

Redaction & Confidentiality Log to Supplemental Requests

Per OAR 409-070-0070 and other applicable law, this document identifies those documents that are exempt from public disclosure and explains the grounds for such exemption. Under OAR 409-070-0070(2), “Confidential materials filed by an applicant in connection with a [HCMO] transaction that is subject to review by . . .the [Oregon Health] Authority . . . shall be maintained as confidential materials in accordance with . . . ORS 415.501(13)(c).” Under ORS 415.501(13)(c), the Oregon Health Authority “shall maintain the confidentiality of all confidential information and documents that are not publicly available that are obtained in relation to a [HCMO] material change transaction.” Such information is “exempt from disclosure under ORS 192.311 to 192.478 [the Public Records Act].” The documents and information identified below are confidential and contain information that is not publicly available. Thus, the Oregon Health Authority shall maintain the confidentiality of such documents and shall not release any such documents under the Oregon Public Records Act.

This document in no way limits either party’s right to assert additional or alternative grounds for exemption from the Oregon Public Records Act. The Parties respectfully request highly confidential treatment under all applicable statutes, rules, and regulations. Without prejudice to the rights of VaxCare Holdings, LLC and its subsidiaries (“VaxCare”) or Act II Holdings L.P. (“Buyer”), if the Oregon Health Authority or Department of Justice should at any time contemplate disclosing any such materials to the public or to any third party for any reason and for any use—including but not limited to quoting from, attaching, or otherwise referring to such documents in a court or administrative proceeding whether filed under seal or publicly—we request an opportunity of no fewer than three days advance notice to allow sufficient time to object and, if necessary, seek protections against disclosure from a court of competent jurisdiction.

Bates Reference	Party Information	Information Requested	Information Redacted	Basis for Redaction
HCMO_SUBMISSION_000385 through HCMO_SUBMISSION_000386	VaxCare and Buyer	HCMO-1 Item 13(a)(1)	Structure Charts	VaxCare requests confidential treatment of the VaxCare post-transaction structure charts. As a nonpublic entity, this information has not been made publicly available in any other forum. Further, this information is competitively sensitive and disclosure would enable competitors to identify and exploit vulnerabilities in the company's operating model. Under ORS 415.501(13)(c), the Oregon Health Authority is prohibited from disclosing any confidential information and documents that are not publicly available that are obtained in relation to a material change transaction. As such, VaxCare is requesting further confidential treatment of its structure charts, unless VaxCare provides its written consent to the publication. This information is also protected from disclosure by ORS 192.345(2); ORS 192.355(9)(a); and ORS 646.461 et seq.
HCMO_SUBMISSION_000652 through HCMO_SUBMISSION_000659	VaxCare and Buyer	Supplemental Materials	State Notice Filing	VaxCare and Buyer request confidential treatment of sensitive and nonpublic information provided in the state notice filing. As a nonpublic entity, this information has not been made publicly available in any other forum. This is non-public, confidential information submitted in confidence that could be used by others for business advantage. The laws of the state in which the notice was filed state that the entirety of this notice is treated confidentially and not released to the public by the entity with which the notice was filed. The information is being produced solely because of requirements of the HCMO program and is otherwise non-public and not for disclosure. This information is protected from disclosure by ORS 415.501(13)(c); ORS 192.345(2); ORS 192.355(9)(a); and ORS 646.461 et seq.