

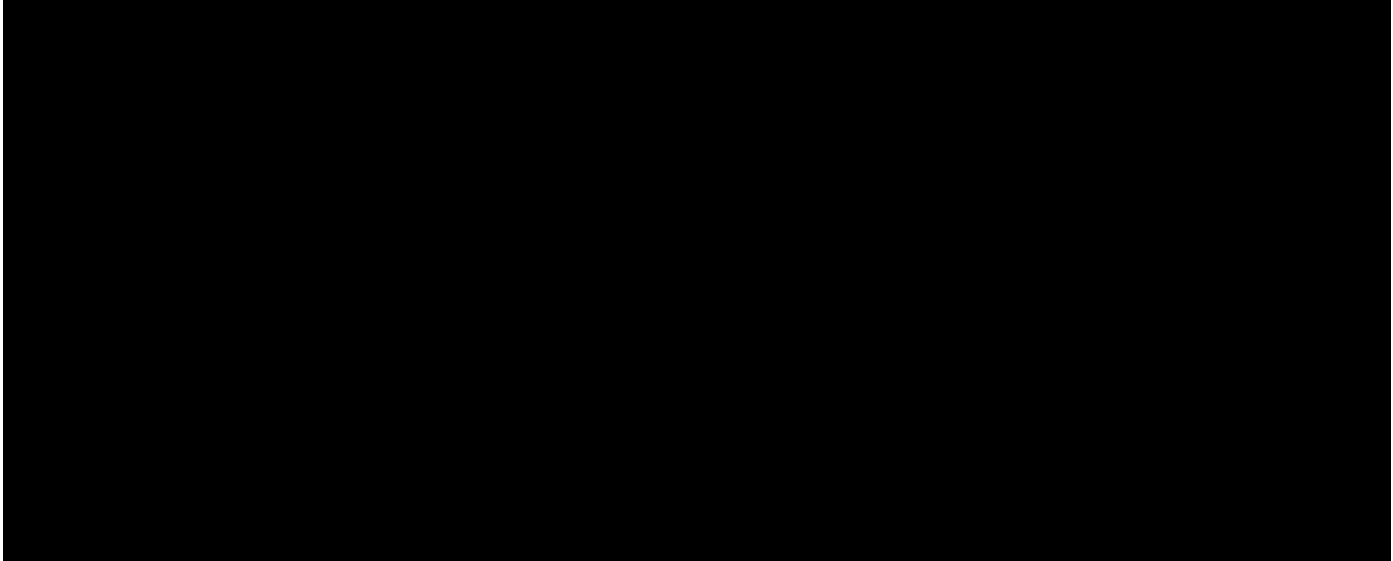
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**FW: UCSF PRA 020-107**

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Craig Alexander &lt;craig@craigalexanderlaw.com&gt;

Fri, Jun 25, 2021 at 2:31 PM



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**From:** Dellner, Tom <[Tom.Dellner@ucsf.edu](mailto:Tom.Dellner@ucsf.edu)>  
**Sent:** Friday, June 25, 2021 2:01 PM  
**To:** Craig Alexander <[craig@craigalexanderlaw.com](mailto:craig@craigalexanderlaw.com)>  
**Subject:** RE: UCSF PRA 020-107

Hello and good afternoon, Mr. Alexander. I hope you are well on this Friday.

In further response to PRA 020-107 and specifically in reply to the follow-up email of May 6, 2021 below, please find attached hereto the consent form used at the Mt. Zion Women's Option Center.

Regarding the request for records related to the 2011 study, I am advised that UCSF supply chain changed systems since the time of the study referenced in your email and no records related to that acquisition were found. However, we did locate other records related to the vendor Advanced Bioscience Resources. Per our standard practices, the vendor was provided an opportunity to seek injunctive relief for any portions of the record they wish to protect, as UCSF intends to produce information provided by the vendor with redactions only to remove an unpublished fax number and email address. ABR were given until Friday 7/2/21 to obtain such an order. Otherwise, it is my intention to begin producing those records to you on Tue 7/6/21.

Please note that this reply is in addition to the next production of log information that I will send shortly.

Thanks, kind regards,

td

**TOM DELLNER**

he/him/his

Analyst

UC Legal – San Francisco

UCSF Office of Legal Affairs

[745 Parnassus Ave, San Francisco, CA 94143-0986](#)

(415) 476-2812

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**From:** Craig Alexander  
**Sent:** Thursday, May 6, 2021 1:34 PM  
**To:** Dellner, Tom <[Tom.Dellner@ucsf.edu](mailto:Tom.Dellner@ucsf.edu)>  
**Subject:** RE: UCSF PRA 020-107

Thank you Mr. Dellner,

My client has asked that I seek two follow up questions / requests.

The first is you kindly provided us with a blank consent form for tissue donation for the Women's Options Center. They understand that the WOC operates two clinics – one at [1001 Potrero Ave.](#) and one at the Mount Zion Medical Center campus ([2356 Sutter St.](#) and [1600 Divisadero Street](#)). Do both clinic locations use the same form? If not is there a different form for the Mount Zion location?

My client noticed that on the first page, second paragraph of the UCSF study from 2011 (“Preexposure Prophylaxis with Albumin-Conjugated C34 Peptide HIV-1 Fusion Inhibitor in SCID-hu Thy/Liv Mice” <https://aac.asm.org/content/56/4/2162> ) it states “Human fetal thymus and liver were obtained through services provided by a nonprofit organization (Advanced Bioscience Resources, Alameda, CA) in accordance with federal, state, and local regulations.”

Does UCSF have any records from that partnership / relationship / vendor relationship? Of that acquisition? If so we ask for a copy of same.

Thank you,

Craig Alexander

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**From:** Dellner, Tom <[Tom.Dellner@ucsf.edu](mailto:Tom.Dellner@ucsf.edu)>  
**Sent:** Tuesday, May 4, 2021 10:59 AM  
**To:** Craig Alexander <[craig@craigalexanderlaw.com](mailto:craig@craigalexanderlaw.com)>  
**Subject:** RE: UCSF PRA 020-107

Good morning, Mr. Alexander. Thanks for your time today.

Further to our call, UCSF has no records responsive to the request for human fetal tissue collections by researchers from outside UCSF.

Thank you, kind regards, td

**TOM DELLNER**

he/him/his

Analyst

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**From:** Craig Alexander <[craig@craigalexanderlaw.com](mailto:craig@craigalexanderlaw.com)>  
**Sent:** Wednesday, April 21, 2021 12:43 PM  
**To:** Dellner, Tom <[Tom.Dellner@ucsf.edu](mailto:Tom.Dellner@ucsf.edu)>  
**Subject:** RE: UCSF PRA 020-107

This Message Is From an External Sender

This message came from outside your organization.

Tom,

Thank you for taking my call.

I have spoken to my client and they did not need to make the university go through all of the permission / donation forms to redact the personal information of the mothers / women who had abortions at the Options Center. The “logs” (as we have been calling them) with the aggregate information without the names of the donators is sufficient. We assume that will include (but want to mention to you) the dates involved, the fetuses’ weight, approximate age – stage of development, if any “foot measurement” was taken and what project the fetal tissue was checked out / delivered for is part of the “log”. I look forward to hearing back from you about the details of how to get my client these logs of aggregate information. It is also our understanding that the fetal tissue “bank” at the Women’s Option Center (or wherever UCSF keeps the tissue) only supplies fetal tissue to UCSF personnel / projects. If the fetal tissue from the Women’s Options Center “bank” is also given or delivered to non-UCSF projects, personnel, etc. my client would like the “logs” on that as well. We assume that would come from the same data base as for UCSF projects.

Also, what is the status on 3.1 and 3.2 below? Are there any UCSF responsive records for this category?

Thank you for letting me know about the grant applications and specifically that some of them are “mentor” applications with the requestor’s personal information such as class grades in either medical school or undergraduate courses. I have confirmed that my client is not interested in that and will be happy to receive this information with that information redacted.

Craig Alexander

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**From:** Dellner, Tom <[Tom.Dellner@ucsf.edu](mailto:Tom.Dellner@ucsf.edu)>  
**Sent:** Friday, February 12, 2021 5:19 PM  
**To:** Craig Alexander <[craig@craigalexanderlaw.com](mailto:craig@craigalexanderlaw.com)>  
**Cc:** Gee, Brenda <[Brenda.Gee@ucsf.edu](mailto:Brenda.Gee@ucsf.edu)>  
**Subject:** FW: UCSF PRA 020-107

Hello and good afternoon, Mr. Alexander. I hope this finds you well.

Thank you for your patience with this request. UCSF has been heavily impacted by the COVID-19 pandemic resulting in longer than usual processing time for CPRA requests. Most UCSF resources have been primarily focused on our public health mission – including the recent opening of a vaccination site. While that is a proud accomplishment, UCSF also remains cognizant of our responsibilities under CPRA. I regret that I was not able to get a response to you sooner.

As before, to try to better track the elements of the request, I built a table. Below the table are additional details (based on some of the questions in your letter of February 10, I'm not sure that you saw my December 8, 2020 reply also included additional details below the table).

<b>Request 1</b> <i>From January 1, 2008 and the present date.</i>		
<b>1.1</b>	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...	No Responsive Records
<b>1.2</b>	Human fetal tissue procurement logs and transportation logs...	No responsive records in central procurement. No responsive records in central transportation.
	Stoddart, Cheryl	
	Rackaityte, Elze	No responsive records
	Halkias, Joanna	No responsive records
	Henrich, Timothy	No responsive records
	Sneddon, Julie	Dr. Sneddon believes she may have responsive records in form of invoices pertaining to tissue collection. She is in the process of attempting to locate them
	Bhaduri, Aparna	No responsive records
	Knox, Sarah Monica	No responsive records
	Verkman, Alan	No responsive records
	Rowitch, David	
	Retallack, Hanna	No responsive records

	Baskin, Laurence / Cunha, Gerald	No responsive records
	Tran, Nam	Produced 2/12/21
1.3	Revised in 2/10/21 Letter: "Any and all communications, emails, documents, logs or other records of fetal tissue procurement or donation from the aforementioned entities, including but not limited to those involving Dr. Jennifer Kerns, Director of Research at the Women's Options Center 6G."	Search in progress
1.4	Any and all Contracts between UCSF and NIH regarding the procurement of human fetal tissue including	No responsive records
<b>Request 2</b>	<i>From January 1, 2008 and the present date.</i>	
2.1	All documents regarding any active fetal tissue research projects not funded by NIH...	Overly broad – See Below
<b>Request 3</b>	<i>From January 1, 2008 and the present date.</i>	
3.1	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.	Search in progress
3.2	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.	Search in progress
3.3	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	Produced 2/12/21 – See Below
<b>Request 4</b>	<i>From January 1, 2008 and the present date.</i>	
4.1	Any and all communications between UCSF and the Desert Star Institute for Family Planning	Overly broad – see below.
4.2	Any and all contracts between UCSF and the Desert Star Institute for Family Planning	No responsive records
4.3	Any and all payments on any contracts by and between UCSF and the Desert Star Institute for Family Planning	No responsive records

**1.2:** UCSF will continue to work with the remaining three individuals to locate and produce any responsive records.

Your letter of February 10 included a statement that procurement does not just mean a contract for products (fetal tissue) in exchange for money. It also means instances where UCSF laboratories obtained fetal tissue with or without a payment of money or other consideration that there are no responsive records for fetal tissue procurement or transportation logs in the central units. Please note that my December 8 reply acknowledged that point by indicating that to properly process your client's request, UCSF must also contact each of the research units to determine if they have records locally. That process is also what has led to the longer processing time. Under the University's pandemic policies, it is more difficult to conduct searches in individual labs – whereas centralized units like procurement can complete CPRA searches fairly quickly.

**1.3:** The request for any and all communications is overly broad.

Your letter of February 10 asks if UCSF attempted to search for responsive records. The University did search for responsive records. It was during that process that we learned that several of the named persons were no longer with UCSF and had no accounts to search. Thank you for assisting UCSF locate documents by proposing a revision to:

"Any and all communications, emails, documents, logs or other records of fetal tissue procurement or donation from the aforementioned entities, including but not limited to those involving Dr. Jennifer Kerns, Director of Research at the Women's Options Center 6G."

**1.4:** UCSF conducted a search that was calculated to locate any contracts between UCSF and NIH regarding the procurement of HFT.

I do not understand the portion of your letter of February 10 about this item.

**2.1:** This element is overly broad and cannot be processed.

Your letter of February 10 asks why this is overly broad. I do not believe that you saw the below paragraph that was included in my December 8 reply:

UCSF does not have a central repository of research projects and therefore UCSF has no way to search for "any active fetal tissue research projects", regardless of how they are funded. I'm not certain how to be helpful in refining this request. UCSF has research projects that are not funded by NIH. The example that comes to mind immediately is CIRM (<https://stemcellclinic.ucsf.edu/>). UCSF would need to know the name of the PI/Researcher or the sponsor to be able to initiate a search. The other complicating factor for this element is that, as written, it appears to call for documents related to active research. As you may know, CPRA (and FOIA) exempt records related to research prior to publication. Accordingly, we would need your client to not only to refine the request by providing information that could help UCSF identify responsive record(s) – but also observe the exemption for records related to in-progress, unpublished research.

**3.1 / 3.2:** Search in progress. I'm not sure of what the status is currently but I will check with Brenda who will likely have a better idea.

**3.3:** UCSF follows all ACGME OB/GYN Program Requirements as training standards (attached, but also available on [acgme.org](http://acgme.org)). Beyond those standards, the UCSF program also has "learning objectives" (see attached). I note that your letter of February 10 finds it doubtful that there can be exemptions for training standards, to which I agree. The review was due to the learning objectives document also including the resident schedules. The schedule portion of the attached document has been redacted. I was advised that the same learning objectives have been in place since January 1, 2008.

**4.1:** Your letter of February 10 includes limiting this element – however, it is still overly broad. The issue is that we didn't locate any contracts or payments to the Desert Start Institute of Family Planning entity. The request for communications between "UCSF" and the Desert Star is not something that we can process. Do you or your client have a name of a UCSF faculty or staff? Even if they have since separated, that would at least help us determine what department or title they had. To be thorough, I even tried a couple of Google searches for UCSF and Desert Star but did not find anything relevant (I'm not sure CRPA requires that – but we always process requests in good faith). Can you help us determine who your client thinks might have these communications?

Thanks, kind regards, td



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