

March 12, 2015

Michael J. Norton
Natalie L. Decker
Alliance Defending Freedom
Greenwood Corporate Plaza Building #3
7951 E. Maplewood Avenue, Suite 100
Greenwood Village, CO 80111

Brian Chavez-Ochoa
Chavez-Ochoa Law Offices, Inc.
4 Jean Street, Suite 4
Valley Springs, CA 95252

David C. Gibbs III
President
National Center for Life and Liberty
PO Box 270548
Flower Mound, TX 75027-0548

Dear Mr. Norton, Ms. Decker, Mr. Chavez-Ochoa and Mr. Gibbs:

In response to your letter dated March 2, 2015 which contained requests for records pursuant to the California Public Records Act, the City of El Centro ("the City") will comply with your request and provide documents in the City's possession, custody, and control that may legally be provided under the California Public Records Act.

The California Public Records Act exempts from disclosure "[r]ecords, the disclosure of which is exempted or prohibited pursuant to federal or state law, including, but not limited to, provisions of the Evidence Code relating to privilege." California Government Code §6254(k). To the extent the request seeks documents or communications that are (i) confidential due to the attorney-client privilege set forth in California Evidence Code §950 – 955 and/or (ii) confidential due to the attorney work product privilege set forth in California Code of Civil Procedure §2018, they are exempt from disclosure and will not be disclosed. To the extent the requests seek documents or communications that are confidential pursuant to California Government Code §54963, they are exempt from disclosure and will not be disclosed.

City Clerk

1275 Main Street, El Centro, CA 92243 (760) 337-4515 Fax (760) 337-4564

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The following is a list of the requests the City was able discern from your March 2, 2015 correspondence and the City's response.

1. All documents dated January 1, 2012 to March 2, 2015 which concern or relate to the proposed Planned Parenthood transfer agreement with El Centro Regional Medical Center ("ECRMC" or "the hospital").

The City cannot comply with this request because the City does not have any documents that can legally be disclosed in its care, custody and control that are responsive to this request.

2. All documents dated January 1, 2012 to March 2, 2015 that concern or relate to the threat of litigation to ECRMC by Planned Parenthood (or any other person or entity) and concerning the Planned Parenthood transfer agreement with ECRMC.

The City cannot comply with this request because the City does not have any documents that can be legally disclosed in its care, custody and control that are responsive to this request.

3. All documents dated January 1, 2012 to March 2, 2015 that concern or relate to the statutory, regulatory, or administrative bases for the claim(s) that ECRMC, should it not enter into the Planned Parenthood transfer agreement, will lose all federal and state Medicaid and/or Medicare funding.

The City cannot comply with this request because the City does not have any documents that can legally be disclosed in its care, custody and control that are responsive to this request.

4. All documents dated January 1, 2012 to March 2, 2015 that memorialize communications from or to and to or from ECRMC and/or the City concerning the Planned Parenthood transfer agreement with ECRMC.

The City cannot comply with this request because the City does not have any documents that can legally be disclosed in its care, custody and control that are responsive to this request.

5. All documents dated January 1, 2012 to March 2, 2015 that concern or relate to any investigation conducted by the ECRMC and/or the City regarding the Planned Parenthood transfer agreement.

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The City cannot comply with this request because the City does not have any documents that can legally be disclosed in its care, custody and control that are responsive to this request.

6. Audio/video recording of the February 24, 2015 Board of Trustees meeting.

The City cannot comply with this request because the City does not have any documents that can legally be disclosed in its care, custody and control that are responsive to this request.

7. Minutes of or notes from the Closed Session of the February 24, 2015 Board of Trustees meeting.


The City cannot comply with this request because the City does not have any documents that can legally be disclosed in its care, custody and control that are responsive to this request.

8. A copy of the executed transfer agreement.

The City will comply with this request and produce the requested document. The document is attached.

The purpose of this correspondence is solely to respond to the public records act request portion of your letter of March 2, 2015 within ten days as required by the California Public Records Act. Based upon the above, and in accordance with Government Code §6253(d), I, as the Custodian of Records for the City of El Centro, am responsible for the partial denial of your requests.

Sincerely,


L. Diane Caldwell
City Clerk