



August 24, 2015

Lisa Hull  
Public Records Custodian  
University of Wisconsin-Madison  
Office of Compliance  
500 Lincoln Drive, Room 94 Bascom Hall  
Madison, WI 53706  
Lisa.Hull@wisc.edu

Re: Public Records Request Regarding Two UW-Madison OBGYN Department Studies

Dear Ms. Hull:

Pursuant to the state public records law, Wis. Stat. §§ 19.31–19.37, I request access to and a copy of documents relating to the following two studies conducted by researchers at the University of Wisconsin-Madison OBGYN Department:

- Iruretagoyena JI, Davis W, Bird C, Olsen J, Radue R, Teo Broman A, Kendziorski C, Splinter BonDurant S, Golos T, Bird I, Shah D., “**Metabolic gene profile in early human fetal heart development,**” *Mol. Hum. Reprod.* 2014 Jul;20(7):690-700. doi: 10.1093/molehr/gau026. See <http://www.ncbi.nlm.nih.gov/pubmed/24674993> .
- Iruretagoyena JI, Davis W, Bird C, Olsen J, Radue R, Teo Broman A, Kendziorski C, Splinter BonDurant S, Golos T, Bird I, Shah D., “**Differential changes in gene expression in human brain during late first trimester and early second trimester of pregnancy,**” *Prenat. Diagn.* 2014 May;34(5):431-7. doi: 10.1002/pd.4322. See <http://www.ncbi.nlm.nih.gov/pubmed/24436137> .

In particular, for both or either of the studies, I seek documents reflecting:

- The location(s), including the clinic name(s) and address(es), where the terminations of pregnancy occurred that were the source(s) for the fetal tissues used in the studies, and the locations where those fetal tissue samples were originally collected; the dates of their collection; which listed authors of the studies, or their employees or UW staff, or known staffs of the clinics, or known staffs of third party agencies hired for collection, were present at the time of collection; and the names of any person or entity that transported the tissue samples.

- Payments made for any reason to the clinics, collectors, or transporters of the heart or brain tissue samples for the collection, transport or storage processes; and the source(s) of the money used for such payments.
- Whether those collecting the tissues were in the room or a nearby room during the terminations of pregnancies.
- The methods used to terminate the pregnancies; whether digoxin or potassium chloride was used; whether the fetuses were delivered intact; the precise method of extracting the heart and brain tissues; whether the timing or method of terminating the pregnancies was adjusted in order to account for the tissue collection process; and whether any fetus was alive or any of their hearts were still beating after the fetuses were delivered or at the time the tissue was extracted.
- Consent forms from the mothers of the fetuses; and the IRB committee reviews and the IRB clearances for the studies.

Please forward this request to the public records custodian responsible for records from the UW-Madison OBGYN Department if that person is not you. If UW-Madison does not maintain these public records itself, please let me know who does and include the proper custodian's name and address. I agree to pay any reasonable copying and postage fees of not more than \$100. If the cost would be greater than this amount, please notify me and provide a receipt indicating the charges for each document. As provided by the open records law, I request your response as soon as practicable and without delay. If you choose to deny this request, please provide a written explanation for the denial including a reference to the specific statutory exemption(s) upon which you rely. Also, please provide all segregable portions of otherwise exempt material. Please be advised that I am prepared to pursue whatever legal remedy necessary to obtain access to the requested records, and that violation of the open records law can result in the award of attorney fees, damages of not less than \$100 and other actual costs. I would further note that if a court determines that an official's noncompliance with the law was arbitrary or capricious, it may award punitive damages and assess fines of up to \$1000.

Respectfully submitted,

s/ Matthew S. Bowman

Matthew S. Bowman  
Senior Legal Counsel  
Alliance Defending Freedom