

**IN THE CIRCUIT COURT OF COLE COUNTY, MISSOURI
CIVIL DIVISION**

BROOKE SCHREIER GANZ, both)	
individually and as an authorized)	
representative of RECLAIM THE)	
RECORDS, a non-profit, unincorporated)	
association,)	
)	
Plaintiffs,)	Case No.16AC-CC00503
)	
vs.)	
)	
MISSOURI DEPARTMENT OF)	
HEALTH AND SENIOR SERVICES,)	
)	
Defendant.)	

NOTICE OF DEPOSITION

PLEASE TAKE NOTICE that plaintiffs will take the deposition of an authorized representative of the Missouri Department of Health and Senior Services on October 25, 2017, at the offices of Lathrop Gage, LLP, 314 E. High Street, Jefferson City, MO 65101, beginning at 11:00 a.m.

PLEASE TAKE FURTHER NOTICE that pursuant to Rule 57.03(b)(4) of the Missouri Rules of Civil Procedure, the Missouri Department of Health and Senior Services is requested to designate one or more persons to testify on the following matters:

1. The factual basis for the claim of privilege for each document identified on the “Ganz Updated Privilege Log – 2017.03.28,” attached as Exhibit 1.
2. The factual basis for the claim of privilege for each document identified on the “Ganz Updated Redaction Log – 2017.03.28,” attached as Exhibit 2.
3. The identity and general job responsibilities of each sender and recipient on Exhibits 1 and 2.

4. The nature of the legal advice or sought for any document alleged to be “attorney client communication” on Exhibits 1 and 2.
5. The reason any attorney was included on any document alleged to be “attorney client communication” on Exhibits 1 and 2.
6. The nature of the litigation you anticipated that forms the basis of your assertion of attorney work product for any document alleged to be “attorney work product” on Exhibits 1 and 2.
7. The specific claims you anticipated being brought in the litigation which you anticipated that forms the basis of your assertion of attorney work product for any document alleged to be “attorney work product” on Exhibits 1 and 2.
8. The anticipated parties to the litigation which you anticipated that forms the basis of your assertion of attorney work product for any document alleged to be “attorney work product” on Exhibits 1 and 2.
9. The basis of your anticipation of the litigation which you anticipated that forms the basis of your assertion of attorney work product for any document alleged to be “attorney work product” on Exhibits 1 and 2.
10. The date the decision was made to deny Plaintiffs’ Sunshine Law requests.
11. The reason (or reasons) allegedly privileged information cannot be redacted from any document listed on Exhibit 1.
12. The nature of the information redacted on each of the documents listed on Exhibit 2.

PLEASE TAKE FURTHER NOTICE that pursuant to Rule 57.03(b)(3) of the Missouri Rules of Civil Procedure, the authorized representative is requested to bring to

the deposition copies of each of the documents listed on Exhibits 1 and 2. Plaintiffs' counsel will not ask to inspect or copy the documents at the deposition, but instead the documents will be available to the witness to aid in answering questions on the topics set forth above.

Respectfully submitted,

LATHROP GAGE, LLP

By: /s/Bernard J. Rhodes

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ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I certify that a copy of the above was sent by e-mail on October 15, 2017, to the following:

Joel Reschly
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/s/Bernard J. Rhodes
An Attorney for Plaintiffs