

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

DEC 22 2016

RICK WARREN
COURT CLERK

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ZIVA BRANSTETTER and BH MEDIA
GROUP, INC. d/b/a TULSA WORLD,

Plaintiffs,

v.

MARY FALLIN, in her official capacity as
GOVERNOR OF THE STATE OF
OKLAHOMA; MICHAEL C.
THOMPSON, in his official capacity as
COMMISSIONER OF THE OKLAHOMA
DEPARTMENT OF PUBLIC SAFETY,

Defendants.

Case No. CV-2014-2372
Judge Bryan Dixon

**NOTICE TO THE COURT REGARDING
COMPLIANCE WITH ORDER OF DECEMBER 9, 2016**

COMES NOW the Oklahoma Department of Corrections, pursuant to this Court's Order of December 9, 2016, and hereby provides notice to the Court regarding privileged or confidential documents.

BACKGROUND

1. On October 26, 2016, Plaintiffs filed their "Motion for *In Camera* Review and to Compel the Disclosure of Records Improperly Withheld in Whole or in Part in Response to Plaintiffs' Open Records Act Requests," (hereinafter the "Motion"). That Motion sought certain documents from Defendant, Oklahoma Department of Public Safety (DPS).

2. Attached as page 22 to the Motion was "Appendix A," which outlines the pages of documents which Plaintiffs argue should be released to them by DPS without redactions.

3. Certain pages of the items listed in Appendix A contain information over which a privilege or confidentiality is asserted by the Oklahoma Department of Corrections (DOC), a non-party to this litigation.

4. On December 9, 2016, the Court ordered Defendant, DPS to (among other things) notify DOC of “Appendix A” and inquire as to whether or not non-party DOC “desires to raise a privilege” as to the documents listed in “Appendix A.”

PRIVILEGE AND CONFIDENTIALITY

Pursuant to the Court’s December 9, 2016 Order, DOC hereby notifies the Court of the following table outlining continuing assertions of privilege and/or confidentiality as to certain documents identified in “Appendix A.”

Appendix A Page Reference	Line(s)	Privilege(s) and/or Confidentiality Asserted
277	3-7	Attorney-client communication
278	9-12	Attorney-client communication Attorney work-product doctrine
285	13-21	Attorney-client communication Attorney work-product doctrine
288	16-22	Attorney-client communication Attorney work-product doctrine
295	1-9	Attorney-client communication
	13-18	Attorney-client communication
296	3-4	Attorney-client communication
306	19-21	Attorney-client communication
	24-25	Attorney-client communication
310	18-22	Attorney-client communication
319	6-8	Attorney-client communication
327	14-15	Attorney-client communication
	17-19	Attorney-client communication
414	19-24	Attorney work product doctrine
419	6-8	Attorney work product doctrine
421	6-7, 9, 11-15	Attorney-client communication
425	9-12	Confidential under Title 22 Okla. Stat. § 1015(B)
433	16-24	Confidential under Title 22 Okla. Stat. § 1015(B)

		Attorney work product doctrine
433-434	26-12	Attorney work product doctrine Attorney-client communication
434-435	15-1	Attorney-client communication
692	4-12	Confidential under Title 22 Okla. Stat. § 1015(B)
783	2	Protected Health Information
2058	7	Confidential under Title 22 Okla. Stat. § 1015(B)

Should the Court require further information regarding these designations of privilege and/or confidentiality, the DOC is available to provide such information or input as the Court requests.

Respectfully submitted,



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CERTIFICATE OF MAILING

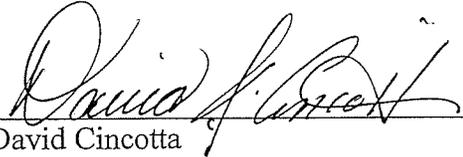
I hereby certify that a true and correct copy of the foregoing was mailed, postage prepaid, on the 22 day of December, 2016, to:

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