, I request that any questions regarding this notice or the petition be directed to me.

Best Regards,



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