



**Karen E. Howell**

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February 22, 2024

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

**TO: Gainwell Technologies, LLC**  
David Gilbert  
5615 High Point Drive  
Irving, Texas 75038  
[PublicRecordsRequests@gainwelltechnologies.com](mailto:PublicRecordsRequests@gainwelltechnologies.com)

**Mississippi Department of Information Technology Services**  
c/o Kim White, ITS Public Records Officer  
c/o Khelli Reed, ITS Technology Consultant  
3771 Eastwood Drive  
Jackson, MS 39211-6381  
[Kim.White@its.ms.gov](mailto:Kim.White@its.ms.gov)  
[Khelli.Reed@its.ms.gov](mailto:Khelli.Reed@its.ms.gov)  
[open.records@its.ms.gov](mailto:open.records@its.ms.gov)

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

**Re: *Public Records Request Related to Proposal for RFP No. 4243 for an  
Interoperability, Data Lake, and APIs (IDA) Solution, including Optional Items  
for the Mississippi Division of Medicaid (MDOM).***

Dear Ladies and Gentlemen:

On February 15, 2023, the Mississippi Division of Medicaid (MDOM) notified Conduent State Healthcare, LLC ("Conduent") of a public records request from Gainwell Technologies, LLC ("Gainwell") seeking all bidders' technical and cost proposals, best and final offer documents, and presentations and/or videos and evaluation documents associated with Request for Proposal ("RFP") Number 4243.

Pursuant to Miss. Code Ann. § 25-61-9 and ITS's Public Records Policy, Conduent hereby gives notice ("Notice") to ITS and Gainwell, 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 related to the RFP,

including all redacted portions, and of its reasons for the protective order. Conduent will serve a copy of this notice on Gainwell by email to [PublicRecordsRequests@gainwelltechnologies.com](mailto:PublicRecordsRequests@gainwelltechnologies.com), by mail to the above-referenced address, and by hand delivery to Gainwell's registered agent for service in Mississippi, C.T. Corporation System, 645 Lakeland East Drive, Suite 101, Flowood, Mississippi 39232.

The reasons Conduent intends to seek a protective order include the fact that portions of the proposal and submissions related to the RFP include confidential, proprietary, and trade secret information belonging to Conduent. More specifically, such information includes, but is not limited to: pricing and internal cost information, technical discussion and 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; the exceptions Conduent proposed; performance data and history; internal policies and procedures; and personal information, including names of key employees of Conduent. None of this information should be disclosed to Gainwell (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.

Unless Gainwell withdraws or modifies its request within fourteen 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 Gainwell, ITS, and MDOM. 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**

*/s/Karen E. Howell*

Karen E. Howell