

**TRADE SECRET STATUS AFFIDAVIT**  
**STATE OF GEORGIA**  
**REQUEST FOR PROPOSAL, REQUEST FOR QUOTE, or REQUEST FOR QUALIFIED CONTRACTOR**  
**Electronic Request for Proposals (eRFP) Number: 41900-DCH0000136**  
**Pharmacy Benefit Services**

All documents, data, letters and generated information received by the State constitutes a "public record" and is subject to disclosure under the Georgia Open Records Act ("GORA"). O.C.G.A. § 50-18-70 *et seq.* However, pursuant to O.C.G.A. § 50-18-72(a)(34), "[an] entity submitting records containing trade secrets that wishes to keep such records confidential under this paragraph shall submit and attach to the records an affidavit affirmatively declaring that specific information in the records constitute trade secrets pursuant to Article 27 of Chapter 1 of Title 10 [O.C.G.A. § 10-1-760 *et seq.*]."

O.C.G.A. § 10-1-761(4) defines "Trade secret" as "...information, without regard to form, including, but not limited to, technical or nontechnical data, a formula, a pattern, a compilation, a program, a device, a method, a technique, a drawing, a process, financial data, financial plans, product plans, or a list of actual or potential customers or suppliers which is not commonly known by or available to the public and which information:

- A. Derives economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use; and
- B. Is the subject of efforts that are reasonable under the circumstances to maintain its secrecy."

Therefore, the records listed below and attached hereto, that were submitted with Myers and Stauffer LC's response to the State of Georgia eRFP Number 41900-DCH0000136, Pharmacy Benefit Services are marked confidential pursuant to O.C.G.A. § 10-1-761(4):

**Approach/Methodology and Related Processes**

- MSQ2.1 – Sample HIV Clinical Drug Monographs.
  - **Justification: O.C.G.A. § 10-1-761(4)**  
The nature of our business as a professional healthcare services firm dictates that our audit/system guides, approach/plans, risk scoring, diagrams/flowsheets and related materials are our "secret formulas" or proprietary trade secrets. Specifically, these documents contain details of our production approach and processes that are developed specifically by our company and, if placed in the hands of our competitors, would provide them with access to methods that we have taken years to develop, test, and refine. All of our flow diagrams and charts contain information that is not generally known or easily accessible by the public. We take reasonable efforts to keep this information confidential such as maintaining non-disclosure agreements and access controls. Access is limited to

our clients, leadership, and managerial staff who participate in the development of the proposal response. These materials also include information about our internal information technology structure, systems, and policies that, if made public, could not only jeopardize the safety and security of our firm's confidential and proprietary information, but also of our client's protected data and information.

Samples of our work, such as clinical drug monographs, are compilations and analysis of information that require substantial investment in time and training in order to produce. Specifically, these documents contain details of our review, analyses, and assessed value proposition of medications and are developed specifically by our company and, if placed in the hands of our competitors, would provide them with access to compilations, formats, and methods that we have taken years to develop, test, and refine. Further, these compilations are labeled proprietary and have limited disclosure to authorized parties. These documents have economic value to our business and provide a competitive advantage.

#### **Staffing and Related Information**

- MSQ8 – Staffing, Organizational Chart.
- MSQ8 – Staffing, Proposed Staff Chart, name and organization information.

- ***Justification: O.C.G.A. § 10-1-761(4)(B)***

Our staffing strategy as presented in our organizational charts, team summaries, and resumes represents our most strategic planning to offer our clients the best mix of expertise in the most efficient and cost-effective manner. Access to this information would provide our competitors insight into not only the strengths of our team members, but also our staffing “formula” for this project. It would allow them to copy/model their teams after ours for future procurements. It also allows for easy access to the qualifications of our most experienced personnel, paving the way for headhunters and recruiters to “steal” our resources. Knowledge of our staffing process and access to resumes of our subject matter experts and team members would present an incredible advantage to our competitors.

Under penalty of perjury, acknowledging that O.C.G.A. §16-10-71 provides a penalty of a fine of up to \$1,000 and potential imprisonment of one to five years, I attest that the specific information in the records listed above constitutes trade secrets pursuant to O.C.G.A. § 10-1-761(4), and request that the State of Georgia not disclose this protected information under the Georgia Open Records Act (“GORA”).

Signature:



T. Allan Hansen  
Principal/Partner  
Myers and Stauffer LC

Date: May 13, 2024

SUBSCRIBED AND SWORN BEFORE

ME ON THIS 13 DAY OF

May, 2024.



NOTARY PUBLIC

My Commission Expires: 12/21/2025

