



HD MEDIA COMPANY, LLC

June 5, 2018

Bob Bailey
President
Cabell County Commission
750 5th Avenue
Huntington, WV 25701

2018 JUN -5 AM 7:37

CABELL COUNTY
COMMISSION

Dear Mr. Bailey:

Please consider this a request made under the West Virginia Freedom of Information Act, W.Va. Code 29B-1-1, et seq. Please provide the following information:

- 1. Drug Enforcement Administration ARCOS/DADS data released to the commission in the matter of Cabell County Commission v. AmerisourceBergen Drug Corporation, et al; Case No. 1:17-op-45053-DAP (S.D. W.Va); Transferred by the Judicial Panel on Multidistrict Litigation. In Re: National Prescription Opiate Litigation, Case No. 1:17-md-2804 (N.D. Ohio). We are requesting this information in electronic format.**
- 2. Any emails or other correspondence sent by the DEA to the commission's outside counsel regarding the confidentiality of the data in its use in the Second Amended Complaint.**

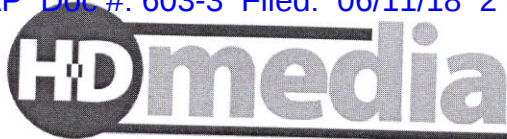
If you choose to withhold any records which are responsive to my request, please provide me with an index of those documents. The index should describe each document and the claimed exemption, provide a relatively detailed justification as to why each document is exempt, and specifically explain the basis for the claimed exemption. See Daily Gazette Co. v. West Virginia Development Office, 198 W.Va. 563, 482 S.E.2d 180 (1996).

If any records in your agency's custody **or control** contain both exempt and non-exempt material, please provide redacted copies of these documents. See Ogden Newspapers Inc. v. City of Williamstown, 192 W.Va. 648, 453 S.E. 2d 631 (1994).

As I am sure you are aware, the disclosure provisions of the state FOIA are to be liberally construed, and the withholding provisions strictly construed. The party claiming exemption has the burden of showing the express applicability of such exemption to the material requested. See Queen v. West Virginia University Hospitals, 179 W.Va. 95, 365 S.E. 2d. 375 (1987).



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I assume you will, within 5 days, provide me with the records I have requested, advise me of the time and place at which I may inspect and copy the materials, or deny my request, stating in writing the reasons for such denial. If you have any questions about this request, please contact me at (304) 348-4869. Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in blue ink that reads "Courtney Hessler".

Courtney Hessler
Police/Courts reporter
Herald-Dispatch

Eric Eyre
Statehouse reporter/Investigations
Gazette-Mail



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• The Herald-Dispatch • Charleston Gazette-Mail • The Putnam Herald • The Putnam Review • Tri-State Weekly • The Pulse
• The Wayne County News • The Logan Banner • The Williamson Daily News • The Coal Valley News • The Independent Herald