

April 16, 2024

VIA EMAIL

Jenny Grunditz
Policy Advisor
Health and Policy Analytics Division
Oregon Health Authority
421 SW Oak Street
Portland, OR 97204
Jenny.Grunditz@oha.oregon.gov

Re: Kroger/Albertsons - Response to OHA's Letters Dated April 12, 2024 and April 15, 2024

Dear Jenny:

I write on behalf of Kroger, Albertsons, and C&S Wholesale Grocers in response to your April 12 and April 15 letters regarding the Community Review Board's ("CRB") request for maps produced by Kroger and Albertsons identifying pharmacies near their respective stores in Oregon and for certain additional materials. All the requested materials were previously designated as confidential and not subject to public disclosure per ORS 192.345(2).

Accompanying this letter, please find copies of the requested maps, Bates stamped KR-OHA-000000094 to -145 (maps produced by Kroger) and ACI-ORHCMO-00000003 to -086 (maps produced by Albertsons). These are identical to the maps previously produced to the OHA except that confidentiality designations and non-OHA Bates stamps have been removed.

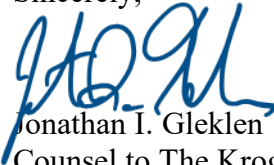
The other materials requested by the CRB contain highly confidential and competitively sensitive information. Because the applicable Oregon statutes and regulations require that any materials provided to the CRB be publicly disclosed, we regret that we are unable to consent to providing the CRB with the other materials it has requested.

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Please do not hesitate to contact me if you have any questions.

Sincerely,



Jonathan I. Gleklen
Counsel to The Kroger Co.

Enclosures (as stated)

cc: George Paul, Counsel to Albertsons Companies, Inc.
Doug Jasinski, Counsel to Albertsons Companies, Inc.
Renata Hesse, Counsel to C&S Wholesale Grocers, LLC