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VIA ELECTRONIC (BRENDA.GEE@UCSF.EDU) ONLY

August 24, 2020

Ms. Brenda Gee
University of California, San Francisco
Office of the Executive Vice Chancellor and Provost
513 Parnassus Ave., S-115
San Francisco, CA 94143-0400

RE: California Public Records Act Request of Terrisa Bukovinac and Pro-Life San Francisco – CPRA Request No. To Be Assigned

Dear Ms. Gee (and Mr. Bellner):

As you know, this firm has been retained by Ms. Terrisa Bukovinac and Pro-Life San Francisco. This is a new Public Records Act requests on behalf of my clients.

PUBLIC RECORDS ACT REQUEST NO. I

Pursuant to the California Public Records Act, Govt. Code §§ 6250-6276.48, Pro-Life San Francisco and Terrisa Bukovinac (“Requestors”) respectfully requests to inspect all public records in the possession or control of the University of California, San Francisco (“UCSF”) office for the following:

1. Any and all grant awards and/or disbursements of said awards by UCSF to Planned Parenthood Federation of America and/or any of its affiliates including, but not limited to, all communications (letters, memorandums, electronic mail and text messages), the payments for any such grants, including, but not limited to, any checks, warrants, refunds, ACH transfers, wire transfers, and any audits conducted by UCSF, or anyone on its behalf, of Planned Parenthood Federation of America and/or any of its affiliates for any programs under said grant awards;
2. Human fetal tissue procurement logs and transportation logs between the following senders:
 - The Women's Options Center 6G;
 - The UCSF Women's Options Center at Mount Zion / UCSF Medical Center at Mount Zion;

- Advanced Bioscience Resources and other third party tissue procurement organizations,

and the following recipients (UCSF personnel), including, but not limited to, logs connected to their work funded by the National Institutes of Health (“NIH”) contracts and grants listed below:

- Cheryl Stoddart – [HHSN72201400002C](#), [HHSN266200700002C](#)
- Elze Rackaityte - [F31AI136336](#)
- Joanna Halkias - [K08AI128007](#)
- Timothy Henrich - [R33AI116205](#)
- Julie Sneddon - [R01DK118421](#)
- Aparna Bhaduri - [K99NS111731](#)
- Sarah Monica Knox - [R01DE024188](#), [R01EY026492](#)
- Alan Verkman - [P30DK072517](#)
- Aparna Bhaduri - [F32NS103266](#)
- David Rowitch - [P01NS083513](#)
- Hanna Retallack - [F31NS108615](#)
- Laurence Baskin, Gerald R. Cunha - [DK058105](#)
- Nam D. Tran, Pamela Yango, Eran Altman, and James F. Smith

(each of the above listed numbers (example: F31AI136336) are NIH contracts and grants numbers)

3. Any and all communications, emails, texts and memorandum regarding the procurement of human fetal tissue between the aforementioned entities and / or individuals.
4. Any and all Contracts between UCSF and NIH regarding the procurement of human fetal tissue including, but not limited to, the “statement of work” contained therein.

The time period for this request is from January 1, 2008 and the present date.

PUBLIC RECORDS ACT REQUEST NO. II

Pursuant to the California Public Records Act, Govt. Code §§ 6250-6276.48, Pro-Life San Francisco and Terrisa Bukovinac (“Requestors”) respectfully requests to inspect all public records in the possession or control of the University of California, San Francisco (“UCSF”) office for the following:

1. All documents regarding any active fetal tissue research projects not funded by NIH including, but not limited to, UCSF Rap Grants, ASRM investigator

awards (American Society for Reproductive Medicine and / or the Weston Haven Foundation). This includes but is not limited to any and all documents regarding the frequency of specimen procurement.

The timeframe for this request is January 1, 2008 and the present date.

PUBLIC RECORDS ACT REQUEST NO. III

Pursuant to the California Public Records Act, Govt. Code §§ 6250-6276.48, Pro-Life San Francisco and Terrisa Bukovinac (“Requestors”) respectfully requests to inspect all public records in the possession or control of the University of California, San Francisco (“UCSF”) office for the following:

1. Any and all UCSF protocols and procedures for determining the viability of a neonate after labor induction abortion procedures including but not limited to the oversight and reporting of both the determinations themselves and in instances where the neonate¹ is born alive after the procedure is performed.
2. UCSF’s protocols and procedures regarding the delivery of medical care to neonates born at the Women’s Options Center 6G and / or the UCSF Women’s Options Center / UCSF Medical Center at Mount Zion.
3. UCSF’s training standards for the Ryan Residency and Fellowship in Family Planning including, but not limited to, the determination of a neonate’s viability.

The timeframe for this request is January 1, 2008 and the present date.

PUBLIC RECORDS ACT REQUEST NO. IV

Pursuant to the California Public Records Act, Govt. Code §§ 6250-6276.48, Pro-Life San Francisco and Terrisa Bukovinac (“Requestors”) respectfully requests to inspect all public records in the possession or control of the University of California, San Francisco (“UCSF”) office for the following:

1. Any and all communications between UCSF and the Desert Star Institute for Family Planning.
2. Any and all contracts and communications between UCSF and the Desert Star Institute for Family Planning.
3. Any and all payments on any contracts by and between UCSF and the Desert Star Institute for Family Planning.

The timeframe for this request is January 1, 2008 and the present date.

REQUEST FOR INFORMATION IN ELECTRONIC FORMAT PURSUANT TO

¹ I use the term essentially the same way UCSF does on this webpage: <https://irb.ucsf.edu/pregnant-women-fetuses-neonates-or-vitro-fertilization>

GOVERNMENT CODE SECTION 6253.9 (A) (2) & (E).

My client is seeking these records in any and all electronic formats your office keeps them in. Under the Public Records Act, UCSF's office is required to deliver the information in whatever electronic format it is in no matter whether it is Excel, Word, WordPerfect or some other program or programs. Government Code section 6253.9 (a) (2) & (e). **My client's request extends to receipt of this information in the electronic format your office maintains these records in.** Delivery of this information to me by electronic mail (craig@craigalexanderlaw.com) or via a thumb drive or via a disk is fine. I can supply UCSF with a thumb drive if needed. *Please advise what electronic format these records are kept in.*

In addition, if there are documents that satisfy this request that are in **both** electronic and paper formats, my client offers to receive the electronic version of those records and forgo inspection and potential photocopying of those paper copies. It is hoped that this will save UCSF and my client's time, trouble and expense.

If you anticipate that data compilation, extraction, or programming will be required to satisfy a request (per Section 6253.9(b)), please provide a written estimate and justification for same. In addition on May 28, 2020 the California Supreme Court ruled that an agency may not charge a requestor of responsive documents for the act of searching for those documents or for review and redaction of any portion of a responsive document where the agency is claiming it is subject to an exemption or privilege. *National Lawyers Guild v. City of Hayward, et al* (2020) 9 Cal. 5th 488.

REQUEST FOR INSPECTION OF DOCUMENTS

For any records not delivered electronically, once my client's agent and/or I have had an opportunity to inspect these records, we will designate which documents we will wish to obtain copies from your office and its agents, employees, consultants, etc. If a document exists in both electronic and paper formats, my client selects to receive a copy of the electronic version of the document. This should save both your office time and funds in duplication time and costs and my client duplication costs.

The California Public Records Act requires UCSF's office to "reveal the general nature of the documents withheld," and to "set forth the names and titles or positions of each person responsible for the denial." Cal. Govt. Code Section 6253 (d). I emphasize my client's request for a specific response and all applicable exemptions to the request. A blanket list of exemptions that may or may not apply to the request coupled with a failure to indicate the existence of documents responsive to the request denies us the ability to evaluate whether UCSF has justifiably withheld responsive documents. Denying my client her opportunity frustrates the Legislature's primary purpose in enacting the California Public Records Act, which is to "maximize public access to agency records."

We agree that after our inspection of documents made available, to pay the direct cost of duplicating any and all responsive writings we request to have copied in accordance with

Section 6253(b). However we will not pay for any charges related to searching, reviewing or redacting documents or portions thereof. Cal. Govt. Code Section 6253(b).

There is no question that your office is a public entity subject to the Public Records Act pursuant to Government Code section 6252 and it must comply with the Request as set forth under the Act.

Terms utilized that are defined by the California Public Records Act should be given their full meaning. Thus, for example, a request for any “writing” includes a request for “any handwriting, typewriting, printing, Photostatting, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored. Cal. Govt Code section 6252 (g). In keeping with the provisions of the California Public Records Act, “writing” includes any preliminary drafts, notes or interagency or intra-agency memoranda” unless such draft items are “not retained...in the ordinary course of business” and “the public interest in withholding clearly outweighs the public interest in disclosure.”

Additionally, certain common terms should be given broad interpretation. For example, “relating to” means, in addition to the usual and customary meaning, depict or depicting, discuss or discussing, refer to or referring, reflect or reflecting, support or supporting, refute or refuting, address or addressing, evidence or evidencing, or record or recording.

For the purposes of this letter, a reference to an entity or body, such as UCSF’s office includes any and all representatives of the entity or body.

**UCSF’S RESPONSE TO
OUR REQUESTS ARE DUE WITHIN TEN DAYS**

In accordance with Section 6253 (c), please contact me within ten (10) days of your receipt of this request and notify me whether this request seeks copies of disclosable public records in UCSF’s possession, and, if not, the reasons for such determination. Also sending responsive documents directly to my client (Terrisa Bukovinac at terrisa@prolifesf.com) as well as to my office is fine and appreciated.

Thank you in advance for your courtesy and cooperation in this matter.

Very truly yours,

//s//

Craig P. Alexander

cc: Mr. Tom Bellner (tom.bellner@ucsf.edu)
Client via electronic mail only