

In The  
**Supreme Court of Ohio**

STATE ex rel. Katherine Corwin,

Relator,

v.

Ohio Department of Health,

Respondent.

Original Action in Mandamus

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**COMPLAINT FOR ALTERNATIVE AND PEREMPTORY WRITS OF MANDAMUS**

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Katherine Corwin  
Reproductive Rights Law Initiative  
Case Western Reserve University School of  
Law  
11075 East Boulevard  
Cleveland, OH 44106

*Relator*

Ohio Department of Health  
246 N. High Street  
Columbus, OH 43215

*Respondent*

Katherine Corwin (105651)  
*Counsel of Record*  
B. Jessie Hill (074770)  
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*Counsel for Relator*

## INTRODUCTION

1. Relator Katherine Corwin brings this action to compel Respondent the Ohio Department of Health (“ODH”) to comply with Ohio law and provide the public records she requested.

2. Ohio’s public records law grants individuals the right to request public records and requires government agencies to transmit copies of those records “within a reasonable period of time,” unless the records are covered by an exception to disclosure. R.C. 149.43(B)(7). Pursuant to this law, Relator has made nine related requests for public records mentioning or referring to the Toledo Women’s Center in the possession of specific employees of ODH during a specified time period.

3. Throughout the months of correspondence that followed, counsel for Respondent has interposed groundless objections that Relator’s requests were overly broad, that Relator sought information rather than specific records, and that the records sought were covered by the attorney-client privilege. Respondent also at times claimed that specific records responsive to Relator’s request do not exist, or that all responsive records have been produced – but ultimately, Respondent admitted that a complete search for responsive records was never undertaken. Relator has made multiple attempts to meet and confer with Respondent and offered to refine her requests. But rather than provide Relator with information that could help her more clearly identify the records she seeks, Respondent has continued to assert groundless objections to Relator’s request.

4. All of ODH’s objections are legally untenable. Because Respondent has refused to perform its clearly defined duties to promptly provide the requested records and facilitate public access, Relator respectfully submits this complaint for alternative and peremptory writs of mandamus to require Respondent to provide her with the records she seeks.

## **JURISDICTION**

5. This Court has jurisdiction to hear this case pursuant to Article IV, Section 2(B)(1)(b) of the Ohio Constitution. “Mandamus is an appropriate action by which to compel compliance with the Public Records Act.” *State ex rel. Summers v. Fox*, No. 2018-0959, 2020 WL 7250544, \*4 (Ohio Dec. 10, 2020); *see also* R.C. 149.43(C)(1) (providing for the commencement of a mandamus action to obtain wrongly withheld public records).

## **PARTIES**

6. Relator Katherine Corwin is a resident of Hamilton County, Ohio, and is employed as a Legal Fellow for the Reproductive Rights Law Initiative at Case Western Reserve University School of Law.

7. Respondent Ohio Department of Health is a public entity that is charged with maintaining its records and making copies of them available within a reasonable period of time after they have been requested. R.C. 149.43.

## **FACTS**

8. On May 8, 2025, Relator submitted three public records requests (“PRRs # 1-3”) to Respondent the Ohio Department of Health regarding communications that mention or refer to the Toledo Women’s Center. Exhibit 1. Relator submitted this request via email to James Hodge (“Hodge”), ODH Chief of Healthcare Compliance; Andrea Denning (“Denning”), ODH Bureau Chief; and Tracey Lamb (“Lamb”), ODH Bureau of Regulatory Operations. Exhibit 2.

9. Specifically, Relator sought:

Any emails ... sent or received [by Hodge, Denning, and Lamb] that mention or refer to the Toledo Women’s Center from January 1, 2025 to [May 8, 2025]. This request includes all emails that mention or refer to the Toledo Women’s Center by name; all emails that mention or refer to the Toledo Women’s Center using an abbreviated name (such as ‘TWC’); all emails that mention or refer to the Toledo Women’s Center’s

owner/medical director (Dr. David Burkons); and all emails that mention or refer to all or part of the address of the Toledo Women's Center (1160 W. Sylvania Ave., Toledo, OH 43612). Exhibit 1.

10. On May 12, 2025, Relator received an email from Brenda Adams ("Adams"), Administrative Professional for the Office of the General Counsel, acknowledging ODH's receipt of PRRs #1-3. Exhibit 3.

11. On May 19, 2025 and May 28, 2025, Relator contacted Adams by email seeking a response to PRRs #1-3. Exhibit 4. Relator also contacted Hodge by email on May 21, 2025, seeking a response. Exhibit 5. Having received no records responsive to this request, Relator followed up with Hodge, Dennings, and Lamb one last time by email on June 3, 2025. Exhibit 6.

12. On June 5, 2025, Relator received an email from Brianne Brown ("Brown"), ODH Chief Legal Counsel, transmitting a letter that denied PRRs #1-3. Exhibit 7. In that letter, Brown argued that the request was overly broad, that Relator did not request specific records, and that the requested records include privileged attorney-client communications. *Id.* Brown also indicated that the "requests fail to request records based on the manner in which the [ODH] organizes its records," but Brown did not provide any information to Relator regarding the manner in which ODH maintains its records to assist Relator in revising her request. *See id.*

13. On June 16, 2025, Relator emailed Brown to request a meet and confer to discuss the denial of PRRs #1-3. A meet and confer was scheduled for July 10, 2025. In the interim, Relator sent three updated PRRs to Hodge, Denning, and Lamb, extending the time frame of the initial request through July 1. Exhibit 8 ("PRRs #4-6"). Adams confirmed receipt of the three updated requests on July 1, 2025. Exhibit 9.

14. However, after the close of business on July 9, 2025, Brown emailed Relator a set of



records responsive to a previous PRR Relator had submitted on April 17, 2025, and unilaterally cancelled the meet and confer scheduled for the next day. Relator quickly clarified that the meet and confer was for the purpose of discussing PRRs #1-3 and not the previous PRR. On July 10, 2025, Brown responded to Relator, stating that there was nothing to discuss because ODH had denied PRRs #1-3. *See* Exhibit 10. On July 11, 2025, Relator sent a letter to Brown rebutting Brown's claims that the PRRs were overbroad, not specific, and subject to attorney-client privilege. Exhibit 11.

15. On July 15, 2025, Brown responded to Relator, reiterating ODH's objections to the PRRs but noting that "in the interest of transparency, I have attached several email records that ODH was able to identify based on the current wording of your request." *See* Exhibit 12. Brown again invited Relator to submit a "revised, narrower request" but failed to provide any information regarding how ODH maintains its records to enable Relator to submit a revised request. *See id.* Upon information and belief, Brown did not provide all of the emails that a full search of Hodge's, Denning's, and Lamb's inboxes would require to fulfill the PRRs. In her email, Brown stated only that she attached "several emails," which suggested that they were not the entire universe of responsive emails. *See id.*

16. On July 17, 2025, Relator responded to Brown to clarify that the PRRs asked that the three named individuals search their emails using the specific search terms Relator provided in the PRRs. Additionally, Relator stated, "while we have already provided sufficiently precise information to execute this search, we will revise it further if necessary and possible, once you inform us of the manner in which ODH maintains and accesses its emails, as you are statutorily required to do. R.C. 149.43(B)(2)." *See* Exhibit 13.

17. On July 18, 2025, Relator sent three new PRRs ("PRRs #7-9") as a follow up to the

records that Brown produced on July 10, 2025. These requests were to Bill Robbins (“Robbins”), ODH Assistant Bureau Chief; Jayson Rogers (“Rogers”), Administrative Officer 2, Licensure and Certification Section of ODH; and Lamb. *See* Exhibit 14. Specifically, Relator sought from Robbins and Rogers:

Any emails that you have sent or received that mention or refer to the Toledo Women’s Center from January 1, 2025 to the date of this request (July 18, 2025). This request includes all emails that mention or refer to the Toledo Women’s Center by name; all emails that mention or refer to the Toledo Women’s Center using an abbreviated name (such as “TWC”); all emails that mention or refer to the Toledo Women’s Center’s owner/medical director (Dr. David Burkons); and all emails that mention or refer to all or part of the address of the Toledo Women’s Center (1160 W. Sylvania Ave., Toledo, OH 43612).

The email again provided specific search terms that could be used to fulfill those requests. *See* Exhibit 14.

The PRRs to Rogers and Lamb also requested production of a message that was referred to in one of the records that had been produced on July 10. Specifically, an email from Lamb to Rogers, dated January 28, 2025, contained the subject line “Toledo Womens Center,” in which Lamb said, “This is the one that I messaged you about – abortion center maybe?” *See* Exhibit 14. Adams confirmed receipt of all three new requests on July 18, 2025. Exhibit 15.

18. On July 23, 2025, Brown sent Relator an email declining to produce further emails responsive to the May 8 and July 1 requests (PRRs #1-6) and denying the requests to Robbins, Rogers, and Lamb (PRRs #7-9), stating only that in ODH’s view they were “legally insufficient” and that “this concludes our correspondence on this matter.” Exhibit 16.

19. On August 13, 2025, Relator sent a complaint pursuant to R.C. 149.43(C)(1) (“Section 149 Complaint”) to Respondent via certified mail for ODH’s failure to fulfill PRRs #1-9. Exhibit 17. Respondent was notified via return receipt that the complaint was delivered on August 18.

*See* Exhibit 18. On August 21, Brown emailed Relator and stated, “ODH has attached additional, potentially responsive emails, other than those withheld due to attorney-client privilege, to cure the failure alleged in your complaint within the three-day period of receipt of the complaint.” *See* Exhibit 19. Brown attached 15 responsive documents – none of which had been previously produced. On August 21, Relator responded, seeking clarification as to whether Brown had produced all of the responsive non-privileged documents. Brown refused to clarify, and responded stating, “my previous response speaks for itself.” *See* Exhibit 20.

20. On August 22, Relator again sought clarification whether all of the responsive emails had been provided. *See* Exhibit 21. Brown responded that same day, stating only that ODH cured the failure alleged in the Section 149 Complaint. *See id.* On August 25, Relator again sought clarification as to whether ODH had produced *all* responsive documents because the message from Lamb to Rogers, requested in PRRs #8 and 9 on July 18, had still not been produced. *See id.*; *supra* para. 17. Brown responded on August 25, not saying yes or no, but only repeating that “all responsive, non-privileged records have been produced.” *See* Exhibit 21.

21. On August 27, Relator asked why ODH was withholding the message between Lamb and Rogers. *See* Exhibit 21. Brown stated that no responsive record existed at the time of Relator’s request. *See id.* Relator asked whether the record had been deleted and asked for clarification on ODH’s record retention policy. *See id.* Brown again said that no responsive record existed at the time of Relator’s request and linked to ODH’s document retention schedule. Brown indicated that this was ODH’s final communication on the topic. *See id.*

22. Relator later discovered several responsive emails that Brown had not produced. In

addition, the productions from ODH did not include any emails from Hodge, other than one email from pri@odh.ohio.gov that was forwarded to Williams and Rogers containing PRR # 4 (addressed to Hodge), which was sent on July 1.

23. On October 7, 2025, Relator's supervisor Jessie Hill ("Hill"), emailed Brown regarding PRRs #1-9. Hill attached one of the emails in Relator's possession that ODH had not produced, and requested that Brown: (1) explain why an email that was responsive to Relator's request had not been produced; (2) conduct a more thorough search that would turn up the email as well as other responsive documents; and (3) confirm whether ODH had searched the inboxes and sent email boxes of all relevant personnel. Hill also offered to set up a time to meet and confer. *See* Exhibit 22.

24. On October 10, 2025, Brown responded to Hill that the PRRs were "legally insufficient and did not provide ODH with the necessary information to identify with reasonable clarity the records at issue." Exhibit 23. Brown further stated that due to the purported "legal insufficiency" of Relator's requests, ODH had conducted an "imprecise search . . . to the best of its ability" and "all responsive records that were returned through this search process were provided." *Id.* Brown advised Hill to "make a more precise, legally sufficient request" that includes the sender, recipient, date and time of the email, or sender, recipient, and desired time frame.<sup>1</sup> *See id.*

25. On October 24, 2025, Relator sent a second Section 149 Complaint to Respondent by certified mail, pursuant to R.C. 149.43(C)(1), for Respondent's failure to promptly make the records requested in PRRs #1-9 available to Relator for inspection. Exhibit 24. The Section 149

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<sup>1</sup> Specifically, Brown stated, "should you wish to make a more precise, legally sufficient request such as for 'a copy of the email sent from dmburkons@aol.com to andrea.denning@odh.ohio.gov on April 3, 2025 at 6:04 AM' or 'copies of emails sent or received between dmburkons@aol.com and andrea.denning@odh.ohio.gov [during a specified period of time],' ODH will respond in accordance with its obligations under the law." Exhibit 23.

Complaint was delivered on November 4, which began the statutory three-day period for Respondents to cure or address the failure alleged in that complaint. Corwin Affidavit ¶ 7; *see also* Exhibit 25. The three-day period expired on November 7. As of the date of filing this Action, Relator has not received any response from Respondents to cure or otherwise address the failure alleged in Relator’s complaint. Corwin Affidavit ¶ 8.

26. R.C. 149.43(C)(1) provides that three days after the public agency’s receipt of the Section 149 Complaint, an aggrieved party may file a mandamus action seeking the requested records.

### **ARGUMENT**

27. This Court should issue a writ of mandamus because Relator has a clear legal right to the records requested, and Respondent has a clear legal duty to provide them.

28. Respondent has maintained objections that Relator’s requests for public records are overly broad, that they fail to identify specific records, and that they are privileged attorney-client communications. Exhibit 7. These objections lack merit.

29. First, Relator’s requests are not overly broad, vague, or indefinite. The requests are narrowed by both “temporal and content-based limitation[s].” *State ex rel. Kesterson v. Kent State Univ.*, 2018-Ohio-5110, ¶ 24 (internal citations omitted). The requests covered a narrow time frame of only six months, sought only emails explicitly mentioning or referring to the Toledo Women’s Center, and were limited to correspondence from five specific ODH employees. *Compare Kesterson*, 2018-Ohio-5110, ¶ 25 (granting Kesterson’s request because she “limited each request temporally, by subject matter, and in all but one instance, by the specific employees concerned”), *with State ex rel. Glasgow v. Jones*, 2008-Ohio-4788, ¶ 17 (finding request for “all” email messages, text messages, and correspondence sent or received by a state representative during her entire tenure in office to be overbroad). Indeed, Relator even

provided five specific search terms in an attempt to aid Respondent's search for responsive records. Exhibit 13 and 14. Relator welcomed the opportunity to provide different or additional search terms if doing so would aid in ODH's ability to search its own records, but ODH rejected this offer. *See* R.C. 149.43(B)(2) (requiring agencies to "provide the requester with an opportunity to revise the request by informing the requester of the manner in which records are maintained by the public office and accessed in the ordinary course of the public office's or person's duties.").

30. Next, contrary to Respondent's objection, Relator's request does not merely seek information, but instead seeks existing electronic records. A public "record" in Ohio's Public Records law is defined as "any document, device, or item, regardless of physical form or characteristic, including an electronic record as defined in section 1306.01 of the Revised Code, created or received by or coming under the jurisdiction of any public office of the state or its political subdivisions, which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the office." R.C. 149.011(G). Emails to and from ODH employees are unquestionably "records" subject to the Public Records Act. *See Glasgow* at ¶ 20 (finding a state agency's emails to be "public records"). Because Relator sought emails mentioning the Toledo Women's Center, which is an ambulatory surgical facility (ASF) licensed and regulated by ODH, the emails Relator seeks relate to ODH's "functions, policies, decisions, procedures, operations, or other activities of the office" and are therefore unquestionably public records.

31. Moreover, to the extent Respondent has claimed that Relator must identify the specific record she seeks, Respondent is wrong. Ohio's Public Records Act "reflects the state's policy that open government serves the public interest and our democratic system." *State ex rel.*

*Morgan v. Strickland*, 2009-Ohio-1901, ¶ 9 (internal citations omitted). It is for this reason that the Act is to be interpreted “liberally in favor of broad access,” *id.*, and any exception to disclosure is “strictly construed against the public-records custodian.” *State ex rel. Cincinnati Enquirer v. Jones-Kelly*, 2008-Ohio-1770, ¶ 10. There is simply no requirement that Relator identify the specific record she seeks; indeed, to do so would render Ohio’s Public Records Act toothless. *See Morgan v. New Lexington*, 112 Ohio St. 3d 33, 2006-Ohio-6365, 857 N.E.2d 1208, ¶ 37 (“[W]e have never held that in order to constitute a viable request, the requester must specify the author and date of the records requested.” (internal citations omitted)).

32. Additionally, Relator’s request does not seek the production of any records that are protected by attorney-client privilege. When ODH first raised this objection, Relator clarified that she did not expect ODH to produce any privileged records. *See Exhibit 11*. In addition, for a communication to be privileged the communication must “facilitate the rendition of legal services or advice[.]” *State ex rel. Lanham v. DeWine*, 2013-Ohio-199, ¶ 29. Simply copying a lawyer on emails sent or received would not be enough for those emails to be considered privileged. *See State ex rel. Leslie v. Ohio Hous. Fin. Agency*, 2005-Ohio-1508, ¶ 29. If ODH meets its burden of proving that a record responsive to Relator’s request is exempt from disclosure pursuant to R.C. 149.43, ODH may withhold the record from production but it must still produce any nonprivileged responsive documents in its possession. R.C. 149.43(B)(1); *see also State ex rel. Nat’l Broad. Co. v. City of Cleveland*, 38 Ohio St.3d 79, 85 (1988) (noting that only the exempted portion of records may be redacted, “and any remaining information must be released”).

33. ODH and its personnel have a duty to “promptly” provide requested records. R.C.

149.43(B)(1). Relator’s initial public records requests were sent on May 8, 2025, over six months ago. Whether Respondent “complied with its statutory duty to respond within a reasonable period of time to [Relator’s] requests ‘depends upon all of the pertinent facts and circumstances.’” *State ex rel. Cordell v. Paden*, 2019-Ohio-1216, ¶ 12 (citing *State ex rel. Morgan v. Strickland*, 2009-Ohio-1901, ¶ 10). While ODH has produced *some* responsive documents, it is clear that ODH has not fully complied with Relator’s nine PRRs to produce *all* responsive documents. In fact, although ODH denied Relator’s PRRs #1-6, it still produced “several” documents “in the interest of transparency.” And it was only after being served with Relator’s first Section 149 Complaint that ODH produced fifteen more, previously unproduced emails. Additionally, because ODH produced only one email from Hodge – who oversees licensing of ASFs such as the Toledo Women’s Center, which was actively applying for a license at the time of the PRRs – it is unlikely that any search for responsive documents in Hodge’s email was conducted. Most recently, ODH admitted that it conducted only an “imprecise search” for records due to the “legal insufficiency” of Relator’s requests. Thus, ODH’s previous assertion that all responsive, non-privileged documents had been produced is apparently untrue. Taken together, these facts and circumstances demonstrate that ODH has failed to promptly produce all records responsive to Relator’s requests, and its delay is intentional and unreasonable. *See State ex rel. Warren Newspapers v. Hutson*, 70 Ohio St. 3d 619 (finding a four month delay in complying with a public records request unreasonable).

34. Additionally, “if a request is ultimately denied, in part or in whole, the public office or the  
person responsible for the requested public record shall provide the requester with an explanation, including legal authority, setting forth why the request was denied.” ORC §



149.43(B)(3). Throughout the months of correspondence following Relator's requests, Respondent has continued to stonewall Relator in her quest for records and has asserted baseless objections in an attempt to put the burden on Relator to revise already narrow requests. Although ODH maintained at first that PRRs #1-6 were overbroad, it now vaguely asserts that all of Relator's requests are "legally insufficient" but fails to provide the legal authority upon which the requests are denied. A public records custodian "has the burden to establish the applicability of an exception" to the public records law and fails to "meet this burden if it has not proven that the requested records fall squarely within the exception." *State ex rel. Cincinnati Enquirer v. Jones-Kelley*, 2008-Ohio-1770, ¶10. Here, ODH has failed to provide a basis upon which the PRRs were denied, other than its vague claim that they are "legally insufficient."

35. ODH is also required to "organize and maintain public records in a manner that they can be made available for inspection or copying." R.C. 149.43(B)(2). If ODH denies an overbroad or ambiguous request, it is affirmatively required to "provide the requester with an opportunity to revise the request by informing the requester of the manner in which records are maintained by the public office and accessed in the ordinary course of the public office's or person's duties." *Id.* ODH has repeatedly declined to meet or confer with Relator or her supervisor and has failed to indicate how ODH's records are maintained despite repeated requests from Relator. Without having any information to aid Relator in submitting a revised request, Relator has no ability to conform her request to the way in which ODH maintains its records and by which such records can be "accessed in the ordinary course of the public office's or person's duties." Finally, if ODH's system actually requires the public to provide the name of the sender, recipient, and date and time a message was sent, such organization violates the Public Records Act in that this is not a manner in which such records can be made available for inspection or copying.

36. Respondent has failed to fulfill its clear legal duty by refusing to provide requested public records, to maintain its records so that they can be accessed by the public, or to provide the Relator any opportunity to revise her request. Relator is an aggrieved person under the law. Therefore, this Court should issue a writ of mandamus compelling Respondents to provide Relator copies of the public records she requested.

### **CLAIMS FOR RELIEF**

37. WHEREFORE, Relator prays for a peremptory writ and/or an alternative writ of mandamus compelling Respondent Ohio Department of Health to provide the records that Relator sought on May 8, 2025, July 1, 2025, and July 18, 2025, in conjunction with statutory damages, attorney fees, court costs and all other relief permitted by law.

Dated: December 3, 2025

Respectfully submitted,

/s/ Katherine Corwin

Katherine Corwin (105651)

*Counsel of Record*

B. Jessie Hill (074770)

Reproductive Rights Law Initiative

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In The  
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**Affidavit of Relator Katherine Corwin**

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State of Ohio

County of Hamilton, ss:

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Now comes affiant, Katherine Corwin, being duly sworn and states as follows:

1. My name is Katherine Corwin. I am over 18 years of age, suffer no legal disabilities, and am of sound mind and capable of making this sworn statement. The facts contained in this affidavit are within my personal knowledge and are true and correct.
2. On May 8, 2025, I submitted three public records requests ("PRRs") to the Ohio Department of Health ("ODH"). I submitted these requests via email to James Hodge, ODH Chief of Healthcare Compliance; Andrea Denning, ODH Bureau Chief; and Tracey Lamb, ODH Bureau of Regulatory Operations.
3. On July 1, 2025, I sent three updated PRRs to Hodge, Denning, and Lamb, extending the time frame of the initial request through July 1.
4. On July 18, 2025, I submitted three new PRRs to Bill Robbins, ODH Assistant Bureau Chief; Jayson Rogers, Administrative Officer 2, Licensure and Certification Section of ODH; and Lamb for similar documents.
5. I continued to email with Brianne Brown, ODH Chief Legal Counsel, until it became clear that ODH would not be providing all records responsive to my requests.

6. On October 24, 2025, I caused an Ohio Court of Claims Public Records Access Formal Complaint and exhibits to be sent by certified mail to Brianne Brown.
7. On November 12, 2025, I received confirmation of receipt that showed the Complaint was delivered on November 4, 2025.
8. As of the date of executing this Affidavit, I have not received a response to that Complaint from ODH.

Katherine Corwin

Katherine Corwin

Sworn to or affirmed before me and subscribed in my presence in Hamilton County, Ohio on this 1st day of December, 2025.

Alicia Tallant

Signature of Notary Public



# **EXHIBIT 1**

May 8, 2025

**SENT VIA EMAIL: james.hodge@odh.ohio.gov**

Mr. James Hodge  
Chief of Healthcare Compliance  
Ohio Department of Health  
Bureau of Regulatory Operations  
246 N. High St.  
Columbus, OH 43215

**RE: Public Records Request**

Dear Mr. Hodge,

Pursuant to Ohio's open records law, Ohio Rev. Code § 149.43, the following is a formal request for public records in the possession of the Ohio Department of Health (ODH):

I hereby request the following records:

Any emails that you have sent or received that mention or refer to the Toledo Women's Center from January 1, 2025 to the date of this request. This request includes all emails that mention or refer to the Toledo Women's Center by name; all emails that mention or refer to the Toledo Women's Center using an abbreviated name (such as "TWC"); all emails that mention or refer to the Toledo Women's Center's owner/medical director (Dr. David Burkons); and all emails that mention or refer to all or part of the address of the Toledo Women's Center (1160 W. Sylvania Ave., Toledo, OH 43612).

Please provide responsive records on a rolling basis as you are able to prepare them, and kindly send the records to me in electronic format at [kjc150@case.edu](mailto:kjc150@case.edu) no later than May 23, 2025. *See* R.C. § 139.43(B)(1) (records must be produced "promptly"); *State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Educ.*, 97 Ohio St. 3d 58, 65 (2002).

If there is a cost related to production, please advise me before incurring that cost. If you believe that any portion of a responsive record is exempted from disclosure by the Ohio Revised Code, please specify the basis for redaction and release all non-exempt portions of the record.

If there are any questions relating to this request, please contact me at [kjc150@case.edu](mailto:kjc150@case.edu).

Sincerely,

Katie Corwin  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law



May 8, 2025

**SENT VIA EMAIL: andrea.denning@odh.ohio.gov**

Ms. Andrea Denning  
Bureau Chief  
Ohio Department of Health  
Bureau of Regulatory Operations  
246 N. High St.  
Columbus, OH 43215

**RE: Public Records Request**

Dear Ms. Denning,

Pursuant to Ohio's open records law, Ohio Rev. Code § 149.43, the following is a formal request for public records in the possession of the Ohio Department of Health (ODH):

I hereby request the following records:

Any emails that you have sent or received that mention or refer to the Toledo Women's Center from January 1, 2025 to the date of this request. This request includes all emails that mention or refer to the Toledo Women's Center by name; all emails that mention or refer to the Toledo Women's Center using an abbreviated name (such as "TWC"); all emails that mention or refer to the Toledo Women's Center's owner/medical director (Dr. David Burkons); and all emails that mention or refer to all or part of the address of the Toledo Women's Center (1160 W. Sylvania Ave., Toledo, OH 43612).

Please provide responsive records on a rolling basis as you are able to prepare them, and kindly send the records to me in electronic format at [kjc150@case.edu](mailto:kjc150@case.edu) no later than May 23, 2025. *See* R.C. § 139.43(B)(1) (records must be produced "promptly"); *State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Educ.*, 97 Ohio St. 3d 58, 65 (2002).

If there is a cost related to production, please advise me before incurring that cost. If you believe that any portion of a responsive record is exempted from disclosure by the Ohio Revised Code, please specify the basis for redaction and release all non-exempt portions of the record.

If there are any questions relating to this request, please contact me at [kjc150@case.edu](mailto:kjc150@case.edu).

Sincerely,

Katie Corwin

Legal Fellow

Reproductive Rights Law Initiative

Case Western Reserve University School of Law

May 8, 2025

**SENT VIA EMAIL: tracey.lamb@odh.ohio.gov**

Ms. Tracey Lamb  
Ohio Department of Health  
Bureau of Regulatory Operations  
246 N. High St.  
Columbus, OH 43215

**RE: Public Records Request**

Dear Ms. Lamb,

Pursuant to Ohio's open records law, Ohio Rev. Code § 149.43, the following is a formal request for public records in the possession of the Ohio Department of Health (ODH):

I hereby request the following records:

Any emails that you have sent or received that mention or refer to the Toledo Women's Center from January 1, 2025 to the date of this request. This request includes all emails that mention or refer to the Toledo Women's Center by name; all emails that mention or refer to the Toledo Women's Center using an abbreviated name (such as "TWC"); all emails that mention or refer to the Toledo Women's Center's owner/medical director (Dr. David Burkons); and all emails that mention or refer to all or part of the address of the Toledo Women's Center (1160 W. Sylvania Ave., Toledo, OH 43612).

Please provide responsive records on a rolling basis as you are able to prepare them, and kindly send the records to me in electronic format at [kjc150@case.edu](mailto:kjc150@case.edu) no later than May 23, 2025. *See* R.C. § 139.43(B)(1) (records must be produced "promptly"); *State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Educ.*, 97 Ohio St. 3d 58, 65 (2002).

If there is a cost related to production, please advise me before incurring that cost. If you believe that any portion of a responsive record is exempted from disclosure by the Ohio Revised Code, please specify the basis for redaction and release all non-exempt portions of the record.

If there are any questions relating to this request, please contact me at [kjc150@case.edu](mailto:kjc150@case.edu).

Sincerely,

Katie Corwin  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law

# **EXHIBIT 2**

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## Public Records Request

---

Katie Corwin <kjc150@case.edu>

Thu, May 8, 2025 at 2:27 PM

To: james.hodge@odh.ohio.gov, Jessie Hill <bjh11@case.edu>

Dear Mr. Hodge,

Please see the attached public records request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

---

 **Public Records Request Hodge 5.8.25.pdf**  
109K

---

**Public Records Request**

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**Katie Corwin** <kjc150@case.edu>

Thu, May 8, 2025 at 2:29 PM

To: andrea.denning@odh.ohio.gov, Jessie Hill &lt;bjh11@case.edu&gt;

Dear Ms. Denning,

Please see the attached public records request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

---

**Public Records Request Denning 5.8.25.pdf**

89K

---

## Public Records Request

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**Katie Corwin** <kjc150@case.edu>

Thu, May 8, 2025 at 2:30 PM

To: tracey.lamb@odh.ohio.gov, Jessie Hill <bjh11@case.edu>

Dear Ms. Lamb,

Please see the attached public records request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

---

 **Public Records Request Lamb 5.8.25.pdf**  
109K



# **EXHIBIT 3**

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**Acknowledgement to Public Records Request to Andrea Denning**

1 message

---

**Brenda.Adams@odh.ohio.gov** <Brenda.Adams@odh.ohio.gov>  
To: "kjc150@case.edu" <kjc150@case.edu>

Mon, May 12, 2025 at 8:41 AM

Dear Ms. Corwin:

ODH is in receipt of your Public Record Request addressed to Andrea Denning. Your request is in being processed in accordance with R.C. 149.43.

Thank you.

Brenda

**Brenda Adams****Administrative Professional****Office of General Counsel****246 North High Street****Columbus, OH 43215**

P: 614-466-4882

Brenda.Adams@odh.ohio.gov



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**Acknowledgement of Public Records Request to Tracey Lamb**

1 message

---

**Brenda.Adams@odh.ohio.gov** <Brenda.Adams@odh.ohio.gov>  
To: "kjc150@case.edu" <kjc150@case.edu>

Mon, May 12, 2025 at 8:35 AM

Dear Ms. Corwin:

ODH is in receipt of your Public Record Request addressed to Tracey Lamb. Your request is in being processed in accordance with R.C. 149.43.

Thank you.

Brenda

**Brenda Adams****Administrative Professional****Office of General Counsel****246 North High Street****Columbus, OH 43215**

P: 614-466-4882

Brenda.Adams@odh.ohio.gov

**Department of  
Health**

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# **EXHIBIT 4**

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**Public Records Requests**

2 messages

Katie Corwin <kjc150@case.edu>  
To: Brenda.Adams@odh.ohio.gov

Mon, May 19, 2025 at 12:09 PM

Hi Brenda,

I hope you had a good weekend! I submitted the following public records requests:

- James Hodge on 4/17/25
- James Hodge on 5/8/25
- Andrea Denning on 5/8/25
- Tracey Lamb on 5/8/25



Can you please provide an update on when I will receive the information requested? I have attached all of the requests for your convenience.

Thank you,  
Katie

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

---

**4 attachments** **Public Records Request Hodge 5.8.25.pdf**  
109K **Public Records Request Lamb 5.8.25.pdf**  
109K **Public Records Request Hodge 4.17.25.pdf**  
83K **Public Records Request Denning 5.8.25.pdf**  
89K

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Katie Corwin <kjc150@case.edu>  
To: Brenda.Adams@odh.ohio.gov

Wed, May 28, 2025 at 12:07 PM

Hi Brenda,

I hope you enjoyed the long weekend! I wanted to follow up with you on the public records requests I previously submitted. Please see the list below

- James Hodge on 4/17/25
- James Hodge on 5/8/25
- Andrea Denning on 5/8/25
- Tracey Lamb on 5/8/25

Can you please provide an update on when I will receive the information requested? I have attached all of the requests for your convenience.

Thank you,  
Katie

[Quoted text hidden]

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**4 attachments** **Public Records Request Hodge 5.8.25.pdf**  
109K **Public Records Request Hodge 4.17.25.pdf**  
83K **Public Records Request Lamb 5.8.25.pdf**  
109K **Public Records Request Denning 5.8.25.pdf**  
89K

# **EXHIBIT 5**

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## Public Records Request

**Katie Corwin** <kjc150@case.edu>  
To: james.hodge@odh.ohio.gov  
Cc: Brenda.Adams@odh.ohio.gov

Wed, May 21, 2025 at 12:02 PM

Dear Mr. Hodge,


I sent you a public records request on 4/17/25 and an additional one on 5/8/25. I have attached the requests for your convenience. Can you please provide an update on when I will receive the records requested?

Sincerely,  
Katie Corwin

[Quoted text hidden]

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### 2 attachments

 **Public Records Request Hodge 4.17.25.pdf**  
83K

 **Public Records Request Hodge 5.8.25.pdf**  
109K

# **EXHIBIT 6**



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**Public Records Request Follow Up**

1 message

**Katie Corwin** <kjc150@case.edu>

Tue, Jun 3, 2025 at 1:25 PM

To: james.hodge@odh.ohio.gov, Jessie Hill &lt;bjh11@case.edu&gt;, Brenda.Adams@odh.ohio.gov

Dear Mr. Hodge,

Please see the attached letter following up on my previous public records requests. I have provided the original requests for your convenience and the initial emails I sent you containing the requests.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

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**5 attachments****Public Records Request Follow Up\_Hodge\_6.3.25.pdf**  
83K**Public Records Request Hodge 4.17.25.pdf**  
83K**Public Records Request Hodge 5.8.25.pdf**  
109K**Hodge 4.17.25 Email.pdf**  
118K**Hodge Email 5.8.25.pdf**  
151K

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**Public Records Request Follow Up**

1 message

**Katie Corwin** <kjc150@case.edu>

Tue, Jun 3, 2025 at 1:30 PM

To: andrea.denning@odh.ohio.gov, Jessie Hill &lt;bjh11@case.edu&gt;, Brenda.Adams@odh.ohio.gov

Dear Ms. Denning,



Please see the attached letter following up on my previous public records requests. I have provided the original request for your convenience and the initial email I sent you containing the request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

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**3 attachments** **Public Records Request Follow Up Denning 6.3.25.pdf**  
82K **Public Records Request Denning 5.8.25.pdf**  
89K **Denning Email 5.8.25.pdf**  
129K

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**Public Records Request Follow Up**

1 message

**Katie Corwin** <kjc150@case.edu>

Tue, Jun 3, 2025 at 1:33 PM

To: tracey.lamb@odh.ohio.gov, Jessie Hill &lt;bjh11@case.edu&gt;, Brenda.Adams@odh.ohio.gov

Dear Ms. Lamb,

Please see the attached letter following up on my previous public records request. I have provided the original request for your convenience and the initial email I sent you containing the request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

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**3 attachments****Public Records Request Follow Up Lamb 6.3.25.pdf**  
83K**Public Records Request Lamb 5.8.25.pdf**  
109K**Lamb Email 5.8.25.pdf**  
130K

# **EXHIBIT 7**

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**Public Records Requests**

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**Brianne.Brown@odh.ohio.gov** <Brianne.Brown@odh.ohio.gov>

Thu, Jun 5, 2025 at 3:02 PM

To: "kjc150@case.edu" &lt;kjc150@case.edu&gt;

Cc: "james.hodge@odh.ohio.gov" &lt;james.hodge@odh.ohio.gov&gt;, "Andrea.Denning@odh.ohio.gov" &lt;Andrea.Denning@odh.ohio.gov&gt;, "Tracy.Lamb@drc.ohio.gov" &lt;Tracy.Lamb@drc.ohio.gov&gt;

Good Afternoon Katie,

Attached please find our response to your requests for records dated May 8 and April 17, 2025.

Regards,

Bree

**Brianne Brown**

Chief Legal Counsel

Office of General Counsel

246 North High St.

Columbus, OH 43215

P: 380.203.5654

[Brianne.Brown@odh.ohio.gov](mailto:Brianne.Brown@odh.ohio.gov)

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June 5, 2025

VIA EMAIL

Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
Katie Corwin, Legal Fellow  
kjc1502case.edu

Dear Ms. Corwin:

I am writing in response to your public records requests sent to the Ohio Department of Health by email on April 17, 2025 and May 8, 2025<sup>1</sup>.

Regarding the May 8<sup>th</sup> request which states: "I hereby request the following records:

Any emails that you have sent or received that mention or refer to the Toledo Women's Center from January 1, 2025 to the date of this request. This request includes all emails that mention or refer to the Toledo Women's Center by name; all emails that mention or refer to the Toledo Women's Center using an abbreviated name (such as "TWC"); all emails that mention or refer to the Toledo Women's Center's owner/medical director (Dr. David Burkons); and all emails that mention or refer to all or part of the address of the Toledo Women's Center (1160 W. Sylvania Ave., Toledo, OH 43612)."

Your request is overly broad because it does not identify specific records being sought with reasonable clarity and is too voluminous, vague or indefinite to be properly acted on. Accordingly, ODH denies your request. See R.C. 149.43(B)(2), *State ex rel. Zidonis v. Columbus State Cmty. College*, which provides: "[I]t is the responsibility of the person who wishes to inspect and/or copy records to identify with reasonable clarity the records at issue." 2012-Ohio-4228 ¶ 21.

To the extent you are seeking emails referencing the review of any applications for compliance with applicable legal provisions, these records are privileged attorney-client communications and/or attorney work product and not subject to release. See R.C. 149.43(A)(1)(v); see also *State ex rel. Leslie v. Ohio Hous. Fin. Agency*, 2005-Ohio-1508, 824 and *State ex rel. Lanham v. DeWine*, 2013-Ohio-199.

Additionally, this request identifies information you are seeking, rather than specific, existing records of the Ohio Department of Health. The Ohio Public Records Act provides for access to records, but it does not obligate a public office to search for records containing selected information. *State ex rel. Fant v. Tober*, 8th Dist. No. 63737 (Apr. 28, 1993), 1993 Ohio App. LEXIS 2591, *aff'd* 68 Ohio St.3d 117 (1993). Further, a public office is under no duty to create new records by searching for and compiling information that may be of interest to the

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<sup>1</sup> Identical copies of this request were received by email by Ohio Department of Health (ODH) employees Andrea Denning, James Hodge and Tracey Lamb.

requester. *State ex rel. White v. Goldsberry*, 85 Ohio St.3d 153 (1999). Lastly, Ohio law does not require a public office to provide all work-related e-mail messages from or to a public official, *State ex rel. Glasgow v. Jones*, 2008-Ohio-4788, ¶¶ 16-19, or to organize records in electronic or other media such that they can be retrieved based on a keyword search, *State ex rel. Thomas v. Ohio State University*, 71 Ohio St.3d 245 (1994). A requester must identify the records sought so that the public office can identify responsive records based on the manner in which it ordinarily maintains and accesses the public records it keeps. *State ex rel. Zauderer v. Joseph*, 62 Ohio App.3d 752 (10th Dist. 1989). Your requests fail to request records based on the manner in which the Ohio Department of Health organizes its records. *State ex rel. Zidonis v. Columbus State Cmty. College*, 2012-Ohio-4228, ¶ 21; *State ex rel. Dehler v. Spatny*, 2010-Ohio-5711, ¶¶ 1-3.

Regarding your April 17, 2025 request to Mr. Hodge, Ms. Lamb and and Andrea Denning for all new license applications for ambulatory surgical facilities (ASFs) received by ODH between January 1, 2020 and April 1, 2025, excluding applications for a renewal of an already existing license and also all of the inspection reports generated by ODH in connection with each new ASF license application received by ODH between January 1, 2020 and April 1, 2025, this request is still being processed. In the meantime, it's possible some of the information you're looking for can be found at:

[https://publicapps.odh.ohio.gov/eid/Provider\\_Search.aspx](https://publicapps.odh.ohio.gov/eid/Provider_Search.aspx)

Should you wish to request specific guidance, alerts, advisories, or another specific record, please let us know. Should you have any questions, please contact me at [Brianne.Brown@odh.ohio.gov](mailto:Brianne.Brown@odh.ohio.gov).

Sincerely,

Brianne Brown  
Chief Legal Counsel

cc: James Hodge, Andrea Denning, Tracey Lamb

# **EXHIBIT 8**



July 1, 2025

**SENT VIA EMAIL: james.hodge@odh.ohio.gov**

Mr. James Hodge  
Chief of Healthcare Compliance  
Ohio Department of Health  
Bureau of Regulatory Operations  
246 N. High St.  
Columbus, OH 43215

**RE: Public Records Request**

Dear Mr. Hodge,

Pursuant to Ohio's open records law, Ohio Rev. Code § 149.43, the following is a formal request for public records in the possession of the Ohio Department of Health (ODH):

I hereby request the following records:

Any emails that you have sent or received that mention or refer to the Toledo Women's Center from May 8, 2025 to the date of this request (July 1, 2025). This request includes all emails that mention or refer to the Toledo Women's Center by name; all emails that mention or refer to the Toledo Women's Center using an abbreviated name (such as "TWC"); all emails that mention or refer to the Toledo Women's Center's owner/medical director (Dr. David Burkons); and all emails that mention or refer to all or part of the address of the Toledo Women's Center (1160 W. Sylvania Ave., Toledo, OH 43612).

Please provide responsive records on a rolling basis as you are able to prepare them, and kindly send the records to me in electronic format at [kjc150@case.edu](mailto:kjc150@case.edu) no later than July 15, 2025. *See* R.C. § 149.43(B)(1) (records must be produced "promptly"); *State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Educ.*, 97 Ohio St. 3d 58, 65 (2002).

If there is a cost related to production, please advise me before incurring that cost. If you believe that any portion of a responsive record is exempted from disclosure by the Ohio Revised Code, please specify the basis for redaction and release all non-exempt portions of the record.

If there are any questions relating to this request, please contact me at [kjc150@case.edu](mailto:kjc150@case.edu).

Sincerely,

Katie Corwin, Esq.  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law

July 1, 2025

**SENT VIA EMAIL: andrea.denning@odh.ohio.gov**

Ms. Andrea Denning  
Bureau Chief  
Ohio Department of Health  
Bureau of Regulatory Operations  
246 N. High St.  
Columbus, OH 43215

**RE: Public Records Request**

Dear Ms. Denning,

Pursuant to Ohio's open records law, Ohio Rev. Code § 149.43, the following is a formal request for public records in the possession of the Ohio Department of Health (ODH):

I hereby request the following records:

Any emails that you have sent or received that mention or refer to the Toledo Women's Center from May 8, 2025 to the date of this request (July 1, 2025). This request includes all emails that mention or refer to the Toledo Women's Center by name; all emails that mention or refer to the Toledo Women's Center using an abbreviated name (such as "TWC"); all emails that mention or refer to the Toledo Women's Center's owner/medical director (Dr. David Burkons); and all emails that mention or refer to all or part of the address of the Toledo Women's Center (1160 W. Sylvania Ave., Toledo, OH 43612).

Please provide responsive records on a rolling basis as you are able to prepare them, and kindly send the records to me in electronic format at [kjc150@case.edu](mailto:kjc150@case.edu) no later than July 15, 2025. *See* R.C. § 149.43(B)(1) (records must be produced "promptly"); *State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Educ.*, 97 Ohio St. 3d 58, 65 (2002).

If there is a cost related to production, please advise me before incurring that cost. If you believe that any portion of a responsive record is exempted from disclosure by the Ohio Revised Code, please specify the basis for redaction and release all non-exempt portions of the record.

If there are any questions relating to this request, please contact me at [kjc150@case.edu](mailto:kjc150@case.edu).

Sincerely,

Katie Corwin, Esq.

Legal Fellow

Reproductive Rights Law Initiative

Case Western Reserve University School of Law

July 1, 2025

**SENT VIA EMAIL: tracey.lamb@odh.ohio.gov**

Ms. Tracey Lamb  
Ohio Department of Health  
Bureau of Regulatory Operations  
246 N. High St.  
Columbus, OH 43215

**RE: Public Records Request**

Dear Ms. Lamb,

Pursuant to Ohio's open records law, Ohio Rev. Code § 149.43, the following is a formal request for public records in the possession of the Ohio Department of Health (ODH):

I hereby request the following records:

Any emails that you have sent or received that mention or refer to the Toledo Women's Center from May 8, 2025 to the date of this request (July 1, 2025). This request includes all emails that mention or refer to the Toledo Women's Center by name; all emails that mention or refer to the Toledo Women's Center using an abbreviated name (such as "TWC"); all emails that mention or refer to the Toledo Women's Center's owner/medical director (Dr. David Burkons); and all emails that mention or refer to all or part of the address of the Toledo Women's Center (1160 W. Sylvania Ave., Toledo, OH 43612).

Please provide responsive records on a rolling basis as you are able to prepare them, and kindly send the records to me in electronic format at [kjc150@case.edu](mailto:kjc150@case.edu) no later than July 15, 2025. *See* R.C. § 149.43(B)(1) (records must be produced "promptly"); *State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Educ.*, 97 Ohio St. 3d 58, 65 (2002).

If there is a cost related to production, please advise me before incurring that cost. If you believe that any portion of a responsive record is exempted from disclosure by the Ohio Revised Code, please specify the basis for redaction and release all non-exempt portions of the record.

If there are any questions relating to this request, please contact me at [kjc150@case.edu](mailto:kjc150@case.edu).

Sincerely,

Katie Corwin, Esq.  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law

# **EXHIBIT 9**

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## Public Records Request

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**Brenda.Adams@odh.ohio.gov** <Brenda.Adams@odh.ohio.gov>

Tue, Jul 1, 2025 at 2:40 PM

To: Katie Corwin <kjc150@case.edu>

Cc: "james.hodge@odh.ohio.gov" <james.hodge@odh.ohio.gov>, "Brianne.Brown@odh.ohio.gov"

<Brianne.Brown@odh.ohio.gov>, "bjh11@case.edu" <bjh11@case.edu>, "PRI@odh.ohio.gov" <PRI@odh.ohio.gov>

Hello Ms. Corwin,

Our department is in receipt of your public records request to James Hodge.

We will respond to your request in a timely manner.

Thank you.

Brenda

**Brenda Adams**

**Administrative Professional**

**Office of General Counsel**

**246 North High Street**

**Columbus, OH 43215**

P: 614-466-4882

[Brenda.Adams@odh.ohio.gov](mailto:Brenda.Adams@odh.ohio.gov)



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[Quoted text hidden]

**CAUTION:** This is an external email and may not be safe. If the email looks suspicious, please do not click links or open attachments and forward the email to [csc@ohio.gov](mailto:csc@ohio.gov) or click the Phish Alert Button if available.

This e-mail is intended for the sole use of the intended recipient and may contain privileged, sensitive, or protected health information. If you are not the intended recipient, be advised that the unauthorized use, disclosure, copying, distribution, or



action taken in reliance on the contents of this communication is prohibited. If you have received this e-mail in error, please notify the sender via telephone or return e-mail and immediately delete this e-mail.

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## Public Records Request

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**Brenda.Adams@odh.ohio.gov** <Brenda.Adams@odh.ohio.gov>

Tue, Jul 1, 2025 at 2:41 PM

To: Katie Corwin <kjc150@case.edu>

Cc: "Andrea.Denning@odh.ohio.gov" <Andrea.Denning@odh.ohio.gov>, "Brianne.Brown@odh.ohio.gov" <Brianne.Brown@odh.ohio.gov>, "bjh11@case.edu" <bjh11@case.edu>, "PRI@odh.ohio.gov" <PRI@odh.ohio.gov>

Hello Ms. Corwin,

Our department is in receipt of your public records request to Andrea Denning.

We will respond to your request in a timely manner.

Thank you.

Brenda

**Brenda Adams**

**Administrative Professional**

**Office of General Counsel**

**246 North High Street**

**Columbus, OH 43215**

P: 614-466-4882

Brenda.Adams@odh.ohio.gov



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[Quoted text hidden]

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## Public Records Request

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**Brenda.Adams@odh.ohio.gov** <Brenda.Adams@odh.ohio.gov>

Tue, Jul 1, 2025 at 2:43 PM

To: Katie Corwin <kjc150@case.edu>

Cc: "Tracey.Lamb@odh.ohio.gov" <Tracey.Lamb@odh.ohio.gov>, "Brianne.Brown@odh.ohio.gov"

<Brianne.Brown@odh.ohio.gov>, "bjh11@case.edu" <bjh11@case.edu>, "PRI@odh.ohio.gov" <PRI@odh.ohio.gov>

Hello Ms. Corwin,

Our department is in receipt of your public records request to Tracey Lamb.

We will respond to your request in a timely manner.

Thank you.

Brenda

**Brenda Adams**

**Administrative Professional**

**Office of General Counsel**

**246 North High Street**

**Columbus, OH 43215**

P: 614-466-4882

[Brenda.Adams@odh.ohio.gov](mailto:Brenda.Adams@odh.ohio.gov)



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[Quoted text hidden]

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# **EXHIBIT 10**

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## Public Records Requests

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Katie Corwin <kjc150@case.edu>

Mon, Jun 16, 2025 at 9:04 AM

To: "Brienne.Brown@odh.ohio.gov" <Brienne.Brown@odh.ohio.gov>, Jessie Hill <bjh11@case.edu>

Cc: "james.hodge@odh.ohio.gov" <james.hodge@odh.ohio.gov>, "Andrea.Denning@odh.ohio.gov" <Andrea.Denning@odh.ohio.gov>, "Tracy.Lamb@drc.ohio.gov" <Tracy.Lamb@drc.ohio.gov>

Hi Brienne,

I hope you had a good weekend. We would like to schedule a meet and confer regarding the public records request we sent on May 8th. Please send us your availability for next week.

Thank you,  
Katie

[Quoted text hidden]

[Quoted text hidden]

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**Public Records Requests**

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**Brianne.Brown@odh.ohio.gov** <Brianne.Brown@odh.ohio.gov>

Mon, Jun 16, 2025 at 12:38 PM

To: Katie Corwin &lt;kjc150@case.edu&gt;, Jessie Hill &lt;bjh11@case.edu&gt;

Cc: "james.hodge@odh.ohio.gov" &lt;james.hodge@odh.ohio.gov&gt;, "Andrea.Denning@odh.ohio.gov" &lt;Andrea.Denning@odh.ohio.gov&gt;, "Tracy.Lamb@drc.ohio.gov" &lt;Tracy.Lamb@drc.ohio.gov&gt;

Good Afternoon Katie,

The weekends are never quite long enough, but it was good. Hope yours was too! I am happy to get something scheduled; however, we are in the final stages of the state budget process right now through the end of June so I'm unfortunately not available until July at this point.

Please let me know what day(s) and time(s) would work for you and I will get a meeting scheduled.

Thanks,

Bree

[Quoted text hidden]

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## Public Records Requests

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Katie Corwin <kjc150@case.edu>

Mon, Jun 23, 2025 at 1:12 PM

To: "Brianne.Brown@odh.ohio.gov" <Brianne.Brown@odh.ohio.gov>

Cc: Jessie Hill <bjh11@case.edu>, "james.hodge@odh.ohio.gov" <james.hodge@odh.ohio.gov>, "Andrea.Denning@odh.ohio.gov" <Andrea.Denning@odh.ohio.gov>, "Tracy.Lamb@drc.ohio.gov" <Tracy.Lamb@drc.ohio.gov>

Hi Brianne,

Apologies for the delay! Please see our availability below.

Tuesday, July 1st before 1pm or after 3pm

Wednesday, July 2nd before 2pm

Monday, July 7th before noon

Tuesday, July 8th any time

Thursday, July 10th before 11am or between 12:30pm-3:00pm

Thank you!

Katie

[Quoted text hidden]

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**Public Records Requests**

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**Brianne.Brown@odh.ohio.gov** <Brianne.Brown@odh.ohio.gov>

Tue, Jun 24, 2025 at 8:44 AM

To: Katie Corwin &lt;kjc150@case.edu&gt;

Cc: Jessie Hill &lt;bjh11@case.edu&gt;, "James.Hodge@odh.ohio.gov" &lt;james.hodge@odh.ohio.gov&gt;, "Andrea.Denning@odh.ohio.gov" &lt;Andrea.Denning@odh.ohio.gov&gt;, "Tracy.Lamb@drc.ohio.gov" &lt;Tracy.Lamb@drc.ohio.gov&gt;

Good Morning Katie,

July 10<sup>th</sup> is probably the best day out of the list as far as availability goes; how about 9:30? I am happy to send a Teams link if you'd like- let me know?

[Quoted text hidden]

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**Public Records Requests**

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**Katie Corwin** <kjc150@case.edu>

Tue, Jun 24, 2025 at 12:08 PM

To: "Brianne.Brown@odh.ohio.gov" &lt;Brianne.Brown@odh.ohio.gov&gt;

Cc: Jessie Hill &lt;bjh11@case.edu&gt;, "james.hodge@odh.ohio.gov" &lt;james.hodge@odh.ohio.gov&gt;, "Andrea.Denning@odh.ohio.gov" &lt;Andrea.Denning@odh.ohio.gov&gt;, "Tracy.Lamb@drc.ohio.gov" &lt;Tracy.Lamb@drc.ohio.gov&gt;

Hi Brianne,

Yes, that works for us. Sending a teams link would be great.

Thank you!

Katie

[Quoted text hidden]



Katie Corwin <kjc150@case.edu>

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## Public Records Requests

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**Brianne.Brown@odh.ohio.gov** <Brianne.Brown@odh.ohio.gov>

Tue, Jun 24, 2025 at 12:50 PM

To: Katie Corwin <kjc150@case.edu>

Cc: Jessie Hill <bjh11@case.edu>, "James.Hodge@odh.ohio.gov" <james.hodge@odh.ohio.gov>, "Andrea.Denning@odh.ohio.gov" <Andrea.Denning@odh.ohio.gov>, "Tracy.Lamb@drc.ohio.gov" <Tracy.Lamb@drc.ohio.gov>

Done!

Have a great rest of your day.

[Quoted text hidden]

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**Public Records Request response**

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**Brianne.Brown@odh.ohio.gov** <Brianne.Brown@odh.ohio.gov>  
To: Katie Corwin <kjc150@case.edu>, Jessie Hill <bjh11@case.edu>

Wed, Jul 9, 2025 at 5:07 PM

Good Afternoon Katie and Jessie,

Below please find all responsive records to your April 17, 2025 public records request addressed to James Hodge which requested the following records:

1. All **new** license applications for ambulatory surgical facilities (ASFs) received by ODH between January 1, 2020 and April 1, 2025. We are not requesting applications for a renewal of an already existing license.
2. All of the inspection reports generated by ODH in connection with each new ASF license application received by ODH between January 1, 2020 and April 1, 2025.

<https://filedrop.cloudafs.ohio.gov/pickup?claimID=bYZbgoWH2tMHoi4i&claimPasscode=PG46ju5ZSkACqtnh&emailAddr=159418>

I know we had a meeting on the books for tomorrow morning to discuss this request, so I am cancelling said meeting in light of this response.

Thanks,

Bree

**Brianne Brown**

Chief Legal Counsel

Office of General Counsel

246 North High St.

Columbus, OH 43215

P: 380.203.5654

[Brianne.Brown@odh.ohio.gov](mailto:Brianne.Brown@odh.ohio.gov)



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**Public Records Request response**

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**Katie Corwin** <kjc150@case.edu>

Wed, Jul 9, 2025 at 5:17 PM

To: "Brianne.Brown@odh.ohio.gov" &lt;Brianne.Brown@odh.ohio.gov&gt;

Cc: Jessie Hill &lt;bjh11@case.edu&gt;

Hi Brianne,

Thank you for sending us those documents. We would still like to meet tomorrow to discuss the May 8th requests. Can you please reinstate the meeting? If that time no longer works, we are happy to reschedule.

Best,  
Katie

[Quoted text hidden]

--

Katie Corwin, Esq.

she/her/hers

Legal Fellow

Reproductive Rights Law Initiative

Case Western Reserve University School of Law

11075 East Blvd., Cleveland, Ohio 44106

(513) 401-1122

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**Public Records Request response**

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**Brianne.Brown@odh.ohio.gov** <Brianne.Brown@odh.ohio.gov>  
To: Katie Corwin <kjc150@case.edu>  
Cc: Jessie Hill <bjh11@case.edu>

Thu, Jul 10, 2025 at 8:38 AM

Good Morning Katie,

As tends to happen quickly, our original meeting time has been replaced with another meeting.

Since your May 8<sup>th</sup> requests were denied as overbroad as explained in our June 5<sup>th</sup> letter, I don't know that there's anything to discuss on those absent some clarification. If you have any specific questions, you are always welcome to email them to me.

Thanks,

Bree

[Quoted text hidden]

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# **EXHIBIT 11**



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**Public Records Request response**

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**Katie Corwin** <kjc150@case.edu>

Fri, Jul 11, 2025 at 10:45 AM

To: "Brianne.Brown@odh.ohio.gov" &lt;Brianne.Brown@odh.ohio.gov&gt;

Cc: Jessie Hill &lt;bjh11@case.edu&gt;


Hi Brianne,

Please see the letter attached regarding the denial of our May 8, 2025 public records request.

Sincerely,  
Katie

[Quoted text hidden]

---

 **Reply to 5.8.25 PRR Denial.pdf**  
95K

July 11, 2025

**SENT VIA EMAIL: Brianne.Brown@odh.ohio.gov**

Ms. Brianne Brown  
Chief Legal Counsel  
Ohio Department of Health  
246 N. High St.  
Columbus, OH 43215

**RE: Denial of May 8, 2025 Public Records Request**

Dear Ms. Brown:

We are writing in further response to your denial of our May 8, 2025 public records request. We were disappointed that late on the eve of our meet and confer, you unilaterally cancelled the meeting, explaining early yesterday morning that you had “replaced it with another meeting” and that there was “nothing to discuss.” This letter refutes your stated objections to our May 8, 2025 public records request. All of your objections are untenable.

First, our request is not overly broad, vague or indefinite. It covers a time frame of only five months; it is limited to three specific employees; and it even provides specific search terms. Nor does our request seek production of any records that are protected by attorney-client privilege. For a communication to be privileged the communication must “facilitate the rendition of legal services or advice.” *State ex rel. Lanham v. DeWine*, 2013-Ohio-199. Simply copying a lawyer on emails sent or received is not enough for those emails to be considered privileged. If the Ohio Department Health (“ODH”) meets its burden of proving that a record responsive to our request is exempt from disclosure pursuant to R.C. 149.43, ODH may withhold the record from production. *State ex rel. Nat’l Broad. Co. v. City of Cleveland*, 38 Ohio St. 3d 79.

Our request does not request information, but instead identifies existing records. Emails are unquestionably “records” subject to the Public Records Act. *State ex rel. Glasgow v. Jones*, 2008-Ohio-4788. We are not asking a public official to create any record. We simply request that three named public officials search their email and provide us with the specific records that meet the search parameters.

Lastly, you stated that our requests fail to request records based on the manner in which ODH organizes its records. But we have provided search terms, and would be willing to consider different or additional search terms if that would help you comply with our request. *See* R.C. 149.43(B)(2) (requiring agencies to “provide the requester with an opportunity to revise the

request by informing the requester of the manner in which records are maintained by the public office and accessed in the ordinary course of the public office's or person's duties.'").

Please provide the requested records by **July 18, 2025**. If we do not receive the records by that date, we will be forced to seek them via a Section 149 complaint and potentially mandamus litigation.

Sincerely,

Katie Corwin, Esq.  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law

# **EXHIBIT 12**

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**Public Records Request response**

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**Brianne.Brown@odh.ohio.gov** <Brianne.Brown@odh.ohio.gov>

Tue, Jul 15, 2025 at 3:42 PM

To: Katie Corwin &lt;kjc150@case.edu&gt;

Cc: "bjh11@case.edu" &lt;bjh11@case.edu&gt;

Dear Ms. Corwin,

I am in receipt of your July 11, 2025 letter in which you write in further response to the denial of your May 8, 2025 public records request by the Ohio Department of Health (ODH). To clarify, my understanding was that the meeting we had scheduled on July 10<sup>th</sup> was to discuss a pending request for records that had not been delivered stemming from your April 17, 2025 public records request. The records were delivered in full on July 9<sup>th</sup>, the day before the meeting, so the need for the meeting had been obviated. To the extent you wanted to discuss the May 8<sup>th</sup> public records requests that had been denied on June 5, 2025, my July 10<sup>th</sup> email to you stated: "I don't know that there's anything to discuss on those *absent some clarification*. If you have any specific questions, you are always welcome to email them to me." (emphasis added since your July 11<sup>th</sup> letter took my words out of context implying that I stated there was "nothing to discuss"). In your response, you did not attempt to clarify or give us any further specifics on your request. Instead, you disagreed with our response, calling our objections "untenable". Not only did you not clarify your response, you escalated it with the threat of litigation.

Without restating the June 5, 2025 denial letter of ODH, it seems prudent to add that discovery-style requests that seek all records relating to or reflecting certain types of information are overbroad. *State ex rel. Dillery v. Icsman*, 92 Ohio St.3d 312, [2001-Ohio-193](#), 750 N.E.2d 156; *Kanter v. City of Cleveland Hts.*, Ct. of Cl. No. 2018-01092PQ, 2018-Ohio-4592 (request for all "communications, messages, schedules, logs, and documents shared" regarding requester between City of Cleveland Heights and a newspaper for a specific date range was overbroad); *Hicks v. Newtown*, Ct. of Cl. No. 2017- Ohio-00612-PQ, 2017-Ohio-8952, ¶ 8 ("A request to search for information 'regarding,' or 'relating' to, a topic is generally improper."). Additionally, Ohio law does not require a public office to provide all communications between that office and another organization, person, or persons related to a given topic, *Kanter v. City of Cleveland Hts.*, Ct. of Cl. No. 2018-01092PQ, 2018-Ohio-4592, ¶ 8-12.

You may still submit a revised, narrower request that identifies the records you seek so that ODH can determine where to look for, and how to identify responsive non-privileged records. However, in the interest of transparency, I have attached several email records that ODH was able to identify based on the current wording of your request.

Sincerely,

Bree

**Brianne Brown**

Chief Legal Counsel

Office of General Counsel

[246 North High St.](#)[Columbus, OH 43215](#)

P: 380.203.5654

[Brianne.Brown@odh.ohio.gov](mailto:Brianne.Brown@odh.ohio.gov)

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 **20250128.PRRresponse1.pdf**  
202K


 **20250129.PRRresponse1.pdf**  
219K


 **20250307.PRRresponse2.pdf**  
220K


 **20250603.PRRresponse1.pdf**  
519K

 **20250701.PRRresponse1.pdf**  
363K

 **20250701.PRRresponse2.pdf**  
200K

 **FW\_ASF License Inspection.pdf**  
199K

 **FW\_Public Records Request.pdf**  
328K

 **FW\_Public Records Request\_4.pdf**  
329K

# **EXHIBIT 13**

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**Public Records Request response**

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**Katie Corwin** <kjc150@case.edu>

Thu, Jul 17, 2025 at 12:22 PM

To: "Brianne.Brown@odh.ohio.gov" &lt;Brianne.Brown@odh.ohio.gov&gt;

Cc: "bjh11@case.edu" &lt;bjh11@case.edu&gt;

Dear Brianne,

In my email dated June 16, 2025, I specifically stated "We would like to schedule a meet and confer regarding the public records request we sent on May 8th." There was no ambiguity about the purpose of the meeting scheduled on July 10, 2025 that you unilaterally cancelled.

In case it wasn't clear before, we are asking James Hodge, Tracey Lamb, and Andrea Denning to search their email inboxes and sent email folders using the below search terms from the period of January 1, 2025 to July 1, 2025.

- Toledo Women's Center;
- TWC;
- Burkons;
- 1160 W. Sylvania; and
- Toledo + abortion

We are operating under the belief that the three named ODH employees can search for responsive emails using the parameters we have provided. Because you have declined our attempts to meet and confer, we are unable to understand what you mean, so we cannot suggest, a "revised, narrower request that identifies the records [we] seek so that ODH can determine where to look for, and how to identify responsive non-privileged records." While we have already provided sufficiently precise information to execute this search, we will revise it further if necessary and possible, once you inform us of the manner in which ODH maintains and accesses its emails, as you are statutorily required to do. R.C. 149.43(B) (2). Otherwise, please respond to this public records request by Friday, July 18.

Sincerely,  
Katie

[Quoted text hidden]

[Quoted text hidden]



# **EXHIBIT 14**

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**Public Records Request**

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**Katie Corwin** <kjc150@case.edu>

Fri, Jul 18, 2025 at 10:06 AM

To: Bill.Robbins@odh.ohio.gov, Jessie Hill <bjh11@case.edu>, Brenda.Adams@odh.ohio.gov, "Brianne.Brown@odh.ohio.gov" <Brianne.Brown@odh.ohio.gov>, PRI@odh.ohio.gov

Dear Mr. Robbins,

Please see the attached public records request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

**Public Records Request Robbins 7.18.25.pdf**

99K

July 18, 2025

**SENT VIA EMAIL: Bill.Robbins@odh.ohio.gov**

Mr. William Robbins  
Assistant Bureau Chief  
Ohio Department of Health  
Bureau of Regulatory Operations  
246 N. High St.  
Columbus, OH 43215

**RE: Public Records Request**

Dear Mr. Robbins,

Pursuant to Ohio's open records law, Ohio Rev. Code § 149.43, the following is a formal request for public records in the possession of the Ohio Department of Health (ODH):

I hereby request the following records:

Any emails that you have sent or received that mention or refer to the Toledo Women's Center from January 1, 2025 to the date of this request (July 18, 2025). This request includes all emails that mention or refer to the Toledo Women's Center by name; all emails that mention or refer to the Toledo Women's Center using an abbreviated name (such as "TWC"); all emails that mention or refer to the Toledo Women's Center's owner/medical director (Dr. David Burkons); and all emails that mention or refer to all or part of the address of the Toledo Women's Center (1160 W. Sylvania Ave., Toledo, OH 43612).

In order to fulfill this request, please search your email inbox and sent mail folders using the below search terms from the period of January 1, 2025 to July 18, 2025:

- Toledo Women's Center;
- TWC;
- Burkons
- 1160 W. Sylvania; and
- Toledo + abortion

Please provide responsive records on a rolling basis as you are able to prepare them, and kindly send the records to me in electronic format at [kjc150@case.edu](mailto:kjc150@case.edu) no later than August 1, 2025. *See*

R.C. § 149.43(B)(1) (records must be produced “promptly”); *State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Educ.*, 97 Ohio St. 3d 58, 65 (2002).

If there is a cost related to production, please advise me before incurring that cost. If you believe that any portion of a responsive record is exempted from disclosure by the Ohio Revised Code, please specify the basis for redaction and release all non-exempt portions of the record.

If there are any questions relating to this request, please contact me at [kjc150@case.edu](mailto:kjc150@case.edu).

Sincerely,

Katie Corwin, Esq.  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law

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**Public Records Request**

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**Katie Corwin** <kjc150@case.edu>

Fri, Jul 18, 2025 at 10:06 AM

To: Jayson.Rogers@odh.ohio.gov, Jessie Hill <bjh11@case.edu>, Brenda.Adams@odh.ohio.gov, "Brianne.Brown@odh.ohio.gov" <Brianne.Brown@odh.ohio.gov>, PRI@odh.ohio.gov

Dear Mr. Rogers,

Please see the attached public records request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122



**Public Records Request Rogers 7.18.25.pdf**  
101K

July 18, 2025

**SENT VIA EMAIL: Jayson.Rogers@odh.ohio.gov**

Mr. Jayson Rogers  
Administrative Officer 2  
Licensure and Certification Section  
Ohio Department of Health  
Bureau of Regulatory Operations  
246 N. High St.  
Columbus, OH 43215

**RE: Public Records Request**

Dear Mr. Rogers,

Pursuant to Ohio's open records law, Ohio Rev. Code § 149.43, the following is a formal request for public records in the possession of the Ohio Department of Health (ODH):

I hereby request the following records:

Any emails that you have sent or received that mention or refer to the Toledo Women's Center from January 1, 2025 to the date of this request (July 18, 2025). This request includes all emails that mention or refer to the Toledo Women's Center by name; all emails that mention or refer to the Toledo Women's Center using an abbreviated name (such as "TWC"); all emails that mention or refer to the Toledo Women's Center's owner/medical director (Dr. David Burkons); and all emails that mention or refer to all or part of the address of the Toledo Women's Center (1160 W. Sylvania Ave., Toledo, OH 43612).

In order to fulfill this request, please search your email inbox and sent folders using the below search terms from the period of January 1, 2025 to July 18, 2025:

- Toledo Women's Center;
- TWC;
- Burkons;
- 1160 W. Sylvania; and
- Toledo + abortion

In addition, please provide the message you referenced in Tracey Lamb's January 28, 2025 email to you with the subject line "Toledo Womens Center," in which Ms. Lamb said, "This is the one that I messaged you about – abortion center maybe?"

Please provide responsive records on a rolling basis as you are able to prepare them, and kindly send the records to me in electronic format at [kjc150@case.edu](mailto:kjc150@case.edu) no later than August 1, 2025. *See* R.C. § 149.43(B)(1) (records must be produced "promptly"); *State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Educ.*, 97 Ohio St. 3d 58, 65 (2002).

If there is a cost related to production, please advise me before incurring that cost. If you believe that any portion of a responsive record is exempted from disclosure by the Ohio Revised Code, please specify the basis for redaction and release all non-exempt portions of the record.

If there are any questions relating to this request, please contact me at [kjc150@case.edu](mailto:kjc150@case.edu).

Sincerely,

Katie Corwin, Esq.  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law

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**Public Records Request**

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**Katie Corwin** <kjc150@case.edu>

Fri, Jul 18, 2025 at 10:05 AM

To: tracey.lamb@odh.ohio.gov, Jessie Hill <bjh11@case.edu>, Brenda.Adams@odh.ohio.gov, "Brianne.Brown@odh.ohio.gov" <Brianne.Brown@odh.ohio.gov>, PRI@odh.ohio.gov

Dear Ms. Lamb,

Please see the attached public records request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122



**Public Records Request Lamb 7.18.25.pdf**  
88K



July 18, 2025

**SENT VIA EMAIL: tracey.lamb@odh.ohio.gov**

Ms. Tracey Lamb  
Ohio Department of Health  
Bureau of Regulatory Operations  
246 N. High St.  
Columbus, OH 43215

**RE: Public Records Request**

Dear Ms. Lamb,

Pursuant to Ohio's open records law, Ohio Rev. Code § 149.43, the following is a formal request for public records in the possession of the Ohio Department of Health (ODH):

I hereby request the following records:

The message you referenced in your January 28, 2025 email to Jayson Rogers with the subject line "Toledo Womens Center," in which you said, "This is the one that I messaged you about – abortion center maybe?"

Please provide the message to me in electronic format at [kjc150@case.edu](mailto:kjc150@case.edu) no later than August 1, 2025. *See* R.C. § 149.43(B)(1) (records must be produced "promptly"); *State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Educ.*, 97 Ohio St. 3d 58, 65 (2002).

If there is a cost related to production, please advise me before incurring that cost. If you believe that any portion of the responsive record is exempted from disclosure by the Ohio Revised Code, please specify the basis for redaction and release all non-exempt portions of the record.

If there are any questions relating to this request, please contact me at [kjc150@case.edu](mailto:kjc150@case.edu).

Sincerely,

Katie Corwin, Esq.  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law

# **EXHIBIT 15**

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## Public Records Request

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**Brenda.Adams@odh.ohio.gov** <Brenda.Adams@odh.ohio.gov>

Fri, Jul 18, 2025 at 2:06 PM

To: Katie Corwin <kjc150@case.edu>, "Bill.Robbins@odh.ohio.gov" <Bill.Robbins@odh.ohio.gov>, Jessie Hill <bjh11@case.edu>, "Brianne.Brown@odh.ohio.gov" <Brianne.Brown@odh.ohio.gov>, "PRI@odh.ohio.gov" <PRI@odh.ohio.gov>

Hello Ms. Corwin,

Our department is in receipt of your public records request to William Robbins.

We will respond to your request in a timely manner.

Thank you.

Brenda

**Brenda Adams**

**Administrative Professional**

**Office of General Counsel**

**246 North High Street**

**Columbus, OH 43215**

P: 614-466-4882

Brenda.Adams@odh.ohio.gov



**Department of  
Health**

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[Quoted text hidden]

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**Public Records Request**

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**Brenda.Adams@odh.ohio.gov** <Brenda.Adams@odh.ohio.gov>

Fri, Jul 18, 2025 at 2:07 PM

To: Katie Corwin &lt;kjc150@case.edu&gt;, "Jayson.Rogers@odh.ohio.gov" &lt;Jayson.Rogers@odh.ohio.gov&gt;, Jessie Hill &lt;bjh11@case.edu&gt;, "Brianne.Brown@odh.ohio.gov" &lt;Brianne.Brown@odh.ohio.gov&gt;, "PRI@odh.ohio.gov" &lt;PRI@odh.ohio.gov&gt;

Hello Ms. Corwin,

Our department is in receipt of your public records request to Jayson Rogers.

We will respond to your request in a timely manner.

Thank you.

Brenda

**Brenda Adams****Administrative Professional****Office of General Counsel****246 North High Street****Columbus, OH 43215**

P: 614-466-4882

Brenda.Adams@odh.ohio.gov

**Department of  
Health**

The State of Ohio is an Equal Opportunity Employer and Provider of ADA Services.

[Quoted text hidden]

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**Public Records Request**

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**Brenda.Adams@odh.ohio.gov** <Brenda.Adams@odh.ohio.gov>

Fri, Jul 18, 2025 at 2:06 PM

To: Katie Corwin &lt;kjc150@case.edu&gt;

Cc: "Tracey.Lamb@odh.ohio.gov" &lt;Tracey.Lamb@odh.ohio.gov&gt;, Jessie Hill &lt;bjh11@case.edu&gt;, "Brianne.Brown@odh.ohio.gov" &lt;Brianne.Brown@odh.ohio.gov&gt;, "PRI@odh.ohio.gov" &lt;PRI@odh.ohio.gov&gt;

Hello Ms. Corwin,

Our department is in receipt of your public records request to Tracey Lamb.

We will respond to your request in a timely manner.

Thank you.

Brenda

**Brenda Adams****Administrative Professional****Office of General Counsel****246 North High Street****Columbus, OH 43215**

P: 614-466-4882

Brenda.Adams@odh.ohio.gov

**Department of  
Health**

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[Quoted text hidden]

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# **EXHIBIT 16**

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## Public Records Request response

---

**Brianne.Brown@odh.ohio.gov** <Brianne.Brown@odh.ohio.gov>  
To: Katie Corwin <kjc150@case.edu>  
Cc: "bjh11@case.edu" <bjh11@case.edu>

Wed, Jul 23, 2025 at 2:14 PM

Dear Katie,

It is the position of the Ohio Department of Health (ODH) that your 3 public records requests sent to James Hodge, Andrea Denning and Tracey Lamb on July 1<sup>st</sup>, your July 17<sup>th</sup> email to me, your 3 public records requests sent to Tracey Lamb, Bill Robbins and Jay Rogers on July 18<sup>th</sup> (in addition to your July 21<sup>st</sup> email to Jay Rogers addressed below) are legally insufficient. Despite that, ODH has conducted a search and provided you records on July 15, 2025. This concludes our correspondence on this matter.

Regarding the email you sent directly to Jay Rogers on July 21<sup>st</sup> after receiving a July 21<sup>st</sup> response email from Mr. Rogers, the email you received was sent automatically from his inbox. His email settings autogenerate such a reply when he receives any email titled "Public Records Request" and thus the email you received was in error and not applicable to this particular request.

Sincerely,

Bree

**Brianne Brown**

Chief Legal Counsel

Office of General Counsel

246 North High St.

Columbus, OH 43215

P: 380.203.5654

[Brianne.Brown@odh.ohio.gov](mailto:Brianne.Brown@odh.ohio.gov)



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---

**From:** Katie Corwin <kjc150@case.edu>  
**Sent:** Thursday, July 17, 2025 12:22 PM  
**To:** Brown, Brianne <Brianne.Brown@odh.ohio.gov>  
**Cc:** bjh11@case.edu  
**Subject:** Re: Public Records Request response

Dear Brianne,  
[Quoted text hidden]  
[Quoted text hidden]

**CAUTION:** This is an external email and may not be safe. If the email looks suspicious, please do not click links or open attachments and forward the email to

[csc@ohio.gov](mailto:csc@ohio.gov) or click the Phish Alert Button if available.



# **EXHIBIT 17**

**OHIO COURT OF CLAIMS  
PUBLIC RECORDS ACCESS  
FORMAL COMPLAINT**

Ohio Court of Claims  
65 South Front Street, 3<sup>rd</sup> Floor  
Columbus, Ohio 43215  
(614) 387-9800

**OCC Form Rev. ( )**

www.ohiocourtclaims.gov

*INSTRUCTIONS: This form is to be used only when filing complaints under Ohio Revised Code 2743.75(D).  
All information provided may be disclosed pursuant to Ohio Public Records Act, O.R.C. 149.43.*

**PLEASE TYPE OR PRINT**

CLAIMANT CONTACT INFORMATION			
Name of person or organization that made public records request (last, first, middle initial or organization name)			
Corwin, Katherine / Case Western Reserve University School of Law Reproductive Rights Law Initiative			
c/o (contact person if claimant is an organization) Katherine Corwin			
Address	City	State	Zip Code
11075 East Blvd.	Cleveland	OH	44106
Telephone number	E-mail address		
513-401-1122	kjc150@case.edu		
PUBLIC OFFICE CONTACT INFORMATION			
Name of public office			
Ohio Department of Health			
Address (number and street)	City	State	Zip Code
246 N. High Street	Columbus	OH	43215
County	Telephone number	E-mail address	
Franklin	380-203-5654	PRI@odh.ohio.gov	
Name of public official who responded to records request (if no response made, state "None")			
Brienne Brown, Chief Legal Counsel			
COMPLAINT			
Please describe how access to public records was denied in violation of R.C. 149.43(B) (see codes.ohio.gov/orc/149.43). Attach additional sheets if necessary. Give the date of each request, and be specific as to what records have not been provided.			
See attached Complaint (Exhibit A), Public Records Request (Exhibit B), Timeline (Exhibit C), and all of the correspondence between the parties (Exhibits D — Q).			
REQUIRED ATTACHMENTS OR INFORMATION			
Attach <input checked="" type="checkbox"/> copy of original public records request, and <input checked="" type="checkbox"/> copies of any and all written responses or other communications relating to the request from the public office. If the request and/or denial was verbal, provide a detailed description below of the verbal communication with the public office. Attach additional sheets if necessary.			
See Exhibits B, D — Q.			
Signature		Date (mm/dd/year)	
Katherine Corwin		08/13/2025	

# **EXHIBIT A**

## COMPLAINT

1. On May 8, 2025, Katie Corwin (“Corwin”), submitted a public records request (“PRR”) to the Ohio Department of Health (“ODH”) regarding communications that mention or refer to the Toledo Women’s Center. *See Exhibit B.* Corwin submitted this request via email to James Hodge (“Hodge”), ODH Chief of Healthcare Compliance; Andrea Denning (“Denning”), ODH Bureau Chief; and Tracey Lamb (“Lamb”), ODH Bureau of Regulatory Operations. *See Exhibit D.*
2. Specifically, Corwin sought:

“Any emails ... sent or received [by Hodge, Denning, or Lamb] that mention or refer to the Toledo Women’s Center from January 1, 2025 to [May 8, 2025]. This request includes all emails that mention or refer to the Toledo Women’s Center by name; all emails that mention or refer to the Toledo Women’s Center using an abbreviated name (such as ‘TWC’); all emails that mention or refer to the Toledo Women’s Center’s owner/medical director (Dr. David Burkons); and all emails that mention or refer to all or part of the address of the Toledo Women’s Center (1160 W. Sylvania Ave., Toledo, OH 43612).” *See Exhibit B.*
3. On May 12, 2025, Corwin received an email from Brenda Adams (“Adams”), Administrative Professional for the Office of the General Counsel, acknowledging that ODH was in receipt of the May 8, 2025 PRR. *See Exhibit E.*
4. Not having received any response to her PRR, Corwin contacted Adams by email on May 19, 2025 and on May 28, 2025, seeking a response. *See Exhibit F.* Corwin also contacted Hodge by email on May 21, 2025, seeking a response. *See Exhibit G.* Still having received no response from any of them, Corwin followed up with Hodge, Dennings, and Lamb by email one last time on June 3, 2025. *See Exhibit H.*
5. On June 5, 2025, Corwin received an email from Brianne Brown (“Brown”), ODH Chief Legal Counsel, transmitting a letter that denied Corwin’s PRR. *See Exhibit I.* In that letter, Brown argued that the request was overly broad, that Corwin did not request specific records, and that the records requested are privileged attorney-client communications. *Id.*
6. On June 16, 2025, Corwin emailed Brown requesting a meet and confer to discuss the denial of the PRR. Brown and Corwin scheduled a meet and confer for July 10, 2025. However, after the close of business on July 9, 2025, Brown emailed Corwin a set of records responsive to a previous PRR, and unilaterally cancelled the meet and confer

scheduled for the next day. Corwin responded by clarifying that the meet and confer was for the purpose of discussing the May 8 PRR and not the previous PRR. On July 10, 2025, Brown responded to Corwin, stating that there was nothing to discuss because ODH had denied the May 8, 2025 PRR. *See Exhibit J* for the full email correspondence. On July 11, 2025, Corwin wrote a letter to Brown rebutting Brown's claims that the PRR was overbroad, not specific, and attorney-client work product. *See Exhibit K.*

7. On July 15, 2025, Brown responded to Corwin and stated, "To clarify, my understanding was that the meeting we had scheduled on July 10th was to discuss a pending request for records that had not been delivered stemming from your [previous] April 17, 2025 public records request." *See Exhibit L.* Additionally, Brown said, "However, in the interest of transparency, I have attached several email records that ODH was able to identify based on the current wording of your request." *See Exhibit M.* However, upon information and belief, Brown did not provide all of the emails that a full search of Hodge, Denning, and Lamb's inboxes require to fulfill the PRR. In her email Brown stated only that she attached "several emails," which suggests that they may not be the entire universe of responsive emails.
8. On July 17, 2025, Corwin responded to Brown and said, "In my email dated June 16, 2025, I specifically stated 'We would like to schedule a meet and confer regarding the public records request we sent on May 8th.' There was no ambiguity about the purpose of the meeting scheduled on July 10, 2025 that you unilaterally cancelled." *See Exhibit N.* Corwin also further clarified the records requested and provided specific search terms that Hodge, Denning, and Lamb could use to fulfill the request. *Id.*
9. Following up on the records that Brown sent Corwin on July 10, 2025, Corwin sent three new PRRs: one to Bill Robbins ("Robbins"), ODH Assistant Bureau Chief; one to Jayson Rogers ("Rogers"), Administrative Officer 2, Licensure and Certification Section of ODH; and one to Lamb on July 18, 2025. *See Exhibit O.* Specifically, Corwin sought from Robbins and Rogers:  
"Any emails that you have sent or received that mention or refer to the Toledo Women's Center from January 1, 2025 to the date of this request (July 18, 2025). This request includes all emails that mention or refer to the Toledo Women's Center by name; all emails that mention or refer to the Toledo Women's Center using an abbreviated name (such as "TWC"); all emails that mention or refer to the Toledo Women's Center's owner/medical director (Dr. David Burkons); and all emails that mention or refer to all or part of the address of the Toledo Women's Center (1160 W. Sylvania Ave., Toledo, OH 43612)." The email again provided specific search terms that could be used to fulfill those requests. *See Exhibit O.*

Additionally, Corwin sent Lamb and Rogers a PRR for a message that was referred to in one of the records that had been produced. (Specifically, on January 28, 2025, Lamb had sent Rogers an email with the subject line “Toledo Womens Center,” in which Lamb said, “This is the one that I messaged you about – abortion center maybe?” *See Exhibit O.*) So Corwin sent Lamb and Rogers a PRR requesting that message.

Adams confirmed receipt of all three new requests. *See Exhibit P.*

10. On July 23, 2025, Brown sent Corwin an email declining to produce further emails responsive to the May 8 request and denying the requests to Robbins, Rogers, and Lamb, stating only that in ODH’s view they are “legally insufficient” and that “this concludes our correspondence on this matter.” *See Exhibit Q.*

11. None of Brown’s objections to Corwin’s PRRs have merit.

- a. Under Ohio’s Public Records Act, emails are considered records.
- b. The requests were very narrow, limited to email communications from five individuals that used certain terms, and confined to a short timeframe of just over four months.
- c. Furthermore, after Brown stated concerns about the breadth of Corwin’s request, Corwin provided specific search terms within a narrow time frame for Hodge, Denning, and Lamb to search their email inboxes.
- d. Because Corwin’s attempts to meet and confer with Brown were flatly denied, and because Brown declined to provide any information on the manner in which ODH maintains its email records, there was no opportunity for Corwin to further tailor her request to the manner in which ODH stores its records. *See R.C. 149.43(B)(2)* (requiring agencies to “provide the requester with an opportunity to revise the request by informing the requester of the manner in which records are maintained by the public office and accessed in the ordinary course of the public office's or person's duties.”).

12. It has now been over three months since Corwin’s initial request to ODH and the requested records have not been made available for inspection. Such a delay is not reasonable. But “all public records responsive to the request shall be *promptly* prepared and made available for inspection ... and upon request by any person, a public office or person responsible for public records shall make copies of the requested public record ... within a reasonable period of time.” ORC § 149.43 (B)(1) (emphasis added).

13. For a timeline of these events, please see **Exhibit C**.

# **EXHIBIT B**

May 8, 2025

**SENT VIA EMAIL: james.hodge@odh.ohio.gov**

Mr. James Hodge  
Chief of Healthcare Compliance  
Ohio Department of Health  
Bureau of Regulatory Operations  
246 N. High St.  
Columbus, OH 43215

**RE: Public Records Request**

Dear Mr. Hodge,

Pursuant to Ohio's open records law, Ohio Rev. Code § 149.43, the following is a formal request for public records in the possession of the Ohio Department of Health (ODH):

I hereby request the following records:

Any emails that you have sent or received that mention or refer to the Toledo Women's Center from January 1, 2025 to the date of this request. This request includes all emails that mention or refer to the Toledo Women's Center by name; all emails that mention or refer to the Toledo Women's Center using an abbreviated name (such as "TWC"); all emails that mention or refer to the Toledo Women's Center's owner/medical director (Dr. David Burkons); and all emails that mention or refer to all or part of the address of the Toledo Women's Center (1160 W. Sylvania Ave., Toledo, OH 43612).

Please provide responsive records on a rolling basis as you are able to prepare them, and kindly send the records to me in electronic format at [kjc150@case.edu](mailto:kjc150@case.edu) no later than May 23, 2025. *See* R.C. § 139.43(B)(1) (records must be produced "promptly"); *State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Educ.*, 97 Ohio St. 3d 58, 65 (2002).

If there is a cost related to production, please advise me before incurring that cost. If you believe that any portion of a responsive record is exempted from disclosure by the Ohio Revised Code, please specify the basis for redaction and release all non-exempt portions of the record.

If there are any questions relating to this request, please contact me at [kjc150@case.edu](mailto:kjc150@case.edu).

Sincerely,



Katie Corwin  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law

May 8, 2025

**SENT VIA EMAIL: andrea.denning@odh.ohio.gov**

Ms. Andrea Denning  
Bureau Chief  
Ohio Department of Health  
Bureau of Regulatory Operations  
246 N. High St.  
Columbus, OH 43215

**RE: Public Records Request**

Dear Ms. Denning,

Pursuant to Ohio's open records law, Ohio Rev. Code § 149.43, the following is a formal request for public records in the possession of the Ohio Department of Health (ODH):

I hereby request the following records:

Any emails that you have sent or received that mention or refer to the Toledo Women's Center from January 1, 2025 to the date of this request. This request includes all emails that mention or refer to the Toledo Women's Center by name; all emails that mention or refer to the Toledo Women's Center using an abbreviated name (such as "TWC"); all emails that mention or refer to the Toledo Women's Center's owner/medical director (Dr. David Burkons); and all emails that mention or refer to all or part of the address of the Toledo Women's Center (1160 W. Sylvania Ave., Toledo, OH 43612).

Please provide responsive records on a rolling basis as you are able to prepare them, and kindly send the records to me in electronic format at [kjc150@case.edu](mailto:kjc150@case.edu) no later than May 23, 2025. *See* R.C. § 139.43(B)(1) (records must be produced "promptly"); *State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Educ.*, 97 Ohio St. 3d 58, 65 (2002).

If there is a cost related to production, please advise me before incurring that cost. If you believe that any portion of a responsive record is exempted from disclosure by the Ohio Revised Code, please specify the basis for redaction and release all non-exempt portions of the record.

If there are any questions relating to this request, please contact me at [kjc150@case.edu](mailto:kjc150@case.edu).

Sincerely,

Katie Corwin

Legal Fellow

Reproductive Rights Law Initiative

Case Western Reserve University School of Law

May 8, 2025

**SENT VIA EMAIL: tracey.lamb@odh.ohio.gov**

Ms. Tracey Lamb  
Ohio Department of Health  
Bureau of Regulatory Operations  
246 N. High St.  
Columbus, OH 43215

**RE: Public Records Request**

Dear Ms. Lamb,

Pursuant to Ohio's open records law, Ohio Rev. Code § 149.43, the following is a formal request for public records in the possession of the Ohio Department of Health (ODH):

I hereby request the following records:

Any emails that you have sent or received that mention or refer to the Toledo Women's Center from January 1, 2025 to the date of this request. This request includes all emails that mention or refer to the Toledo Women's Center by name; all emails that mention or refer to the Toledo Women's Center using an abbreviated name (such as "TWC"); all emails that mention or refer to the Toledo Women's Center's owner/medical director (Dr. David Burkons); and all emails that mention or refer to all or part of the address of the Toledo Women's Center (1160 W. Sylvania Ave., Toledo, OH 43612).

Please provide responsive records on a rolling basis as you are able to prepare them, and kindly send the records to me in electronic format at [kjc150@case.edu](mailto:kjc150@case.edu) no later than May 23, 2025. *See* R.C. § 139.43(B)(1) (records must be produced "promptly"); *State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Educ.*, 97 Ohio St. 3d 58, 65 (2002).

If there is a cost related to production, please advise me before incurring that cost. If you believe that any portion of a responsive record is exempted from disclosure by the Ohio Revised Code, please specify the basis for redaction and release all non-exempt portions of the record.

If there are any questions relating to this request, please contact me at [kjc150@case.edu](mailto:kjc150@case.edu).

Sincerely,

Katie Corwin  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law

# **EXHIBIT C**

### Timeline

<u>Date</u>	<u>Description</u>
May 8, 2025	Corwin emails a Public Records Request (PRR) to the Ohio Department of Health (ODH) making 3 requests for public records.
May 12, 2025	Corwin receives an email from Adams acknowledging ODH was in receipt of the PRR.
May 19, 2025	Corwin seeks a response from Adams via email.
May 21, 2025	Corwin seeks a response from Adams via email again.
June 3, 2025	Corwin emails Hodge, Denning, and Lamb requesting a prompt response to her PRRs.
June 5, 2025	Corwin receives an email from Brown denying the May 8, 2025 PRR.
June 16, 2025	Corwin emails Brown requesting a meet and confer to discuss the denial of the May 8, 2025 PRR.
June 24, 2025	Corwin and Brown schedule a meet and confer for July 10, 2025.
July 9, 2025	Brown emails Corwin the documents related to a separate PRR Corwin filed on April 17, 2025 and cancels the July 10, 2025 meeting. Corwin responds to Brown's email clarifying that the meet and confer is regarding the May 8, 2025 PRR and not the April 17, 2025 PRR.
July 10, 2025	Brown responds to Corwin saying there is nothing to discuss because ODH has denied the May 8, 2025 PRR.
July 11, 2025	Corwin responds to Brown rebutting ODH's denial of the May 8, 2025 PRR and requested that the PRR be fulfilled by July 17, 2025.
July 15, 2025	Brown responds to Corwin explaining that she misunderstood the purpose of the meet and confer scheduled for July 10, 2025 and provided <i>some</i> emails that we requested in the May 8, 2025 PRR.
July 17, 2025	Corwin responded to Brown and stated there was no ambiguity regarding the purpose of the July 10, 2025 meet and confer. Additionally, Corwin clarifies the records requested in the May 8, 2025 PRR.
July 18, 2025	Corwin sent three new PRRs to Robbins, Rogers, and Lamb.
July 23, 2025	Brown responded to Corwin and denied the three PRRs to Robbins, Rogers, and Lamb claiming that they are "legally insufficient." Brown

	further said, “This concludes our correspondence on this matter.”
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# **EXHIBIT D**

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## Public Records Request

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Katie Corwin <kjc150@case.edu>

Thu, May 8, 2025 at 2:27 PM

To: james.hodge@odh.ohio.gov, Jessie Hill <bjh11@case.edu>

Dear Mr. Hodge,

Please see the attached public records request.

Sincerely,  
Katie Corwin

--  
Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

---

 **Public Records Request Hodge 5.8.25.pdf**  
109K

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## Public Records Request

---

Katie Corwin <kjc150@case.edu>

Thu, May 8, 2025 at 2:29 PM

To: andrea.denning@odh.ohio.gov, Jessie Hill <bjh11@case.edu>

Dear Ms. Denning,

Please see the attached public records request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122



Public Records Request Denning 5.8.25.pdf

89K

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## Public Records Request

---

Katie Corwin <kjc150@case.edu>

Thu, May 8, 2025 at 2:30 PM

To: tracey.lamb@odh.ohio.gov, Jessie Hill <bjh11@case.edu>

Dear Ms. Lamb,

Please see the attached public records request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

---

 **Public Records Request Lamb 5.8.25.pdf**  
109K

# **EXHIBIT E**

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**Acknowledgement to Public Records Request to Andrea Denning**

1 message

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**Brenda.Adams@odh.ohio.gov** <Brenda.Adams@odh.ohio.gov>  
To: "kjc150@case.edu" <kjc150@case.edu>

Mon, May 12, 2025 at 8:41 AM

Dear Ms. Corwin:

ODH is in receipt of your Public Record Request addressed to Andrea Denning. Your request is in being processed in accordance with R.C. 149.43.

Thank you.

Brenda

**Brenda Adams****Administrative Professional****Office of General Counsel****246 North High Street****Columbus, OH 43215**

P: 614-466-4882

Brenda.Adams@odh.ohio.gov



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**Acknowledgement of Public Records Request to Tracey Lamb**

1 message

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**Brenda.Adams@odh.ohio.gov** <Brenda.Adams@odh.ohio.gov>  
To: "kjc150@case.edu" <kjc150@case.edu>

Mon, May 12, 2025 at 8:35 AM

Dear Ms. Corwin:

ODH is in receipt of your Public Record Request addressed to Tracey Lamb. Your request is in being processed in accordance with R.C. 149.43.

Thank you.

Brenda

**Brenda Adams****Administrative Professional****Office of General Counsel****246 North High Street****Columbus, OH 43215**

P: 614-466-4882

Brenda.Adams@odh.ohio.gov

**Department of  
Health**

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# **EXHIBIT F**



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**Public Records Requests**

2 messages

Katie Corwin <kjc150@case.edu>  
To: Brenda.Adams@odh.ohio.gov

Mon, May 19, 2025 at 12:09 PM

Hi Brenda,

I hope you had a good weekend! I submitted the following public records requests:

- James Hodge on 4/17/25
- James Hodge on 5/8/25
- Andrea Denning on 5/8/25
- Tracey Lamb on 5/8/25



Can you please provide an update on when I will receive the information requested? I have attached all of the requests for your convenience.

Thank you,  
Katie

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

---

**4 attachments** **Public Records Request Hodge 5.8.25.pdf**  
109K **Public Records Request Lamb 5.8.25.pdf**  
109K **Public Records Request Hodge 4.17.25.pdf**  
83K **Public Records Request Denning 5.8.25.pdf**  
89K

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Katie Corwin <kjc150@case.edu>  
To: Brenda.Adams@odh.ohio.gov

Wed, May 28, 2025 at 12:07 PM

Hi Brenda,

I hope you enjoyed the long weekend! I wanted to follow up with you on the public records requests I previously submitted. Please see the list below

- James Hodge on 4/17/25
- James Hodge on 5/8/25
- Andrea Denning on 5/8/25
- Tracey Lamb on 5/8/25

Can you please provide an update on when I will receive the information requested? I have attached all of the requests for your convenience.

Thank you,  
Katie

[Quoted text hidden]

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**4 attachments** **Public Records Request Hodge 5.8.25.pdf**  
109K **Public Records Request Hodge 4.17.25.pdf**  
83K **Public Records Request Lamb 5.8.25.pdf**  
109K **Public Records Request Denning 5.8.25.pdf**  
89K

# **EXHIBIT G**

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## Public Records Request

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**Katie Corwin** <kjc150@case.edu>  
To: james.hodge@odh.ohio.gov  
Cc: Brenda.Adams@odh.ohio.gov

Wed, May 21, 2025 at 12:02 PM

Dear Mr. Hodge,


I sent you a public records request on 4/17/25 and an additional one on 5/8/25. I have attached the requests for your convenience. Can you please provide an update on when I will receive the records requested?

Sincerely,  
Katie Corwin

[Quoted text hidden]

---

### 2 attachments

 **Public Records Request Hodge 4.17.25.pdf**  
83K

 **Public Records Request Hodge 5.8.25.pdf**  
109K

# **EXHIBIT H**

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**Public Records Request Follow Up**

1 message

**Katie Corwin** <kjc150@case.edu>

Tue, Jun 3, 2025 at 1:25 PM

To: james.hodge@odh.ohio.gov, Jessie Hill &lt;bjh11@case.edu&gt;, Brenda.Adams@odh.ohio.gov

Dear Mr. Hodge,

Please see the attached letter following up on my previous public records requests. I have provided the original requests for your convenience and the initial emails I sent you containing the requests.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

---

**5 attachments****Public Records Request Follow Up\_Hodge\_6.3.25.pdf**  
83K**Public Records Request Hodge 4.17.25.pdf**  
83K**Public Records Request Hodge 5.8.25.pdf**  
109K**Hodge 4.17.25 Email.pdf**  
118K**Hodge Email 5.8.25.pdf**  
151K

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**Public Records Request Follow Up**

1 message

**Katie Corwin** <kjc150@case.edu>

Tue, Jun 3, 2025 at 1:30 PM

To: andrea.denning@odh.ohio.gov, Jessie Hill &lt;bjh11@case.edu&gt;, Brenda.Adams@odh.ohio.gov

Dear Ms. Denning,



Please see the attached letter following up on my previous public records requests. I have provided the original request for your convenience and the initial email I sent you containing the request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

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**3 attachments** **Public Records Request Follow Up Denning 6.3.25.pdf**  
82K **Public Records Request Denning 5.8.25.pdf**  
89K **Denning Email 5.8.25.pdf**  
129K

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**Public Records Request Follow Up**

1 message

**Katie Corwin** <kjc150@case.edu>

Tue, Jun 3, 2025 at 1:33 PM

To: tracey.lamb@odh.ohio.gov, Jessie Hill &lt;bjh11@case.edu&gt;, Brenda.Adams@odh.ohio.gov

Dear Ms. Lamb,


Please see the attached letter following up on my previous public records request. I have provided the original request for your convenience and the initial email I sent you containing the request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

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**3 attachments** **Public Records Request Follow Up Lamb 6.3.25.pdf**  
83K **Public Records Request Lamb 5.8.25.pdf**  
109K **Lamb Email 5.8.25.pdf**  
130K

# **EXHIBIT I**



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**Public Records Requests**

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**Brianne.Brown@odh.ohio.gov** <Brianne.Brown@odh.ohio.gov>

Thu, Jun 5, 2025 at 3:02 PM

To: "kjc150@case.edu" &lt;kjc150@case.edu&gt;

Cc: "james.hodge@odh.ohio.gov" &lt;james.hodge@odh.ohio.gov&gt;, "Andrea.Denning@odh.ohio.gov" &lt;Andrea.Denning@odh.ohio.gov&gt;, "Tracy.Lamb@drc.ohio.gov" &lt;Tracy.Lamb@drc.ohio.gov&gt;

Good Afternoon Katie,

Attached please find our response to your requests for records dated May 8 and April 17, 2025.

Regards,

Bree

**Brianne Brown**

Chief Legal Counsel

Office of General Counsel

246 North High St.

Columbus, OH 43215

P: 380.203.5654

[Brianne.Brown@odh.ohio.gov](mailto:Brianne.Brown@odh.ohio.gov)

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June 5, 2025

VIA EMAIL

Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
Katie Corwin, Legal Fellow  
kjc1502case.edu

Dear Ms. Corwin:

I am writing in response to your public records requests sent to the Ohio Department of Health by email on April 17, 2025 and May 8, 2025<sup>1</sup>.

Regarding the May 8<sup>th</sup> request which states: "I hereby request the following records:

Any emails that you have sent or received that mention or refer to the Toledo Women's Center from January 1, 2025 to the date of this request. This request includes all emails that mention or refer to the Toledo Women's Center by name; all emails that mention or refer to the Toledo Women's Center using an abbreviated name (such as "TWC"); all emails that mention or refer to the Toledo Women's Center's owner/medical director (Dr. David Burkons); and all emails that mention or refer to all or part of the address of the Toledo Women's Center (1160 W. Sylvania Ave., Toledo, OH 43612)."

Your request is overly broad because it does not identify specific records being sought with reasonable clarity and is too voluminous, vague or indefinite to be properly acted on. Accordingly, ODH denies your request. See R.C. 149.43(B)(2), *State ex rel. Zidonis v. Columbus State Cmty. College*, which provides: "[I]t is the responsibility of the person who wishes to inspect and/or copy records to identify with reasonable clarity the records at issue." 2012-Ohio-4228 ¶ 21.

To the extent you are seeking emails referencing the review of any applications for compliance with applicable legal provisions, these records are privileged attorney-client communications and/or attorney work product and not subject to release. See R.C. 149.43(A)(1)(v); see also *State ex rel. Leslie v. Ohio Hous. Fin. Agency*, 2005-Ohio-1508, 824 and *State ex rel. Lanham v. DeWine*, 2013-Ohio-199.

Additionally, this request identifies information you are seeking, rather than specific, existing records of the Ohio Department of Health. The Ohio Public Records Act provides for access to records, but it does not obligate a public office to search for records containing selected information. *State ex rel. Fant v. Tober*, 8th Dist. No. 63737 (Apr. 28, 1993), 1993 Ohio App. LEXIS 2591, *aff'd* 68 Ohio St.3d 117 (1993). Further, a public office is under no duty to create new records by searching for and compiling information that may be of interest to the

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<sup>1</sup> Identical copies of this request were received by email by Ohio Department of Health (ODH) employees Andrea Denning, James Hodge and Tracey Lamb.

requester. *State ex rel. White v. Goldsberry*, 85 Ohio St.3d 153 (1999). Lastly, Ohio law does not require a public office to provide all work-related e-mail messages from or to a public official, *State ex rel. Glasgow v. Jones*, 2008-Ohio-4788, ¶¶ 16-19, or to organize records in electronic or other media such that they can be retrieved based on a keyword search, *State ex rel. Thomas v. Ohio State University*, 71 Ohio St.3d 245 (1994). A requester must identify the records sought so that the public office can identify responsive records based on the manner in which it ordinarily maintains and accesses the public records it keeps. *State ex rel. Zauderer v. Joseph*, 62 Ohio App.3d 752 (10th Dist. 1989). Your requests fail to request records based on the manner in which the Ohio Department of Health organizes its records. *State ex rel. Zidonis v. Columbus State Cmty. College*, 2012-Ohio-4228, ¶ 21; *State ex rel. Dehler v. Spatny*, 2010-Ohio-5711, ¶¶ 1-3.

Regarding your April 17, 2025 request to Mr. Hodge, Ms. Lamb and and Andrea Denning for all new license applications for ambulatory surgical facilities (ASFs) received by ODH between January 1, 2020 and April 1, 2025, excluding applications for a renewal of an already existing license and also all of the inspection reports generated by ODH in connection with each new ASF license application received by ODH between January 1, 2020 and April 1, 2025, this request is still being processed. In the meantime, it's possible some of the information you're looking for can be found at:

[https://publicapps.odh.ohio.gov/eid/Provider\\_Search.aspx](https://publicapps.odh.ohio.gov/eid/Provider_Search.aspx)

Should you wish to request specific guidance, alerts, advisories, or another specific record, please let us know. Should you have any questions, please contact me at [Brianne.Brown@odh.ohio.gov](mailto:Brianne.Brown@odh.ohio.gov).

Sincerely,

Brianne Brown  
Chief Legal Counsel

cc: James Hodge, Andrea Denning, Tracey Lamb

# **EXHIBIT J**

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## Public Records Requests

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Katie Corwin <kjc150@case.edu>

Mon, Jun 16, 2025 at 9:04 AM

To: "Brienne.Brown@odh.ohio.gov" <Brienne.Brown@odh.ohio.gov>, Jessie Hill <bjh11@case.edu>

Cc: "james.hodge@odh.ohio.gov" <james.hodge@odh.ohio.gov>, "Andrea.Denning@odh.ohio.gov" <Andrea.Denning@odh.ohio.gov>, "Tracy.Lamb@drc.ohio.gov" <Tracy.Lamb@drc.ohio.gov>

Hi Brienne,

I hope you had a good weekend. We would like to schedule a meet and confer regarding the public records request we sent on May 8th. Please send us your availability for next week.

Thank you,  
Katie

[Quoted text hidden]

[Quoted text hidden]

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**Public Records Requests**

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**Brianne.Brown@odh.ohio.gov** <Brianne.Brown@odh.ohio.gov>

Mon, Jun 16, 2025 at 12:38 PM

To: Katie Corwin &lt;kjc150@case.edu&gt;, Jessie Hill &lt;bjh11@case.edu&gt;

Cc: "james.hodge@odh.ohio.gov" &lt;james.hodge@odh.ohio.gov&gt;, "Andrea.Denning@odh.ohio.gov" &lt;Andrea.Denning@odh.ohio.gov&gt;, "Tracy.Lamb@drc.ohio.gov" &lt;Tracy.Lamb@drc.ohio.gov&gt;

Good Afternoon Katie,

The weekends are never quite long enough, but it was good. Hope yours was too! I am happy to get something scheduled; however, we are in the final stages of the state budget process right now through the end of June so I'm unfortunately not available until July at this point.

Please let me know what day(s) and time(s) would work for you and I will get a meeting scheduled.

Thanks,

Bree

[Quoted text hidden]

**CAUTION:** This is an external email and may not be safe. If the email looks suspicious, please do not click links or open attachments and forward the email to [csc@ohio.gov](mailto:csc@ohio.gov) or click the Phish Alert Button if available.

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## Public Records Requests

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Katie Corwin <kjc150@case.edu>

Mon, Jun 23, 2025 at 1:12 PM

To: "Brianne.Brown@odh.ohio.gov" <Brianne.Brown@odh.ohio.gov>

Cc: Jessie Hill <bjh11@case.edu>, "James.Hodge@odh.ohio.gov" <james.hodge@odh.ohio.gov>, "Andrea.Denning@odh.ohio.gov" <Andrea.Denning@odh.ohio.gov>, "Tracy.Lamb@drc.ohio.gov" <Tracy.Lamb@drc.ohio.gov>

Hi Brianne,

Apologies for the delay! Please see our availability below.

Tuesday, July 1st before 1pm or after 3pm

Wednesday, July 2nd before 2pm

Monday, July 7th before noon

Tuesday, July 8th any time

Thursday, July 10th before 11am or between 12:30pm-3:00pm

Thank you!

Katie

[Quoted text hidden]

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**Public Records Requests**

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**Brianne.Brown@odh.ohio.gov** <Brianne.Brown@odh.ohio.gov>

Tue, Jun 24, 2025 at 8:44 AM

To: Katie Corwin &lt;kjc150@case.edu&gt;

Cc: Jessie Hill &lt;bjh11@case.edu&gt;, "James.Hodge@odh.ohio.gov" &lt;james.hodge@odh.ohio.gov&gt;, "Andrea.Denning@odh.ohio.gov" &lt;Andrea.Denning@odh.ohio.gov&gt;, "Tracy.Lamb@drc.ohio.gov" &lt;Tracy.Lamb@drc.ohio.gov&gt;

Good Morning Katie,

July 10<sup>th</sup> is probably the best day out of the list as far as availability goes; how about 9:30? I am happy to send a Teams link if you'd like- let me know?

[Quoted text hidden]



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**Public Records Requests**

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**Katie Corwin** <kjc150@case.edu>

Tue, Jun 24, 2025 at 12:08 PM

To: "Brianne.Brown@odh.ohio.gov" &lt;Brianne.Brown@odh.ohio.gov&gt;

Cc: Jessie Hill &lt;bjh11@case.edu&gt;, "james.hodge@odh.ohio.gov" &lt;james.hodge@odh.ohio.gov&gt;, "Andrea.Denning@odh.ohio.gov" &lt;Andrea.Denning@odh.ohio.gov&gt;, "Tracy.Lamb@drc.ohio.gov" &lt;Tracy.Lamb@drc.ohio.gov&gt;

Hi Brianne,

Yes, that works for us. Sending a teams link would be great.

Thank you!

Katie

[Quoted text hidden]



Katie Corwin <kjc150@case.edu>

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## Public Records Requests

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**Brianne.Brown@odh.ohio.gov** <Brianne.Brown@odh.ohio.gov>

Tue, Jun 24, 2025 at 12:50 PM

To: Katie Corwin <kjc150@case.edu>

Cc: Jessie Hill <bjh11@case.edu>, "James.Hodge@odh.ohio.gov" <james.hodge@odh.ohio.gov>, "Andrea.Denning@odh.ohio.gov" <Andrea.Denning@odh.ohio.gov>, "Tracy.Lamb@drc.ohio.gov" <Tracy.Lamb@drc.ohio.gov>

Done!

Have a great rest of your day.

[Quoted text hidden]

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**Public Records Request response**

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**Brianne.Brown@odh.ohio.gov** <Brianne.Brown@odh.ohio.gov>  
To: Katie Corwin <kjc150@case.edu>, Jessie Hill <bjh11@case.edu>

Wed, Jul 9, 2025 at 5:07 PM

Good Afternoon Katie and Jessie,

Below please find all responsive records to your April 17, 2025 public records request addressed to James Hodge which requested the following records:

1. All **new** license applications for ambulatory surgical facilities (ASFs) received by ODH between January 1, 2020 and April 1, 2025. We are not requesting applications for a renewal of an already existing license.
2. All of the inspection reports generated by ODH in connection with each new ASF license application received by ODH between January 1, 2020 and April 1, 2025.

<https://filedrop.cloudafs.ohio.gov/pickup?claimID=bYZbgoWH2tMHoi4i&claimPasscode=PG46ju5ZSkACqtnh&emailAddr=159418>

I know we had a meeting on the books for tomorrow morning to discuss this request, so I am cancelling said meeting in light of this response.

Thanks,

Bree

**Brianne Brown**

Chief Legal Counsel

Office of General Counsel

246 North High St.

Columbus, OH 43215

P: 380.203.5654

[Brianne.Brown@odh.ohio.gov](mailto:Brianne.Brown@odh.ohio.gov)



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## Public Records Request response

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Katie Corwin <kjc150@case.edu>

Wed, Jul 9, 2025 at 5:17 PM

To: "Brianne.Brown@odh.ohio.gov" <Brianne.Brown@odh.ohio.gov>

Cc: Jessie Hill <bjh11@case.edu>

Hi Brianne,

Thank you for sending us those documents. We would still like to meet tomorrow to discuss the May 8th requests. Can you please reinstate the meeting? If that time no longer works, we are happy to reschedule.

Best,  
Katie

[Quoted text hidden]

--

Katie Corwin, Esq.

she/her/hers

Legal Fellow

Reproductive Rights Law Initiative

Case Western Reserve University School of Law

11075 East Blvd., Cleveland, Ohio 44106

(513) 401-1122

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**Public Records Request response**

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**Brianne.Brown@odh.ohio.gov** <Brianne.Brown@odh.ohio.gov>  
To: Katie Corwin <kjc150@case.edu>  
Cc: Jessie Hill <bjh11@case.edu>

Thu, Jul 10, 2025 at 8:38 AM

Good Morning Katie,

As tends to happen quickly, our original meeting time has been replaced with another meeting.

Since your May 8<sup>th</sup> requests were denied as overbroad as explained in our June 5<sup>th</sup> letter, I don't know that there's anything to discuss on those absent some clarification. If you have any specific questions, you are always welcome to email them to me.

Thanks,

Bree

[Quoted text hidden]

**CAUTION:** This is an external email and may not be safe. If the email looks suspicious, please do not click links or open attachments and forward the email to [csc@ohio.gov](mailto:csc@ohio.gov) or click the Phish Alert Button if available.

# **EXHIBIT K**

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**Public Records Request response**

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**Katie Corwin** <kjc150@case.edu>

Fri, Jul 11, 2025 at 10:45 AM

To: "Brianne.Brown@odh.ohio.gov" &lt;Brianne.Brown@odh.ohio.gov&gt;

Cc: Jessie Hill &lt;bjh11@case.edu&gt;


Hi Brianne,

Please see the letter attached regarding the denial of our May 8, 2025 public records request.

Sincerely,  
Katie

[Quoted text hidden]

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 **Reply to 5.8.25 PRR Denial.pdf**  
95K

July 11, 2025

**SENT VIA EMAIL: Brianne.Brown@odh.ohio.gov**

Ms. Brianne Brown  
Chief Legal Counsel  
Ohio Department of Health  
246 N. High St.  
Columbus, OH 43215

**RE: Denial of May 8, 2025 Public Records Request**

Dear Ms. Brown:

We are writing in further response to your denial of our May 8, 2025 public records request. We were disappointed that late on the eve of our meet and confer, you unilaterally cancelled the meeting, explaining early yesterday morning that you had “replaced it with another meeting” and that there was “nothing to discuss.” This letter refutes your stated objections to our May 8, 2025 public records request. All of your objections are untenable.

First, our request is not overly broad, vague or indefinite. It covers a time frame of only five months; it is limited to three specific employees; and it even provides specific search terms. Nor does our request seek production of any records that are protected by attorney-client privilege. For a communication to be privileged the communication must “facilitate the rendition of legal services or advice.” *State ex rel. Lanham v. DeWine*, 2013-Ohio-199. Simply copying a lawyer on emails sent or received is not enough for those emails to be considered privileged. If the Ohio Department Health (“ODH”) meets its burden of proving that a record responsive to our request is exempt from disclosure pursuant to R.C. 149.43, ODH may withhold the record from production. *State ex rel. Nat’l Broad. Co. v. City of Cleveland*, 38 Ohio St. 3d 79.

Our request does not request information, but instead identifies existing records. Emails are unquestionably “records” subject to the Public Records Act. *State ex rel. Glasgow v. Jones*, 2008-Ohio-4788. We are not asking a public official to create any record. We simply request that three named public officials search their email and provide us with the specific records that meet the search parameters.

Lastly, you stated that our requests fail to request records based on the manner in which ODH organizes its records. But we have provided search terms, and would be willing to consider different or additional search terms if that would help you comply with our request. *See* R.C. 149.43(B)(2) (requiring agencies to “provide the requester with an opportunity to revise the



request by informing the requester of the manner in which records are maintained by the public office and accessed in the ordinary course of the public office's or person's duties.'").

Please provide the requested records by **July 18, 2025**. If we do not receive the records by that date, we will be forced to seek them via a Section 149 complaint and potentially mandamus litigation.

Sincerely,

Katie Corwin, Esq.  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law

# **EXHIBIT L**

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**Public Records Request response**

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**Brianne.Brown@odh.ohio.gov** <Brianne.Brown@odh.ohio.gov>

Tue, Jul 15, 2025 at 3:42 PM

To: Katie Corwin &lt;kjc150@case.edu&gt;

Cc: "bjh11@case.edu" &lt;bjh11@case.edu&gt;

Dear Ms. Corwin,

I am in receipt of your July 11, 2025 letter in which you write in further response to the denial of your May 8, 2025 public records request by the Ohio Department of Health (ODH). To clarify, my understanding was that the meeting we had scheduled on July 10<sup>th</sup> was to discuss a pending request for records that had not been delivered stemming from your April 17, 2025 public records request. The records were delivered in full on July 9<sup>th</sup>, the day before the meeting, so the need for the meeting had been obviated. To the extent you wanted to discuss the May 8<sup>th</sup> public records requests that had been denied on June 5, 2025, my July 10<sup>th</sup> email to you stated: "I don't know that there's anything to discuss on those *absent some clarification*. If you have any specific questions, you are always welcome to email them to me." (emphasis added since your July 11<sup>th</sup> letter took my words out of context implying that I stated there was "nothing to discuss"). In your response, you did not attempt to clarify or give us any further specifics on your request. Instead, you disagreed with our response, calling our objections "untenable". Not only did you not clarify your response, you escalated it with the threat of litigation.

Without restating the June 5, 2025 denial letter of ODH, it seems prudent to add that discovery-style requests that seek all records relating to or reflecting certain types of information are overbroad. *State ex rel. Dillery v. Icsman*, 92 Ohio St.3d 312, [2001-Ohio-193](#), 750 N.E.2d 156; *Kanter v. City of Cleveland Hts.*, Ct. of Cl. No. 2018-01092PQ, 2018-Ohio-4592 (request for all "communications, messages, schedules, logs, and documents shared" regarding requester between City of Cleveland Heights and a newspaper for a specific date range was overbroad); *Hicks v. Newtown*, Ct. of Cl. No. 2017- Ohio-00612-PQ, 2017-Ohio-8952, ¶ 8 ("A request to search for information 'regarding,' or 'relating' to, a topic is generally improper."). Additionally, Ohio law does not require a public office to provide all communications between that office and another organization, person, or persons related to a given topic, *Kanter v. City of Cleveland Hts.*, Ct. of Cl. No. 2018-01092PQ, 2018-Ohio-4592, ¶ 8-12.

You may still submit a revised, narrower request that identifies the records you seek so that ODH can determine where to look for, and how to identify responsive non-privileged records. However, in the interest of transparency, I have attached several email records that ODH was able to identify based on the current wording of your request.

Sincerely,

Bree

**Brianne Brown**

Chief Legal Counsel

Office of General Counsel

[246 North High St.](#)[Columbus, OH 43215](#)

P: 380.203.5654

[Brianne.Brown@odh.ohio.gov](mailto:Brianne.Brown@odh.ohio.gov)

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 **20250128.PRRresponse1.pdf**  
202K


 **20250129.PRRresponse1.pdf**  
219K

 **20250307.PRRresponse2.pdf**  
220K

 **20250603.PRRresponse1.pdf**  
519K

 **20250701.PRRresponse1.pdf**  
363K

 **20250701.PRRresponse2.pdf**  
200K

 **FW\_ASF License Inspection.pdf**  
199K

 **FW\_Public Records Request.pdf**  
328K

 **FW\_Public Records Request\_4.pdf**  
329K

# **EXHIBIT M**

## Rogers, Jayson

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**From:** Lamb, Tracey  
**Sent:** Tuesday, January 28, 2025 1:11 PM  
**To:** Rogers, Jayson  
**Subject:** FW: Toledo Womens Center  
**Attachments:** Toledo Womens Center.pdf

This is the one that I messaged you about – abortion center maybe?

---

**From:** Subler, Kelli <Kelli.Subler@odh.ohio.gov>  
**Sent:** Tuesday, January 28, 2025 11:07 AM  
**To:** Lamb, Tracey <Tracey.Lamb@odh.ohio.gov>  
**Subject:** Toledo Womens Center

Good Morning,  
Please see the attachment.

Thanks!

Kelli Subler  
Administrative Professional 2  
Bureau of Regulatory Operations  
246 North High St.  
Columbus, OH 43215  
P: 614.387.7483  
[Kelli.Subler@odh.ohio.gov](mailto:Kelli.Subler@odh.ohio.gov)



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## Rogers, Jayson

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**From:** Rogers, Jayson  
**Sent:** Wednesday, January 29, 2025 1:01 PM  
**To:** Hodge, James  
**Cc:** Denning, Andrea; Shonk, Jill; Richey, Shannon  
**Subject:** FW: Toledo Womens Center  
**Attachments:** Toledo Womens Center.pdf

FYI. New app to reopen Capital Care Center as Toledo Women's Center. Will be owned by Northeast Ohio Women's Center.

Jayson Rogers

Administrative Officer 2

Licensure and Certification Section

Bureau of Regulatory Operations

246 North High St.

Columbus, OH 43215

P: 614.752.9156

[Jayson.Rogers@odh.ohio.gov](mailto:Jayson.Rogers@odh.ohio.gov)



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**From:** Lamb, Tracey <[Tracey.Lamb@odh.ohio.gov](mailto:Tracey.Lamb@odh.ohio.gov)>  
**Sent:** Wednesday, January 29, 2025 12:38 PM  
**To:** Rogers, Jayson <[Jayson.Rogers@odh.ohio.gov](mailto:Jayson.Rogers@odh.ohio.gov)>  
**Subject:** FW: Toledo Womens Center

---

**From:** Subler, Kelli <[Kelli.Subler@odh.ohio.gov](mailto:Kelli.Subler@odh.ohio.gov)>  
**Sent:** Tuesday, January 28, 2025 11:07 AM  
**To:** Lamb, Tracey <[Tracey.Lamb@odh.ohio.gov](mailto:Tracey.Lamb@odh.ohio.gov)>  
**Subject:** Toledo Womens Center

Good Morning,  
Please see the attachment.

Thanks!

Kelli Subler  
Administrative Professional 2

Bureau of Regulatory Operations  
246 North High St.  
Columbus, OH 43215  
P: 614.387.7483  
[Kelli.Subler@odh.ohio.gov](mailto:Kelli.Subler@odh.ohio.gov)



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## Rogers, Jayson

---

**From:** Moody, Angelique  
**Sent:** Friday, March 7, 2025 12:33 PM  
**To:** Robbins, William  
**Cc:** Rogers, Jayson  
**Subject:** RE: Toledo Womens Center

Hi Bill and Jay,

I have created and uploaded an application for Toledo Womens Center , I have sent the Transfer Agreement to Robin. The State ID number is 1343AS.

Thank you  
Angie

---

**From:** Rogers, Jayson <Jayson.Rogers@odh.ohio.gov>  
**Sent:** Friday, March 7, 2025 8:57 AM  
**To:** Moody, Angelique <Angelique.Moody@odh.ohio.gov>  
**Cc:** Robbins, William <Bill.Robbins@odh.ohio.gov>  
**Subject:** FW: Toledo Womens Center

Angie-

Please create this facility in ACO and get this application uploaded to CALS. Once you do that, let Bill know it's in there.

Thanks.

Jayson Rogers  
Administrative Officer 2  
Licensure and Certification Section  
Bureau of Regulatory Operations  
246 North High St.  
Columbus, OH 43215  
P: 614.752.9156  
[Jayson.Rogers@odh.ohio.gov](mailto:Jayson.Rogers@odh.ohio.gov)



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---

**From:** Lamb, Tracey <[Tracey.Lamb@odh.ohio.gov](mailto:Tracey.Lamb@odh.ohio.gov)>  
**Sent:** Wednesday, January 29, 2025 12:38 PM

**To:** Rogers, Jayson <[Jayson.Rogers@odh.ohio.gov](mailto:Jayson.Rogers@odh.ohio.gov)>

**Subject:** FW: Toledo Womens Center

---

**From:** Subler, Kelli <[Kelli.Subler@odh.ohio.gov](mailto:Kelli.Subler@odh.ohio.gov)>

**Sent:** Tuesday, January 28, 2025 11:07 AM

**To:** Lamb, Tracey <[Tracey.Lamb@odh.ohio.gov](mailto:Tracey.Lamb@odh.ohio.gov)>

**Subject:** Toledo Womens Center

Good Morning,  
Please see the attachment.

Thanks!

Kelli Subler  
Administrative Professional 2  
Bureau of Regulatory Operations  
246 North High St.  
Columbus, OH 43215  
P: 614.387.7483  
[Kelli.Subler@odh.ohio.gov](mailto:Kelli.Subler@odh.ohio.gov)



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**From:** [Lamb, Tracey](#)  
**To:** [Rogers, Jayson](#); [Robbins, William](#)  
**Subject:** FW: Public Records Request Follow Up  
**Date:** Tuesday, June 3, 2025 1:36:13 PM  
**Attachments:** [Public Records Request Follow Up Lamb 6.3.25.pdf](#)  
[Public Records Request Lamb 5.8.25.pdf](#)  
[Lamb Email 5.8.25.pdf](#)

---

To keep you in the loop

Tracey

---

**From:** Katie Corwin <kjc150@case.edu>  
**Sent:** Tuesday, June 3, 2025 1:33 PM  
**To:** Lamb, Tracey <Tracey.Lamb@odh.ohio.gov>; Jessie Hill <bjh11@case.edu>; Adams, Brenda <Brenda.Adams@odh.ohio.gov>  
**Subject:** Public Records Request Follow Up

You don't often get email from [kjc150@case.edu](mailto:kjc150@case.edu). [Learn why this is important](#)

Dear Ms. Lamb,

Please see the attached letter following up on my previous public records request. I have provided the original request for your convenience and the initial email I sent you containing the request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

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**From:** [Lamb, Tracey](#)  
**To:** [Rogers, Jayson](#); [Robbins, William](#)  
**Subject:** FW: Public Records Request  
**Date:** Tuesday, July 1, 2025 2:31:34 PM  
**Attachments:** [Public Records Request Lamb 7.1.25.pdf](#)  
[image001.png](#)

---

Please see below.

**Tracey Lamb**  
**License Specialist**  
**Office of Bureau of Regulatory Operations**  
246 North High St.  
Columbus, OH 43215  
P: 380.203.8806  
[Tracey.Lamb@odh.ohio.gov](mailto:Tracey.Lamb@odh.ohio.gov)



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---

**From:** Katie Corwin <kjc150@case.edu>  
**Sent:** Tuesday, July 1, 2025 2:17 PM  
**To:** Lamb, Tracey <[Tracey.Lamb@odh.ohio.gov](mailto:Tracey.Lamb@odh.ohio.gov)>; Brown, Brianne <[Brianne.Brown@odh.ohio.gov](mailto:Brianne.Brown@odh.ohio.gov)>; Jessie Hill <[bjh11@case.edu](mailto:bjh11@case.edu)>; Adams, Brenda <[Brenda.Adams@odh.ohio.gov](mailto:Brenda.Adams@odh.ohio.gov)>; PRI <[PRI@odh.ohio.gov](mailto:PRI@odh.ohio.gov)>  
**Subject:** Public Records Request

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Dear Ms. Lamb,

Please see the attached public records request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative

Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

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## Rogers, Jayson

---

**From:** PRI  
**Sent:** Tuesday, July 1, 2025 2:38 PM  
**To:** Robbins, William; Rogers, Jayson  
**Subject:** Fw: Public Records Request  
**Attachments:** Public Records Request Hodge 7.1.25.pdf

**Importance:** High

Hello,

We received these request today.

Thanks!

### Elani Birosh

**Health Information Technician**  
**Bureau of Regulatory Operations**

246 North High St.

Columbus, OH 43215

P: 614-930-0205

[elani.birosh@odh.ohio.gov](mailto:elani.birosh@odh.ohio.gov)



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---

**From:** Katie Corwin <kjc150@case.edu>  
**Sent:** Tuesday, July 1, 2025 2:14 PM  
**To:** Hodge, James <james.hodge@odh.ohio.gov>; Brown, Brianne <Brianne.Brown@odh.ohio.gov>; Jessie Hill <bjh11@case.edu>; Adams, Brenda <Brenda.Adams@odh.ohio.gov>; PRI <PRI@odh.ohio.gov>  
**Subject:** Public Records Request

You don't often get email from kjc150@case.edu. [Learn why this is important](#)

Dear Mr. Hodge,

Please see the attached public records request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

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**From:** [Lamb, Tracey](#)  
**To:** [Robbins, William](#)  
**Subject:** FW: ASF License Inspection  
**Date:** Friday, March 7, 2025 7:40:00 AM

---

Here you go.

---

**From:** dmburkons@aol.com <dmburkons@aol.com>  
**Sent:** Thursday, March 6, 2025 4:11 PM  
**To:** Lamb, Tracey <Tracey.Lamb@odh.ohio.gov>  
**Cc:** Angela Flores <angeecarmen@gmail.com>; Sarah Lengen <sarahlengen@gmail.com>; Jessie Hill <bjh11@case.edu>  
**Subject:** ASF License Inspection

You don't often get email from [dmburkons@aol.com](mailto:dmburkons@aol.com). [Learn why this is important](#)

Dear Ms. Lamb,

I am the owner of Toledo Women's Center.

Well over a month ago we filed an application for an ASF license at our location at 1160 W. Sylvania Toledo OH 43612.

I am told that you are the person responsible for scheduling the required inspection.

Despite over a dozen calls we have not received a reply.

As we have been told that we must have everything in place at the the of inspection to begin doing procedures, we put in a great deal of time and expense to get everything ready before filing our application. Quite a bit of additional expenses in the form of increase in rent and salaries our ongoing.

Could you please contact me either by email or phone ASAP to let me know if our application is complete and when an inspection will be scheduled.

If you are not the person responsible for this scheduling, could you please inform me who is

Sincerely yours,

David M. Burkons, MD  
Owner of Toledo Women's Center  
216 403 6448  
[dmburkons@aol.com](mailto:dmburkons@aol.com)

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**From:** [Lamb, Tracey](#)  
**To:** [Rogers, Jayson](#); [Robbins, William](#)  
**Subject:** FW: Public Records Request  
**Date:** Tuesday, July 1, 2025 2:31:00 PM  
**Attachments:** [Public Records Request Lamb 7.1.25.pdf](#)  
[image001.png](#)

---

Please see below.

**Tracey Lamb**  
**License Specialist**  
**Office of Bureau of Regulatory Operations**  
246 North High St.  
Columbus, OH 43215  
P: 380.203.8806  
[Tracey.Lamb@odh.ohio.gov](mailto:Tracey.Lamb@odh.ohio.gov)



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---

**From:** Katie Corwin <kjc150@case.edu>  
**Sent:** Tuesday, July 1, 2025 2:17 PM  
**To:** Lamb, Tracey <[Tracey.Lamb@odh.ohio.gov](mailto:Tracey.Lamb@odh.ohio.gov)>; Brown, Brianne <[Brianne.Brown@odh.ohio.gov](mailto:Brianne.Brown@odh.ohio.gov)>; Jessie Hill <[bjh11@case.edu](mailto:bjh11@case.edu)>; Adams, Brenda <[Brenda.Adams@odh.ohio.gov](mailto:Brenda.Adams@odh.ohio.gov)>; PRI <[PRI@odh.ohio.gov](mailto:PRI@odh.ohio.gov)>  
**Subject:** Public Records Request

You don't often get email from [kjc150@case.edu](mailto:kjc150@case.edu). [Learn why this is important](#)

Dear Ms. Lamb,

Please see the attached public records request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative

Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

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**From:** [Lamb, Tracey](#)  
**To:** [Rogers, Jayson](#)  
**Subject:** FW: Public Records Request  
**Date:** Thursday, May 8, 2025 2:32:00 PM  
**Attachments:** [Public Records Request Lamb 5.8.25.pdf](#)  
[image001.png](#)

---

Not sure what to do about this.

**Tracey Lamb**  
**License Specialist**  
**Office of Bureau of Regulatory Operations**  
246 North High St.  
Columbus, OH 43215  
P: 380.203.8806  
[Tracey.Lamb@odh.ohio.gov](mailto:Tracey.Lamb@odh.ohio.gov)



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---

**From:** Katie Corwin <kjc150@case.edu>  
**Sent:** Thursday, May 8, 2025 2:30 PM  
**To:** Lamb, Tracey <Tracey.Lamb@odh.ohio.gov>; Jessie Hill <bjh11@case.edu>  
**Subject:** Public Records Request

You don't often get email from [kjc150@case.edu](mailto:kjc150@case.edu). [Learn why this is important](#)

Dear Ms. Lamb,

Please see the attached public records request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

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# **EXHIBIT N**

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**Public Records Request response**

---

**Katie Corwin** <kjc150@case.edu>

Thu, Jul 17, 2025 at 12:22 PM

To: "Brianne.Brown@odh.ohio.gov" &lt;Brianne.Brown@odh.ohio.gov&gt;

Cc: "bjh11@case.edu" &lt;bjh11@case.edu&gt;

Dear Brianne,

In my email dated June 16, 2025, I specifically stated "We would like to schedule a meet and confer regarding the public records request we sent on May 8th." There was no ambiguity about the purpose of the meeting scheduled on July 10, 2025 that you unilaterally cancelled.

In case it wasn't clear before, we are asking James Hodge, Tracey Lamb, and Andrea Denning to search their email inboxes and sent email folders using the below search terms from the period of January 1, 2025 to July 1, 2025.

- Toledo Women's Center;
- TWC;
- Burkons;
- 1160 W. Sylvania; and
- Toledo + abortion

We are operating under the belief that the three named ODH employees can search for responsive emails using the parameters we have provided. Because you have declined our attempts to meet and confer, we are unable to understand what you mean, so we cannot suggest, a "revised, narrower request that identifies the records [we] seek so that ODH can determine where to look for, and how to identify responsive non-privileged records." While we have already provided sufficiently precise information to execute this search, we will revise it further if necessary and possible, once you inform us of the manner in which ODH maintains and accesses its emails, as you are statutorily required to do. R.C. 149.43(B) (2). Otherwise, please respond to this public records request by Friday, July 18.

Sincerely,  
Katie

[Quoted text hidden]

[Quoted text hidden]



# **EXHIBIT O**

---

**Public Records Request**

---

**Katie Corwin** <kjc150@case.edu>

Fri, Jul 18, 2025 at 10:06 AM

To: Bill.Robbins@odh.ohio.gov, Jessie Hill <bjh11@case.edu>, Brenda.Adams@odh.ohio.gov, "Brianne.Brown@odh.ohio.gov" <Brianne.Brown@odh.ohio.gov>, PRI@odh.ohio.gov

Dear Mr. Robbins,

Please see the attached public records request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

**Public Records Request Robbins 7.18.25.pdf**

99K

July 18, 2025

**SENT VIA EMAIL: Bill.Robbins@odh.ohio.gov**

Mr. William Robbins  
Assistant Bureau Chief  
Ohio Department of Health  
Bureau of Regulatory Operations  
246 N. High St.  
Columbus, OH 43215

**RE: Public Records Request**

Dear Mr. Robbins,

Pursuant to Ohio's open records law, Ohio Rev. Code § 149.43, the following is a formal request for public records in the possession of the Ohio Department of Health (ODH):

I hereby request the following records:

Any emails that you have sent or received that mention or refer to the Toledo Women's Center from January 1, 2025 to the date of this request (July 18, 2025). This request includes all emails that mention or refer to the Toledo Women's Center by name; all emails that mention or refer to the Toledo Women's Center using an abbreviated name (such as "TWC"); all emails that mention or refer to the Toledo Women's Center's owner/medical director (Dr. David Burkons); and all emails that mention or refer to all or part of the address of the Toledo Women's Center (1160 W. Sylvania Ave., Toledo, OH 43612).

In order to fulfill this request, please search your email inbox and sent mail folders using the below search terms from the period of January 1, 2025 to July 18, 2025:

- Toledo Women's Center;
- TWC;
- Burkons
- 1160 W. Sylvania; and
- Toledo + abortion

Please provide responsive records on a rolling basis as you are able to prepare them, and kindly send the records to me in electronic format at [kjc150@case.edu](mailto:kjc150@case.edu) no later than August 1, 2025. *See*

R.C. § 149.43(B)(1) (records must be produced “promptly”); *State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Educ.*, 97 Ohio St. 3d 58, 65 (2002).

If there is a cost related to production, please advise me before incurring that cost. If you believe that any portion of a responsive record is exempted from disclosure by the Ohio Revised Code, please specify the basis for redaction and release all non-exempt portions of the record.

If there are any questions relating to this request, please contact me at [kjc150@case.edu](mailto:kjc150@case.edu).

Sincerely,

Katie Corwin, Esq.  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law

---

**Public Records Request**

---

**Katie Corwin** <kjc150@case.edu>

Fri, Jul 18, 2025 at 10:06 AM

To: Jayson.Rogers@odh.ohio.gov, Jessie Hill <bjh11@case.edu>, Brenda.Adams@odh.ohio.gov, "Brianne.Brown@odh.ohio.gov" <Brianne.Brown@odh.ohio.gov>, PRI@odh.ohio.gov

Dear Mr. Rogers,

Please see the attached public records request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122



**Public Records Request Rogers 7.18.25.pdf**  
101K

July 18, 2025

**SENT VIA EMAIL: Jayson.Rogers@odh.ohio.gov**

Mr. Jayson Rogers  
Administrative Officer 2  
Licensure and Certification Section  
Ohio Department of Health  
Bureau of Regulatory Operations  
246 N. High St.  
Columbus, OH 43215

**RE: Public Records Request**

Dear Mr. Rogers,

Pursuant to Ohio's open records law, Ohio Rev. Code § 149.43, the following is a formal request for public records in the possession of the Ohio Department of Health (ODH):

I hereby request the following records:

Any emails that you have sent or received that mention or refer to the Toledo Women's Center from January 1, 2025 to the date of this request (July 18, 2025). This request includes all emails that mention or refer to the Toledo Women's Center by name; all emails that mention or refer to the Toledo Women's Center using an abbreviated name (such as "TWC"); all emails that mention or refer to the Toledo Women's Center's owner/medical director (Dr. David Burkons); and all emails that mention or refer to all or part of the address of the Toledo Women's Center (1160 W. Sylvania Ave., Toledo, OH 43612).

In order to fulfill this request, please search your email inbox and sent folders using the below search terms from the period of January 1, 2025 to July 18, 2025:

- Toledo Women's Center;
- TWC;
- Burkons;
- 1160 W. Sylvania; and
- Toledo + abortion

In addition, please provide the message you referenced in Tracey Lamb's January 28, 2025 email to you with the subject line "Toledo Womens Center," in which Ms. Lamb said, "This is the one that I messaged you about – abortion center maybe?"

Please provide responsive records on a rolling basis as you are able to prepare them, and kindly send the records to me in electronic format at [kjc150@case.edu](mailto:kjc150@case.edu) no later than August 1, 2025. *See* R.C. § 149.43(B)(1) (records must be produced "promptly"); *State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Educ.*, 97 Ohio St. 3d 58, 65 (2002).

If there is a cost related to production, please advise me before incurring that cost. If you believe that any portion of a responsive record is exempted from disclosure by the Ohio Revised Code, please specify the basis for redaction and release all non-exempt portions of the record.

If there are any questions relating to this request, please contact me at [kjc150@case.edu](mailto:kjc150@case.edu).

Sincerely,

Katie Corwin, Esq.  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law

---

**Public Records Request**

---

**Katie Corwin** <kjc150@case.edu>

Fri, Jul 18, 2025 at 10:05 AM

To: tracey.lamb@odh.ohio.gov, Jessie Hill <bjh11@case.edu>, Brenda.Adams@odh.ohio.gov, "Brianne.Brown@odh.ohio.gov" <Brianne.Brown@odh.ohio.gov>, PRI@odh.ohio.gov

Dear Ms. Lamb,

Please see the attached public records request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122



**Public Records Request Lamb 7.18.25.pdf**  
88K



July 18, 2025

**SENT VIA EMAIL: tracey.lamb@odh.ohio.gov**

Ms. Tracey Lamb  
Ohio Department of Health  
Bureau of Regulatory Operations  
246 N. High St.  
Columbus, OH 43215

**RE: Public Records Request**

Dear Ms. Lamb,

Pursuant to Ohio's open records law, Ohio Rev. Code § 149.43, the following is a formal request for public records in the possession of the Ohio Department of Health (ODH):

I hereby request the following records:

The message you referenced in your January 28, 2025 email to Jayson Rogers with the subject line "Toledo Womens Center," in which you said, "This is the one that I messaged you about – abortion center maybe?"

Please provide the message to me in electronic format at [kjc150@case.edu](mailto:kjc150@case.edu) no later than August 1, 2025. *See* R.C. § 149.43(B)(1) (records must be produced "promptly"); *State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Educ.*, 97 Ohio St. 3d 58, 65 (2002).

If there is a cost related to production, please advise me before incurring that cost. If you believe that any portion of the responsive record is exempted from disclosure by the Ohio Revised Code, please specify the basis for redaction and release all non-exempt portions of the record.

If there are any questions relating to this request, please contact me at [kjc150@case.edu](mailto:kjc150@case.edu).

Sincerely,

Katie Corwin, Esq.  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law

# **EXHIBIT P**

---

## Public Records Request

---

**Brenda.Adams@odh.ohio.gov** <Brenda.Adams@odh.ohio.gov>

Fri, Jul 18, 2025 at 2:06 PM

To: Katie Corwin <kjc150@case.edu>, "Bill.Robbins@odh.ohio.gov" <Bill.Robbins@odh.ohio.gov>, Jessie Hill <bjh11@case.edu>, "Brianne.Brown@odh.ohio.gov" <Brianne.Brown@odh.ohio.gov>, "PRI@odh.ohio.gov" <PRI@odh.ohio.gov>

Hello Ms. Corwin,

Our department is in receipt of your public records request to William Robbins.

We will respond to your request in a timely manner.

Thank you.

Brenda

**Brenda Adams**

**Administrative Professional**

**Office of General Counsel**

**246 North High Street**

**Columbus, OH 43215**

P: 614-466-4882

Brenda.Adams@odh.ohio.gov



**Department of  
Health**

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[Quoted text hidden]

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---

**Public Records Request**

---

**Brenda.Adams@odh.ohio.gov** <Brenda.Adams@odh.ohio.gov>

Fri, Jul 18, 2025 at 2:07 PM

To: Katie Corwin &lt;kjc150@case.edu&gt;, "Jayson.Rogers@odh.ohio.gov" &lt;Jayson.Rogers@odh.ohio.gov&gt;, Jessie Hill &lt;bjh11@case.edu&gt;, "Brianne.Brown@odh.ohio.gov" &lt;Brianne.Brown@odh.ohio.gov&gt;, "PRI@odh.ohio.gov" &lt;PRI@odh.ohio.gov&gt;

Hello Ms. Corwin,

Our department is in receipt of your public records request to Jayson Rogers.

We will respond to your request in a timely manner.

Thank you.

Brenda

**Brenda Adams****Administrative Professional****Office of General Counsel****246 North High Street****Columbus, OH 43215**

P: 614-466-4882

Brenda.Adams@odh.ohio.gov

**Department of  
Health**

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[Quoted text hidden]

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---

**Public Records Request**

---

**Brenda.Adams@odh.ohio.gov** <Brenda.Adams@odh.ohio.gov>

Fri, Jul 18, 2025 at 2:06 PM

To: Katie Corwin &lt;kjc150@case.edu&gt;

Cc: "Tracey.Lamb@odh.ohio.gov" &lt;Tracey.Lamb@odh.ohio.gov&gt;, Jessie Hill &lt;bjh11@case.edu&gt;, "Brianne.Brown@odh.ohio.gov" &lt;Brianne.Brown@odh.ohio.gov&gt;, "PRI@odh.ohio.gov" &lt;PRI@odh.ohio.gov&gt;

Hello Ms. Corwin,

Our department is in receipt of your public records request to Tracey Lamb.

We will respond to your request in a timely manner.

Thank you.

Brenda

**Brenda Adams****Administrative Professional****Office of General Counsel****246 North High Street****Columbus, OH 43215**

P: 614-466-4882

Brenda.Adams@odh.ohio.gov

**Department of  
Health**

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[Quoted text hidden]

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# EXHIBIT Q

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**Public Records Request response**

---

**Brianne.Brown@odh.ohio.gov** <Brianne.Brown@odh.ohio.gov>

Wed, Jul 23, 2025 at 2:14 PM

To: Katie Corwin &lt;kjc150@case.edu&gt;

Cc: "bjh11@case.edu" &lt;bjh11@case.edu&gt;

Dear Katie,

It is the position of the Ohio Department of Health (ODH) that your 3 public records requests sent to James Hodge, Andrea Denning and Tracey Lamb on July 1<sup>st</sup>, your July 17<sup>th</sup> email to me, your 3 public records requests sent to Tracey Lamb, Bill Robbins and Jay Rogers on July 18<sup>th</sup> (in addition to your July 21<sup>st</sup> email to Jay Rogers addressed below) are legally insufficient. Despite that, ODH has conducted a search and provided you records on July 15, 2025. This concludes our correspondence on this matter.

Regarding the email you sent directly to Jay Rogers on July 21<sup>st</sup> after receiving a July 21<sup>st</sup> response email from Mr. Rogers, the email you received was sent automatically from his inbox. His email settings autogenerate such a reply when he receives any email titled "Public Records Request" and thus the email you received was in error and not applicable to this particular request.

Sincerely,

Bree

**Brianne Brown**

Chief Legal Counsel

Office of General Counsel

246 North High St.

Columbus, OH 43215

P: 380.203.5654

[Brianne.Brown@odh.ohio.gov](mailto:Brianne.Brown@odh.ohio.gov)

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---

**From:** Katie Corwin <kjc150@case.edu>**Sent:** Thursday, July 17, 2025 12:22 PM**To:** Brown, Brianne <Brianne.Brown@odh.ohio.gov>**Cc:** bjh11@case.edu**Subject:** Re: Public Records Request response

Dear Brianne,

[Quoted text hidden]

[Quoted text hidden]

[csc@ohio.gov](mailto:csc@ohio.gov) or click the Phish Alert Button if available.



# **EXHIBIT 18**

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

**1. Article Addressed to:**

Brianne Brown  
246 N. High St.  
Columbus OH  
43215



9590 9402 9160 4225 9036 74

**2. Article Number (Transfer from service label)**

7022 1670 0003 0277 6680

**COMPLETE THIS SECTION ON DELIVERY****A. Signature**

X *Darren*

☐ Agent☐ Addressee**B. Received by (Printed Name)****C. Date of Delivery**

8-18-25

- D. Is delivery address different from item 1?** ☐ Yes  
If YES, enter delivery address below: ☐ No

**3. Service Type**

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Mail  
Restricted Delivery  
00)

# **EXHIBIT 19**

---

**Formal Complaint****Brianne.Brown@odh.ohio.gov** <Brianne.Brown@odh.ohio.gov>

Thu, Aug 21, 2025 at 10:51 AM

To: Katie Corwin &lt;kjc150@case.edu&gt;

Cc: "bjh11@case.edu" &lt;bjh11@case.edu&gt;

Katherine:

The Ohio Department of Health (ODH) is in receipt of 5 manila envelopes received via regular mail with no return address on Monday, August 18th separately addressed to the attention of Andrea Denning, James Hodge, Tracey Lamb, Jayson Rogers and Bill Robbins. The contents of each envelope were identical and contained a complaint form from the Ohio Court of Claims Public Records Access with an attached Complaint as Exhibit A and accompanying exhibits.

Despite the Office of General Counsel not receiving an envelope itself, nevertheless I am responding on behalf of the department. As I'm sure you're aware, recent legislation requires public records requesters to provide a public office with a three-day "cure period" before filing their complaint with the court. That is, requesters must serve on the public office, in accordance with Civil Rule 4, a copy of their complaint and may not file the complaint with the court until after three days has passed. Specifically, RC 149.43(C)(1) provides:

(C)(1) If a person allegedly is aggrieved by the failure of a public office or the person responsible for public records to promptly prepare a public record and to make it available to the person for inspection in accordance with division (B) of this section or by any other failure of a public office or the person responsible for public records to comply with an obligation in accordance with division (B) of this section, the person allegedly aggrieved may serve pursuant to Rule 4 of the Ohio Rules of Civil Procedure a complaint, on a form prescribed by the clerk of the court of claims, to the public office or person responsible for public records allegedly responsible for the alleged failure. Upon receipt of the complaint of the person allegedly aggrieved, the public office or person responsible for public records has three business days to cure or otherwise address the failure alleged in the complaint. The person allegedly aggrieved shall not file a complaint with a court or commence a mandamus action under this section within the three-day period.

Despite a failure to serve ODH with a copy of the complaint in accordance with Civil Rule 4, ODH has attached additional, potentially responsive emails, other than those withheld due to attorney-client privilege, to cure the failure alleged in your complaint within the three-day period of receipt of the complaint.

In the future, please refrain from contacting individual department staff members about legal action and run all such communication through the Office of General Counsel to better facilitate a timely response.

Sincerely,

**Brianne Brown**

Chief Legal Counsel

Office of General Counsel

246 North High St.

Columbus, OH 43215

P: 380.203.5654

Brianne.Brown@odh.ohio.gov


















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---

15 attachments

-  **20250306.PRRresponse1.pdf**  
147K
-  **20250307.PRRresponse4.pdf**  
229K
-  **FW\_ Public Records Request Follow Up.pdf**  
485K
-  **FW\_ Public Records Request Follow Up2.pdf**  
442K
-  **FW\_ Public Records Requests\_1.pdf**  
593K
-  **public information requests.pdf**  
579K
-  **Public Records Request Follow Up.pdf**  
452K
-  **Public Records Request Follow Up.pdf**  
452K
-  **Public Records Request.pdf**  
250K
-  **Public Records Request\_2.pdf**  
251K
-  **Records Request to ODH .pdf**  
143K
-  **Fw\_ ASF License Inspection.pdf**  
297K
-  **FW\_ ASF Survey Schedule Toledo Women's Center .pdf**  
160K
-  **FW\_ Public Records Request Follow Up.pdf**  
442K
-  **FW\_ Toledo Women's Center ASF License application.pdf**  
210K

# **EXHIBIT 20**

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**Formal Complaint**

---

**Katie Corwin** <kjc150@case.edu>

Thu, Aug 21, 2025 at 2:53 PM

To: "Brianne.Brown@odh.ohio.gov" &lt;Brianne.Brown@odh.ohio.gov&gt;

Cc: "bjh11@case.edu" &lt;bjh11@case.edu&gt;

Hi Brianne,

Thank you for your response. Can you confirm that you have now produced all of the non-privileged documents in ODH's custody that are responsive to all of our public records requests?

Sincerely,  
Katie

[Quoted text hidden]

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

---

## Formal Complaint

---

**Brianne.Brown@odh.ohio.gov** <Brianne.Brown@odh.ohio.gov>  
To: Katie Corwin <kjc150@case.edu>  
Cc: "bjh11@case.edu" <bjh11@case.edu>

Thu, Aug 21, 2025 at 3:04 PM

Katie,

My previous response speaks for itself.

Sincerely,

**Brianne Brown**

Chief Legal Counsel

Office of General Counsel

246 North High St.

Columbus, OH 43215

P: 380.203.5654

[Brianne.Brown@odh.ohio.gov](mailto:Brianne.Brown@odh.ohio.gov)



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[Quoted text hidden]

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# **EXHIBIT 21**

---

**Formal Complaint**

---

Katie Corwin &lt;kjc150@case.edu&gt;

Fri, Aug 22, 2025 at 9:00 AM

To: "Brianne.Brown@odh.ohio.gov" &lt;Brianne.Brown@odh.ohio.gov&gt;, Jessie Hill &lt;bjh11@case.edu&gt;

Hi Brianne,

Given the piecemeal way in which you have provided the records, in addition to the fact that a message referenced in an email between Lamb and Rogers sent on January 28, 2025 includes a message that is not attached, absent any confirmation from you that all of the records responsive to our Public Records Requests dated May 5, 2025, July 21, 2025, and July 18, 2025, requesting records from Hodge, Denning, Lamb, Robbins, and Rogers during the time period of January 1, 2025, to July 1, 2025, regarding the Toledo Women's Center have been produced, we will be forced to file another Section 149 Complaint and proceed with litigation if necessary.

Sincerely,

Katie

[Quoted text hidden]

---

**Formal Complaint**

---

**Brianne.Brown@odh.ohio.gov** <Brianne.Brown@odh.ohio.gov>  
To: Katie Corwin <kjc150@case.edu>, Jessie Hill <bjh11@case.edu>

Fri, Aug 22, 2025 at 1:27 PM

Katie,

My August 21<sup>st</sup> email to you expressly stated that the records produced to you cured the failure alleged in your complaint. Should you choose to bring frivolous litigation in violation of Rule 3.1 of the Ohio Code of Professional Conduct, the department is prepared to defend itself.

[Quoted text hidden]

---

**Formal Complaint**

---

**Katie Corwin** <kjc150@case.edu>

Mon, Aug 25, 2025 at 10:35 AM

To: "Brianne.Brown@odh.ohio.gov" &lt;Brianne.Brown@odh.ohio.gov&gt;

Cc: Jessie Hill &lt;bjh11@case.edu&gt;

Hi Brianne,

We appreciate that your position is that you 'cured the failure alleged in [our] complaint.' Unfortunately, however, this does not answer our question. What is needed is a direct answer to the question: have you produced all responsive, non-privileged, documents. If your answer is yes, then this matter is resolved. If your answer is no, then we have no choice other than to pursue the remaining documents.

Thank you,

Katie

Katie Corwin, Esq.

she/her/hers

Legal Fellow

Reproductive Rights Law Initiative

Case Western Reserve University School of Law

11075 East Blvd., Cleveland, Ohio 44106

(513) 401-1122

[Quoted text hidden]

---

**Formal Complaint**

---

**Brianne.Brown@odh.ohio.gov** <Brianne.Brown@odh.ohio.gov>  
To: Katie Corwin <kjc150@case.edu>  
Cc: Jessie Hill <bjh11@case.edu>

Mon, Aug 25, 2025 at 1:04 PM

Katie,

You sent to our office a complaint alleging a failure to produce responsive records. We produced additional records, excepting privileged records, and expressly told you that those records cured your complaint. There is only one possible interpretation of this response: all responsive, non-privileged records have been produced. While I do not understand how there could possibly be any confusion about this response, I hope the issue is now sufficiently clarified.

[Quoted text hidden]

---

**Formal Complaint**

---

**Katie Corwin** <kjc150@case.edu>

Wed, Aug 27, 2025 at 9:03 AM

To: "Brianne.Brown@odh.ohio.gov" &lt;Brianne.Brown@odh.ohio.gov&gt;

Cc: Jessie Hill &lt;bjh11@case.edu&gt;

Dear Brianne,

Thank you for clarifying ODH's position. However, my July 18, 2025 PRRs to Tracey Lamb and Jayson Rogers specifically requested a message referenced in an email from Tracey Lamb to Jayson Rogers on January 28, 2025 with the subject line "Toledo Womens Center." I do not believe that message was produced. Could you please state ODH's basis for withholding that record? And if that message was inadvertently omitted, could you please search for any other responsive and non-privileged emails that were also inadvertently omitted?

Sincerely,  
Katie

[Quoted text hidden]

---

## Formal Complaint

---

**Brianne.Brown@odh.ohio.gov** <Brianne.Brown@odh.ohio.gov>  
To: Katie Corwin <kjc150@case.edu>  
Cc: Jessie Hill <bjh11@case.edu>

Wed, Aug 27, 2025 at 10:03 AM

Katie,

As previously stated, all responsive records have been produced. With regard to your specific inquiry, no responsive record was withheld as no responsive record existed at the time of your request.

[Quoted text hidden]

---

## Formal Complaint

---

Katie Corwin <kjc150@case.edu>

Thu, Aug 28, 2025 at 12:47 PM

To: "Brianne.Brown@odh.ohio.gov" <Brianne.Brown@odh.ohio.gov>

Dear Brianne,

Thank you for your response. Given that the record in question existed at one time, your email appears to imply that it was deleted. Is that the case? And if so, could you confirm the applicable records retention policy? If I am misunderstanding your response, please let me know.

Sincerely,  
Katie

[Quoted text hidden]



---

## Formal Complaint

---

**Brianne.Brown@odh.ohio.gov** <Brianne.Brown@odh.ohio.gov>  
To: Katie Corwin <kjc150@case.edu>

Thu, Aug 28, 2025 at 1:49 PM

Katie,

When your request was made, a search was conducted, and no responsive record existed. ODH is not obligated to and is not capable of determining whether a record that did not exist at the time of a request ever existed, much less conducting further research into the circumstances surrounding a non-existent record. That said, if a "message" responsive to your request ever existed, it was likely subject to the retention policy linked here [General Schedule Detail - RIMS](#). The email which forms the basis of your request and references the "message" in question was sent in January. If such a transient record ever existed, it is possible that it was deleted in accordance with the applicable records retention policy sometime during the six months that passed before you submitted your request.

ODH has gone far beyond its legal obligation in responding to your repeated inquiries regarding this matter in the interest of finality. This response is ODH's final communication on the topic.

[Quoted text hidden]

# **EXHIBIT 22**

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**Katie Corwin PRRs**

---

**Jessie Hill** <bjh11@case.edu>

Tue, Oct 7, 2025 at 3:46 PM

To: "Brianne.Brown@odh.ohio.gov" &lt;brianne.brown@odh.ohio.gov&gt;

Cc: Katie Corwin &lt;kjc150@case.edu&gt;

Dear Brianne,

I'm writing in regard to the public records requests sent to ODH employees by Katie Corwin on May 8, July 1, and July 18, 2025. You informed Ms. Corwin by email on August 25 and August 27 that ODH had produced "all responsive, non-privileged records." However, we have since become aware of at least half a dozen emails that are responsive to our request and clearly not privileged, but that were not produced by ODH in response to the PRRs. An example of such an email—Dr. Burkons's April 3 email to Andrea Denning—is attached here for your reference. As I'm sure you'll agree, the email is responsive to the request for "[a]ny emails that you [i.e., Andrea Denning] have sent or received that mention or refer to the Toledo Women's Center from January 1, 2025 to the date of this request (July 1, 2025)." Moreover, this document is clearly not privileged.

In addition, it appears that the only responsive email produced by ODH from James Hodge, Chief of the Bureau of Regulatory Operations, was an email from [pri@odh.ohio.gov](mailto:pri@odh.ohio.gov) that was forwarded to Williams and Rogers containing Ms. Corwin's July 1 PRR. It is surprising that no responsive emails would be found in Mr. Hodge's inbox or sent email box given that he oversees all ASF licensing, and the Toledo Women's Center's license was approved during the time period of this request.

We request that you (1) explain why the attached document wasn't included in your production. Additionally, because your production was not complete, we ask that you (2) conduct a more thorough search that will turn up this, as well as all other responsive documents. Lastly, we ask that you (3) confirm whether ODH has searched the inboxes and sent email boxes of all relevant personnel. If you would like to meet and confer regarding these three matters, I'd be glad to set up a time.

Sincerely,  
Jessie

--

Jessie Hill  
(she/her/hers)  
Judge Ben C. Green Professor of Law  
Director, Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd.  
Cleveland, Ohio 44106  
ph: 216.368.0553  
f: 216.368.2086  
[jessie.hill@case.edu](mailto:jessie.hill@case.edu)

<http://ssrn.com/author=372606>

---

 **4.3.25 Denning.pdf**  
140K

# **EXHIBIT 23**

---

**Katie Corwin PRRs**

---

**Brianne.Brown@odh.ohio.gov** <Brianne.Brown@odh.ohio.gov>  
To: Jessie Hill <bjh11@case.edu>  
Cc: Katie Corwin <kjc150@case.edu>

Fri, Oct 10, 2025 at 3:51 PM

Jessie,

As was repeatedly explained to Katie Corwin, the requests you mention were legally insufficient and did not provide ODH with the necessary information to identify with reasonable clarity the records at issue.

Despite this legal insufficiency and unethical threats to bring a frivolous lawsuit in violation of Rule 3.1 of the Ohio Rules of Professional Conduct, ODH, though not legally obligated, produced responsive records to the best of its ability. To make this production, ODH was forced to conduct an imprecise search based on the wording of the legally insufficient requests. All responsive records that were returned through this search process were provided.

To the extent you are requesting copies of records that, based on your email, appear to already be in your possession, it is unclear without further consideration whether ODH has a legal responsibility to produce duplicate copies. That said, should you wish to make a more precise, legally sufficient request such as for "a copy of the email sent from dmburkons@aol.com to andrea.denning@odh.ohio.gov on April 3, 2025 at 6:04 AM" or "copies of emails sent or received between dmburkons@aol.com and andrea.denning@odh.ohio.gov [during a specified period of time]," ODH will respond in accordance with its obligations under the law.

Sincerely,

**Brianne Brown**

Chief Legal Counsel

Office of General Counsel

246 North High St.

Columbus, OH 43215

P: 380.203.5654

[Brianne.Brown@odh.ohio.gov](mailto:Brianne.Brown@odh.ohio.gov)



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[Quoted text hidden]

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# **EXHIBIT 24**

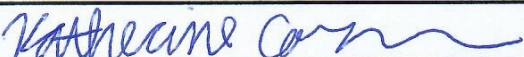
**OHIO COURT OF CLAIMS  
PUBLIC RECORDS ACCESS  
FORMAL COMPLAINT**

Ohio Court of Claims  
65 South Front Street, 3<sup>rd</sup> Floor  
Columbus, Ohio 43215  
(614) 387-9800  
www.ohiocourtclaims.gov

**OCC Form Rev. ( )**

*INSTRUCTIONS: This form is to be used only when filing complaints under Ohio Revised Code 2743.75(D). All information provided may be disclosed pursuant to Ohio Public Records Act, O.R.C. 149.43.*

**PLEASE TYPE OR PRINT**

CLAIMANT CONTACT INFORMATION			
Name of person or organization that made public records request (last, first, middle initial or organization name) Corwin, Katherine / Case Western Reserve University School of Law Reproductive Rights Law Initiative			
c/o (contact person if claimant is an organization) Katherine Corwin			
Address 11075 East Blvd.	City Cleveland	State OH	Zip Code 44106
Telephone number 513-401-1122	E-mail address kjc150@case.edu		
PUBLIC OFFICE CONTACT INFORMATION			
Name of public office Ohio Department of Health			
Address (number and street) 246 N. High Street	City Columbus	State OH	Zip Code 43215
County Franklin	Telephone number 380-203-5654	E-mail address PRI@odh.ohio.gov	
Name of public official who responded to records request (if no response made, state "None") Brianna Brown, Chief Legal Counsel			
COMPLAINT			
Please describe how access to public records was denied in violation of R.C. 149.43(B) (see codes.ohio.gov/orc/149.43). Attach additional sheets if necessary. Give the date of each request, and be specific as to what records have not been provided. See attached Complaint (Exhibit A), Public Records Request (Exhibit B), Timeline (Exhibit C), and all of the correspondence between the parties (Exhibits D — Y).			
REQUIRED ATTACHMENTS OR INFORMATION			
Attach <input checked="" type="checkbox"/> copy of original public records request, and <input checked="" type="checkbox"/> copies of any and all written responses or other communications relating to the request from the public office. If the request and/or denial was verbal, provide a detailed description below of the verbal communication with the public office. Attach additional sheets if necessary. See Exhibits B, D — Y.			
Signature 		Date (mm/dd/year) 10/23/25	

# **EXHIBIT A**



## COMPLAINT #2

1. On May 8, 2025, Katie Corwin (“Corwin”), submitted three public records requests (“PRRs #1-3”) to the Ohio Department of Health (“ODH”) regarding communications that mention or refer to the Toledo Women’s Center. *See Exhibit B*. Corwin submitted these requests via email to James Hodge (“Hodge”), ODH Chief of Healthcare Compliance, Andrea Denning (“Denning”), ODH Bureau Chief, and Tracey Lamb (“Lamb”), ODH Bureau of Regulatory Operations. *See Exhibit D*.
2. Specifically, each of the PRRs sought:

“Any emails ... sent or received [by Hodge, Denning, or Lamb] that mention or refer to the Toledo Women’s Center from January 1, 2025 to [May 8, 2025]. This request includes all emails that mention or refer to the Toledo Women’s Center by name; all emails that mention or refer to the Toledo Women’s Center using an abbreviated name (such as ‘TWC’); all emails that mention or refer to the Toledo Women’s Center’s owner/medical director (Dr. David Burkons); and all emails that mention or refer to all or part of the address of the Toledo Women’s Center (1160 W. Sylvania Ave., Toledo, OH 43612).” *See Exhibit B*.
3. On May 12, 2025, Corwin received an email from Brenda Adams (“Adams”), Administrative Professional for the Office of the General Counsel, acknowledging ODH’s receipt of PRRs #1-3. *See Exhibit E*.
4. On May 19, 2025 and May 28, 2025, Corwin contacted Adams by email seeking a response to PRRs #1-3. *See Exhibit F*. Corwin also contacted Hodge by email on May 21, 2025, seeking a response. *See Exhibit G*. Still having received no response from any of them, Corwin followed up with Hodge, Dennings, and Lamb by email one last time on June 3, 2025. *See Exhibit H*.
5. On June 5, 2025, Corwin received an email from Brianne Brown (“Brown”), ODH Chief Legal Counsel, transmitting a letter that denied Corwin’s PRRs #1-3. *See Exhibit I*. In that letter, Brown argued that the requests were overly broad, that Corwin did not request specific records, and that the records requested are privileged attorney-client communications. *Id.* Brown did not provide any information to Corwin regarding the manner in which ODH maintains its records to assist Corwin in revising her request. *See id.*
6. On June 16, 2025, Corwin emailed Brown requesting a meet and confer to discuss the denial of PRRs #1-3. Brown and Corwin scheduled a meet and confer for July 10, 2025.

After scheduling this meeting, on July 1, 2025, Corwin sent three supplemental PRRs to Hodge, Denning, and Lamb, with the same request as the May 8 PRRs, but extending the time frame to July 1. *See Exhibit J* (“PRRs #4-6”).

7. However, after the close of business on July 9, 2025, Brown emailed Corwin a set of records responsive to a previous PRR Corwin had submitted on April 17, 2025, and unilaterally cancelled the meet and confer scheduled for the next day. Corwin quickly clarified that the meet and confer was for the purpose of discussing PRRs #1-3 and not the previous PRR. On July 10, 2025, Brown responded to Corwin, stating that there was nothing to discuss because ODH had denied the PRRs #1-3. *See Exhibit K*. On July 11, 2025, Corwin wrote a letter to Brown rebutting Brown’s claims that the PRRs were overbroad, not specific, and attorney-client work product. *See Exhibit L*.
8. On July 15, 2025, Brown responded to Corwin, reiterating ODH’s objections to the PRRs but noting that “in the interest of transparency, I have attached several email records that ODH was able to identify based on the current wording of your request.” *See Exhibit M and N*. Brown again invited Corwin to submit a “revised, narrower request” but failed to provide any information regarding how ODH maintains its records to enable Corwin to submit a revised request. *See Exhibit M*. Upon information and belief, Brown did not provide all of the emails that a full search of Hodge’s, Denning’s, and Lamb’s inboxes would require to fulfill the PRRs. In her email, Brown stated only that she attached “several emails,” which suggested that they were not the entire universe of responsive emails. *See id.*
9. On July 17, 2025, Corwin responded to Brown to clarify that the PRRs asked that the three named individuals search their emails using the search terms provided. Additionally, Corwin stated, “while we have already provided sufficiently precise information to execute this search, we will revise it further if necessary and possible, once you inform us of the manner in which ODH maintains and accesses its emails, as you are statutorily required to do. R.C. 149.43(B)(2).” *See Exhibit O*.
10. On July 18, Corwin sent three new PRRs (“PRRs #7-9”) as a follow up to the records that Brown sent Corwin on July 10, 2025. These requests were to Bill Robbins (“Robbins”), ODH Assistant Bureau Chief; Jayson Rogers (“Rogers”), Administrative Officer 2, Licensure and Certification Section of ODH; and Lamb. *See Exhibit P*. Specifically, Corwin sought from Robbins and Rogers:

“Any emails that you have sent or received that mention or refer to the Toledo Women’s Center from January 1, 2025 to the date of this request (July 18, 2025). This request includes all emails that mention or refer to the Toledo Women’s

Center by name; all emails that mention or refer to the Toledo Women's Center using an abbreviated name (such as "TWC"); all emails that mention or refer to the Toledo Women's Center's owner/medical director (Dr. David Burkons); and all emails that mention or refer to all or part of the address of the Toledo Women's Center (1160 W. Sylvania Ave., Toledo, OH 43612)." The email again provided specific search terms that could be used to fulfill those requests. *See Exhibit P.*

The PRRs to Rogers and Lamb also requested production of a message that was referred to in one of the records that had been produced on July 10. Specifically, one of the emails produced dated January 28, 2025, from Lamb to Rogers contained the subject line "Toledo Womens Center," in which Lamb said, "This is the one that I messaged you about – abortion center maybe?" *See Exhibit P.* So Corwin sent Lamb and Rogers a PRR requesting that message.

Adams confirmed receipt of all three new requests. *See Exhibit Q.*

11. On July 23, 2025, Brown sent Corwin an email declining to produce further emails responsive to the May 8 and July 1 requests (PRRs #1-6) and denying the requests to Robbins, Rogers, and Lamb (PRRs #7-9), stating only that in ODH's view they are "legally insufficient" and that "this concludes our correspondence on this matter." *See Exhibit R.*
12. On August 13, 2025, Corwin sent a Section 149 Complaint to ODH via certified mail for ODH's failure to fulfill PRRs #1-9. Corwin was notified via return receipt that the complaint was delivered on August 18. *See Exhibit S.* On August 21, Brown emailed Corwin and stated, "ODH has attached additional, potentially responsive emails, other than those withheld due to attorney-client privilege, to cure the failure alleged in your complaint within the three-day period of receipt of the complaint." *See Exhibit T.* Brown attached 15 responsive documents - none of which had been previously produced. *See Exhibit U.* On August 21, Corwin responded to clarify whether Brown had produced all of the responsive non-privileged documents. Brown responded stating, "my previous response speaks for itself." *See Exhibit V.*
13. On August 22, Corwin sought further clarification that all of the responsive emails had been provided. *See Exhibit W.* Brown responded that same day, stating that ODH cured the failure alleged in the Section 149 Complaint. *See id.* On August 25, Corwin sought additional clarification whether ODH had produced *all* responsive documents because the message from Lamb to Rogers, requested in PRRs # 8 and 9 on July 18, had still not been produced. *See id.; supra* para. 10. Brown responded on August 25 and reiterated that "all responsive, non-privileged records have been produced." *See Exhibit W.* On August 27,

Corwin asked why ODH was withholding the message between Lamb and Rogers. *See id.* Brown stated no responsive record existed at the time of our request. *See id.* Corwin asked whether the record had been deleted and asked for clarification on ODH's record retention policy. *See id.* Brown said that no responsive record existed at the time of Corwin's request and linked to ODH's document retention schedule. Brown further stated, "ODH has gone far beyond its legal obligation in responding to your repeated inquiries regarding this matter in the interest of finality. This response is ODH's final communication on the topic." *See id.*

14. While Brown unequivocally stated that "all responsive, non-privileged records have been produced," Corwin later discovered several responsive emails, currently in Corwin's possession, that Brown did not produce. In addition, the production from ODH did not contain any emails from Hodge, other than one. It happened to be an email from pri@odh.ohio.gov that was forwarded to Williams and Rogers containing PRR 4, which was sent on July 1. Because no other emails were provided from Hodge – who oversees all ASF licensing – it appears unlikely that a search was conducted of Hodge's email for responsive documents. For these reasons, Corwin has reason to believe other responsive emails may be missing.
15. On October 7, 2025, Corwin's supervisor Jessie Hill ("Hill"), emailed Brown regarding PRRs #1-9. Hill attached one of the emails in Corwin's possession that ODH had not produced, and requested that Brown: (1) explain why an email we had in our possession that is responsive to Corwin's request was not produced; (2) conduct a more thorough search that will turn up the email as well as other responsive documents; and (3) confirm whether ODH has searched the inboxes and sent email boxes of all relevant personnel. Hill also offered to set up a time to meet and confer. *See Exhibit X.*
16. On October 10, 2025, Brown responded to Hill that the PRRs were "legally insufficient and did not provide ODH with the necessary information to identify with reasonable clarity the records at issue." Brown further admitted that due to the "legal insufficiency" of Corwin's requests, ODH conducted an "imprecise search . . . to the best of its ability" and "all responsive records that were returned through this search process were provided." Thus, suggesting that not all responsive records were produced, Brown advised Hill to "make a more precise, legally sufficient request" that includes the sender, recipient, date and time of the email, or sender, recipient, and desired time frame. *See Exhibit Y.*
17. Brown's October 10 email response to Hill thus makes clear that Brown did not, in fact, produce all responsive emails in ODH's custody and that, instead, ODH made an "imprecise search." However, the Public Records Act does not require a requester to

include the level of specificity that ODH demands. To the contrary, the PRA puts the burden on ODH to “organize and maintain public records in a manner that they can be made available for inspection or copying[.]” R.C. 149.43(B)(2). And ODH has repeatedly declined to meet and confer with Corwin or Hill or to indicate how ODH’s records are maintained so that they could appropriately tailor the PRRs.

18. It has now been almost six months since Corwin’s initial PRRs to ODH, and it is clear that not all responsive records have been produced. All of the PRRs from Corwin are very narrow, limited to email communications to or from 5 named individuals, specify certain terms, and confined to a short timeframe of 6 months. Furthermore, after Brown stated concerns about the breadth of PRRs # 1-3, Corwin provided specific search terms within a narrow time frame for Hodge, Denning, and Lamb to search their email inboxes and sent mail boxes.
19. While Brown has produced *some* responsive documents, it is clear that there are several responsive documents that were not in fact produced; and it seems likely that additional responsive documents, beyond those, remain unproduced. Because of the piecemeal way in which records have been produced in response to PRRs #1-6, ODH’s complete denial of PRRs #7-9, and Brown’s refusal to confirm that the requested individuals’ inboxes have been searched using the search terms and dates provided, Corwin has no assurance that this has been done. Finally, in her email on October 10, 2025, Brown acknowledged that only an “imprecise search” was conducted, recanting her previous (and manifestly inaccurate) statement that all responsive, non-privileged documents had been produced. *See Exhibit Y.*
20. ODH and its personnel have a duty to “promptly” prepare and make requested records available for inspection. R.C. 149.43(B)(1). ODH is required to “organize and maintain public records in a manner that they can be made available for inspection or copying.” ORC § 149.43 (B)(2). Furthermore, while ODH may deny an overbroad or ambiguous request, it is affirmatively required to “provide the requester with an opportunity to revise the request by informing the requester of the manner in which records are maintained by the public office and accessed in the ordinary course of the public office’s or person’s duties.” *Id.* ODH has failed to comply with its obligations under Ohio’s Public Records Act. It has failed to promptly make all records available and failed to meet and confer in good faith in an attempt to identify the records requested.
21. Furthermore, “if a request is ultimately denied, in part or in whole, the public office or the person responsible for the requested public record shall provide the requester with an explanation, including legal authority, setting forth why the request was denied.” ORC § 149.43 (B)(3). Although Brown maintained at first that PRRs #1-3 were overbroad, she

failed to provide Corwin with information necessary to revise her request. Now, Brown vaguely asserts that seemingly all of the requests are “legally insufficient” and suggests that Corwin identify the specific emails she seeks – which is not what the PRA requires.

22. For the foregoing reasons, Relator requests that ODH comply with its obligations under the PRA to promptly produce all responsive records. If, and to the extent that Relator’s already narrow and specific request could somehow be overbroad, Relator requests that ODH fulfil its statutory duty to provide an opportunity for Relator to revise her requests by informing Relator as to the way in which ODH maintains and accesses its email records.

23. For a timeline of these events, please *see* **Exhibit C**.

# **EXHIBIT B**

May 8, 2025

**SENT VIA EMAIL: james.hodge@odh.ohio.gov**

Mr. James Hodge  
Chief of Healthcare Compliance  
Ohio Department of Health  
Bureau of Regulatory Operations  
246 N. High St.  
Columbus, OH 43215

**RE: Public Records Request**

Dear Mr. Hodge,

Pursuant to Ohio's open records law, Ohio Rev. Code § 149.43, the following is a formal request for public records in the possession of the Ohio Department of Health (ODH):

I hereby request the following records:

Any emails that you have sent or received that mention or refer to the Toledo Women's Center from January 1, 2025 to the date of this request. This request includes all emails that mention or refer to the Toledo Women's Center by name; all emails that mention or refer to the Toledo Women's Center using an abbreviated name (such as "TWC"); all emails that mention or refer to the Toledo Women's Center's owner/medical director (Dr. David Burkons); and all emails that mention or refer to all or part of the address of the Toledo Women's Center (1160 W. Sylvania Ave., Toledo, OH 43612).

Please provide responsive records on a rolling basis as you are able to prepare them, and kindly send the records to me in electronic format at [kjc150@case.edu](mailto:kjc150@case.edu) no later than May 23, 2025. *See* R.C. § 139.43(B)(1) (records must be produced "promptly"); *State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Educ.*, 97 Ohio St. 3d 58, 65 (2002).

If there is a cost related to production, please advise me before incurring that cost. If you believe that any portion of a responsive record is exempted from disclosure by the Ohio Revised Code, please specify the basis for redaction and release all non-exempt portions of the record.

If there are any questions relating to this request, please contact me at [kjc150@case.edu](mailto:kjc150@case.edu).

Sincerely,



Katie Corwin  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law

May 8, 2025

**SENT VIA EMAIL: andrea.denning@odh.ohio.gov**

Ms. Andrea Denning  
Bureau Chief  
Ohio Department of Health  
Bureau of Regulatory Operations  
246 N. High St.  
Columbus, OH 43215

**RE: Public Records Request**

Dear Ms. Denning,

Pursuant to Ohio's open records law, Ohio Rev. Code § 149.43, the following is a formal request for public records in the possession of the Ohio Department of Health (ODH):

I hereby request the following records:

Any emails that you have sent or received that mention or refer to the Toledo Women's Center from January 1, 2025 to the date of this request. This request includes all emails that mention or refer to the Toledo Women's Center by name; all emails that mention or refer to the Toledo Women's Center using an abbreviated name (such as "TWC"); all emails that mention or refer to the Toledo Women's Center's owner/medical director (Dr. David Burkons); and all emails that mention or refer to all or part of the address of the Toledo Women's Center (1160 W. Sylvania Ave., Toledo, OH 43612).

Please provide responsive records on a rolling basis as you are able to prepare them, and kindly send the records to me in electronic format at [kjc150@case.edu](mailto:kjc150@case.edu) no later than May 23, 2025. *See* R.C. § 139.43(B)(1) (records must be produced "promptly"); *State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Educ.*, 97 Ohio St. 3d 58, 65 (2002).

If there is a cost related to production, please advise me before incurring that cost. If you believe that any portion of a responsive record is exempted from disclosure by the Ohio Revised Code, please specify the basis for redaction and release all non-exempt portions of the record.

If there are any questions relating to this request, please contact me at [kjc150@case.edu](mailto:kjc150@case.edu).

Sincerely,

Katie Corwin

Legal Fellow

Reproductive Rights Law Initiative

Case Western Reserve University School of Law

May 8, 2025

**SENT VIA EMAIL: tracey.lamb@odh.ohio.gov**

Ms. Tracey Lamb  
Ohio Department of Health  
Bureau of Regulatory Operations  
246 N. High St.  
Columbus, OH 43215

**RE: Public Records Request**

Dear Ms. Lamb,

Pursuant to Ohio's open records law, Ohio Rev. Code § 149.43, the following is a formal request for public records in the possession of the Ohio Department of Health (ODH):

I hereby request the following records:

Any emails that you have sent or received that mention or refer to the Toledo Women's Center from January 1, 2025 to the date of this request. This request includes all emails that mention or refer to the Toledo Women's Center by name; all emails that mention or refer to the Toledo Women's Center using an abbreviated name (such as "TWC"); all emails that mention or refer to the Toledo Women's Center's owner/medical director (Dr. David Burkons); and all emails that mention or refer to all or part of the address of the Toledo Women's Center (1160 W. Sylvania Ave., Toledo, OH 43612).

Please provide responsive records on a rolling basis as you are able to prepare them, and kindly send the records to me in electronic format at [kjc150@case.edu](mailto:kjc150@case.edu) no later than May 23, 2025. *See* R.C. § 139.43(B)(1) (records must be produced "promptly"); *State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Educ.*, 97 Ohio St. 3d 58, 65 (2002).

If there is a cost related to production, please advise me before incurring that cost. If you believe that any portion of a responsive record is exempted from disclosure by the Ohio Revised Code, please specify the basis for redaction and release all non-exempt portions of the record.

If there are any questions relating to this request, please contact me at [kjc150@case.edu](mailto:kjc150@case.edu).

Sincerely,

Katie Corwin  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law

# **EXHIBIT C**

### **Timeline**

<b><u>Date</u></b>	<b><u>Description</u></b>
May 8, 2025	Corwin emails a three public records requests (PRRs #1-3) to the Ohio Department of Health (ODH) seeking emails from Hodge, Denning, and Lamb.
May 12, 2025	Corwin receives an email from Adams acknowledging ODH was in receipt of the PRR.
May 19, 2025	Corwin seeks a response from Adams via email.
May 21, 2025	Corwin seeks a response from Adams via email again.
June 3, 2025	Corwin emails Hodge, Denning, and Lamb requesting a prompt response to her PRRs.
June 5, 2025	Corwin receives an email from Brown denying the May 8, 2025 PRR.
June 16, 2025	Corwin emails Brown requesting a meet and confer to discuss the denial of the May 8, 2025 PRR.
June 24, 2025	Corwin and Brown schedule a meet and confer for July 10, 2025.
July 1, 2025	Corwin sends three supplemental PRRs (PRRs #4-6) to Hodge, Denning, and Lamb, with the same request as the May 8 PRRs, but extending the time frame to July 1.
July 9, 2025	Brown emails Corwin documents responsive to a separate PRR Corwin submitted to ODH on April 17, 2025 and cancels the July 10, 2025 meeting. Corwin responds to Brown's email clarifying that the meet and confer is regarding the May 8, 2025 PRR and not the April 17, 2025 PRR.
July 10, 2025	Brown responds to Corwin saying there is nothing to discuss because ODH has denied the May 8, 2025 PRR.
July 11, 2025	Corwin responds to Brown rebutting ODH's denial of the May 8, 2025 PRR and requesting that the PRR be fulfilled by July 17, 2025.
July 15, 2025	Brown provides <i>some</i> responsive emails that were requested in the May 8, 2025 PRR.
July 17, 2025	Corwin clarifies the scope of the records requested in the May 8, 2025 PRR and provides specific search terms.

July 18, 2025	Corwin sends new PRRs to Robbins, Rogers, and Lamb (PRRs #7-9).
July 23, 2025	Brown denies the three PRRs to Robbins, Rogers, and Lamb, claiming that they are “legally insufficient” and notes that: “This concludes our correspondence on this matter.”
August 13, 2025	Corwin sends ODH a Section 149 Complaint and ODH received the Complaint on August 18.
August 21, 2025	Brown emails Corwin and attaches 15 responsive emails to cure the failure to respond to the May 8 PRRs. Corwin responds to clarify that Brown has produced all of the responsive non-privileged documents. Brown states, “my previous response speaks for itself.”
August 22-27, 2025	Corwin seeks further clarification from Brown that all responsive, non attorney-client privileged emails have been provided. Corwin specifically mentions a message requested that Brown has not produced. Brown says that no responsive document existed at the time of the request and that ODH has gone far beyond its legal obligation and that this would be the final communication on the topic.
October 7, 2025	Jessie Hill, Corwin’s supervisor, emailed Brown regarding Corwin’s PRRs, requesting Brown: (1) explain why emails in Corwin’s possession that were responsive to Corwin’s PRRs were not produced; (2) conduct a more thorough search that will turn up the email as well as other responsive documents; and (3) confirm whether ODH has searched the inboxes and sent email boxes of all relevant personnel. Hill also offers to set up a time to meet and confer.
October 10, 2025	Brown responds to Hill that the PRRs were “legally insufficient and did not provide ODH with the necessary information to identify with reasonable clarity the records at issue.” Brown further states that, “ODH, though not legally obligated, produced responsive records to the best of its ability. To make this production, ODH was forced to conduct an imprecise search based on the wording of the legally insufficient requests. All responsive records that were returned through this search process were provided.” Brown concluded by suggesting that Hill identify the specific emails she seeks.



# **EXHIBIT D**

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**Public Records Request**

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**Katie Corwin** <kjc150@case.edu>

Thu, May 8, 2025 at 2:27 PM

To: james.hodge@odh.ohio.gov, Jessie Hill &lt;bjh11@case.edu&gt;

Dear Mr. Hodge,

Please see the attached public records request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

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**Public Records Request Hodge 5.8.25.pdf**

109K

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**Public Records Request**

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**Katie Corwin** <kjc150@case.edu>

Thu, May 8, 2025 at 2:29 PM

To: andrea.denning@odh.ohio.gov, Jessie Hill &lt;bjh11@case.edu&gt;

Dear Ms. Denning,

Please see the attached public records request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

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**Public Records Request Denning 5.8.25.pdf**

89K

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## Public Records Request

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**Katie Corwin** <kjc150@case.edu>

Thu, May 8, 2025 at 2:30 PM

To: tracey.lamb@odh.ohio.gov, Jessie Hill <bjh11@case.edu>

Dear Ms. Lamb,

Please see the attached public records request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

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 **Public Records Request Lamb 5.8.25.pdf**  
109K

# **EXHIBIT E**

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**Acknowledgement to Public Records Request to Andrea Denning**

1 message

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**Brenda.Adams@odh.ohio.gov** <Brenda.Adams@odh.ohio.gov>  
To: "kjc150@case.edu" <kjc150@case.edu>

Mon, May 12, 2025 at 8:41 AM

Dear Ms. Corwin:

ODH is in receipt of your Public Record Request addressed to Andrea Denning. Your request is in being processed in accordance with R.C. 149.43.

Thank you.

Brenda

**Brenda Adams****Administrative Professional****Office of General Counsel****246 North High Street****Columbus, OH 43215**

P: 614-466-4882

Brenda.Adams@odh.ohio.gov



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**Acknowledgement of Public Records Request to Tracey Lamb**

1 message

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**Brenda.Adams@odh.ohio.gov** <Brenda.Adams@odh.ohio.gov>  
To: "kjc150@case.edu" <kjc150@case.edu>

Mon, May 12, 2025 at 8:35 AM

Dear Ms. Corwin:

ODH is in receipt of your Public Record Request addressed to Tracey Lamb. Your request is in being processed in accordance with R.C. 149.43.

Thank you.

Brenda

**Brenda Adams****Administrative Professional****Office of General Counsel****246 North High Street****Columbus, OH 43215**

P: 614-466-4882

Brenda.Adams@odh.ohio.gov

**Department of  
Health**

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# **EXHIBIT F**



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**Public Records Requests**

2 messages

Katie Corwin <kjc150@case.edu>  
To: Brenda.Adams@odh.ohio.gov

Mon, May 19, 2025 at 12:09 PM

Hi Brenda,

I hope you had a good weekend! I submitted the following public records requests:

- James Hodge on 4/17/25
- James Hodge on 5/8/25
- Andrea Denning on 5/8/25
- Tracey Lamb on 5/8/25

Can you please provide an update on when I will receive the information requested? I have attached all of the requests for your convenience.

Thank you,  
Katie

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122


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**4 attachments**

 **Public Records Request Hodge 5.8.25.pdf**  
109K

 **Public Records Request Lamb 5.8.25.pdf**  
109K

 **Public Records Request Hodge 4.17.25.pdf**  
83K

 **Public Records Request Denning 5.8.25.pdf**  
89K

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Katie Corwin <kjc150@case.edu>  
To: Brenda.Adams@odh.ohio.gov

Wed, May 28, 2025 at 12:07 PM

Hi Brenda,

I hope you enjoyed the long weekend! I wanted to follow up with you on the public records requests I previously submitted. Please see the list below

- James Hodge on 4/17/25
- James Hodge on 5/8/25
- Andrea Denning on 5/8/25
- Tracey Lamb on 5/8/25

Can you please provide an update on when I will receive the information requested? I have attached all of the requests for your convenience.

Thank you,  
Katie

[Quoted text hidden]

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**4 attachments**

 **Public Records Request Hodge 5.8.25.pdf**  
109K

 **Public Records Request Hodge 4.17.25.pdf**  
83K

 **Public Records Request Lamb 5.8.25.pdf**  
109K

 **Public Records Request Denning 5.8.25.pdf**  
89K

# **EXHIBIT G**

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## Public Records Request

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**Katie Corwin** <kjc150@case.edu>  
To: james.hodge@odh.ohio.gov  
Cc: Brenda.Adams@odh.ohio.gov

Wed, May 21, 2025 at 12:02 PM

Dear Mr. Hodge,


I sent you a public records request on 4/17/25 and an additional one on 5/8/25. I have attached the requests for your convenience. Can you please provide an update on when I will receive the records requested?

Sincerely,  
Katie Corwin

[Quoted text hidden]

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### 2 attachments

 **Public Records Request Hodge 4.17.25.pdf**  
83K

 **Public Records Request Hodge 5.8.25.pdf**  
109K

# EXHIBIT H

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**Public Records Request Follow Up**

1 message

**Katie Corwin** <kjc150@case.edu>

Tue, Jun 3, 2025 at 1:25 PM

To: james.hodge@odh.ohio.gov, Jessie Hill &lt;bjh11@case.edu&gt;, Brenda.Adams@odh.ohio.gov

Dear Mr. Hodge,

Please see the attached letter following up on my previous public records requests. I have provided the original requests for your convenience and the initial emails I sent you containing the requests.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

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**5 attachments****Public Records Request Follow Up\_Hodge\_6.3.25.pdf**  
83K**Public Records Request Hodge 4.17.25.pdf**  
83K**Public Records Request Hodge 5.8.25.pdf**  
109K**Hodge 4.17.25 Email.pdf**  
118K**Hodge Email 5.8.25.pdf**  
151K

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**Public Records Request Follow Up**

1 message

**Katie Corwin** <kjc150@case.edu>

Tue, Jun 3, 2025 at 1:30 PM

To: andrea.denning@odh.ohio.gov, Jessie Hill &lt;bjh11@case.edu&gt;, Brenda.Adams@odh.ohio.gov

Dear Ms. Denning,


Please see the attached letter following up on my previous public records requests. I have provided the original request for your convenience and the initial email I sent you containing the request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

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**3 attachments** **Public Records Request Follow Up Denning 6.3.25.pdf**  
82K **Public Records Request Denning 5.8.25.pdf**  
89K **Denning Email 5.8.25.pdf**  
129K

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**Public Records Request Follow Up**

1 message

**Katie Corwin** <kjc150@case.edu>

Tue, Jun 3, 2025 at 1:33 PM

To: tracey.lamb@odh.ohio.gov, Jessie Hill &lt;bjh11@case.edu&gt;, Brenda.Adams@odh.ohio.gov

Dear Ms. Lamb,


Please see the attached letter following up on my previous public records request. I have provided the original request for your convenience and the initial email I sent you containing the request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

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**3 attachments** **Public Records Request Follow Up Lamb 6.3.25.pdf**  
83K **Public Records Request Lamb 5.8.25.pdf**  
109K **Lamb Email 5.8.25.pdf**  
130K

# EXHIBIT I



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**Public Records Requests**

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**Brianne.Brown@odh.ohio.gov** <Brianne.Brown@odh.ohio.gov>

Thu, Jun 5, 2025 at 3:02 PM

To: "kjc150@case.edu" &lt;kjc150@case.edu&gt;

Cc: "james.hodge@odh.ohio.gov" &lt;james.hodge@odh.ohio.gov&gt;, "Andrea.Denning@odh.ohio.gov" &lt;Andrea.Denning@odh.ohio.gov&gt;, "Tracy.Lamb@drc.ohio.gov" &lt;Tracy.Lamb@drc.ohio.gov&gt;

Good Afternoon Katie,

Attached please find our response to your requests for records dated May 8 and April 17, 2025.

Regards,

Bree

**Brianne Brown**

Chief Legal Counsel

Office of General Counsel

246 North High St.

Columbus, OH 43215

P: 380.203.5654

[Brianne.Brown@odh.ohio.gov](mailto:Brianne.Brown@odh.ohio.gov)

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June 5, 2025

VIA EMAIL

Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
Katie Corwin, Legal Fellow  
kjc1502case.edu

Dear Ms. Corwin:

I am writing in response to your public records requests sent to the Ohio Department of Health by email on April 17, 2025 and May 8, 2025<sup>1</sup>.

Regarding the May 8<sup>th</sup> request which states: "I hereby request the following records:

Any emails that you have sent or received that mention or refer to the Toledo Women's Center from January 1, 2025 to the date of this request. This request includes all emails that mention or refer to the Toledo Women's Center by name; all emails that mention or refer to the Toledo Women's Center using an abbreviated name (such as "TWC"); all emails that mention or refer to the Toledo Women's Center's owner/medical director (Dr. David Burkons); and all emails that mention or refer to all or part of the address of the Toledo Women's Center (1160 W. Sylvania Ave., Toledo, OH 43612)."

Your request is overly broad because it does not identify specific records being sought with reasonable clarity and is too voluminous, vague or indefinite to be properly acted on. Accordingly, ODH denies your request. See R.C. 149.43(B)(2), *State ex rel. Zidonis v. Columbus State Cmty. College*, which provides: "[I]t is the responsibility of the person who wishes to inspect and/or copy records to identify with reasonable clarity the records at issue." 2012-Ohio-4228 ¶ 21.

To the extent you are seeking emails referencing the review of any applications for compliance with applicable legal provisions, these records are privileged attorney-client communications and/or attorney work product and not subject to release. See R.C. 149.43(A)(1)(v); see also *State ex rel. Leslie v. Ohio Hous. Fin. Agency*, 2005-Ohio-1508, 824 and *State ex rel. Lanham v. DeWine*, 2013-Ohio-199.

Additionally, this request identifies information you are seeking, rather than specific, existing records of the Ohio Department of Health. The Ohio Public Records Act provides for access to records, but it does not obligate a public office to search for records containing selected information. *State ex rel. Fant v. Tober*, 8th Dist. No. 63737 (Apr. 28, 1993), 1993 Ohio App. LEXIS 2591, *aff'd* 68 Ohio St.3d 117 (1993). Further, a public office is under no duty to create new records by searching for and compiling information that may be of interest to the

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<sup>1</sup> Identical copies of this request were received by email by Ohio Department of Health (ODH) employees Andrea Denning, James Hodge and Tracey Lamb.

requester. *State ex rel. White v. Goldsberry*, 85 Ohio St.3d 153 (1999). Lastly, Ohio law does not require a public office to provide all work-related e-mail messages from or to a public official, *State ex rel. Glasgow v. Jones*, 2008-Ohio-4788, ¶¶ 16-19, or to organize records in electronic or other media such that they can be retrieved based on a keyword search, *State ex rel. Thomas v. Ohio State University*, 71 Ohio St.3d 245 (1994). A requester must identify the records sought so that the public office can identify responsive records based on the manner in which it ordinarily maintains and accesses the public records it keeps. *State ex rel. Zauderer v. Joseph*, 62 Ohio App.3d 752 (10th Dist. 1989). Your requests fail to request records based on the manner in which the Ohio Department of Health organizes its records. *State ex rel. Zidonis v. Columbus State Cmty. College*, 2012-Ohio-4228, ¶ 21; *State ex rel. Dehler v. Spatny*, 2010-Ohio-5711, ¶¶ 1-3.

Regarding your April 17, 2025 request to Mr. Hodge, Ms. Lamb and and Andrea Denning for all new license applications for ambulatory surgical facilities (ASFs) received by ODH between January 1, 2020 and April 1, 2025, excluding applications for a renewal of an already existing license and also all of the inspection reports generated by ODH in connection with each new ASF license application received by ODH between January 1, 2020 and April 1, 2025, this request is still being processed. In the meantime, it's possible some of the information you're looking for can be found at:

[https://publicapps.odh.ohio.gov/eid/Provider\\_Search.aspx](https://publicapps.odh.ohio.gov/eid/Provider_Search.aspx)

Should you wish to request specific guidance, alerts, advisories, or another specific record, please let us know. Should you have any questions, please contact me at [Brianne.Brown@odh.ohio.gov](mailto:Brianne.Brown@odh.ohio.gov).

Sincerely,

Brianne Brown  
Chief Legal Counsel

cc: James Hodge, Andrea Denning, Tracey Lamb

# **EXHIBIT J**

July 1, 2025

**SENT VIA EMAIL: james.hodge@odh.ohio.gov**

Mr. James Hodge  
Chief of Healthcare Compliance  
Ohio Department of Health  
Bureau of Regulatory Operations  
246 N. High St.  
Columbus, OH 43215

**RE: Public Records Request**

Dear Mr. Hodge,

Pursuant to Ohio's open records law, Ohio Rev. Code § 149.43, the following is a formal request for public records in the possession of the Ohio Department of Health (ODH):

I hereby request the following records:

Any emails that you have sent or received that mention or refer to the Toledo Women's Center from May 8, 2025 to the date of this request (July 1, 2025). This request includes all emails that mention or refer to the Toledo Women's Center by name; all emails that mention or refer to the Toledo Women's Center using an abbreviated name (such as "TWC"); all emails that mention or refer to the Toledo Women's Center's owner/medical director (Dr. David Burkons); and all emails that mention or refer to all or part of the address of the Toledo Women's Center (1160 W. Sylvania Ave., Toledo, OH 43612).

Please provide responsive records on a rolling basis as you are able to prepare them, and kindly send the records to me in electronic format at [kjc150@case.edu](mailto:kjc150@case.edu) no later than July 15, 2025. *See* R.C. § 149.43(B)(1) (records must be produced "promptly"); *State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Educ.*, 97 Ohio St. 3d 58, 65 (2002).

If there is a cost related to production, please advise me before incurring that cost. If you believe that any portion of a responsive record is exempted from disclosure by the Ohio Revised Code, please specify the basis for redaction and release all non-exempt portions of the record.

If there are any questions relating to this request, please contact me at [kjc150@case.edu](mailto:kjc150@case.edu).

Sincerely,

Katie Corwin, Esq.  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law

July 1, 2025

**SENT VIA EMAIL: andrea.denning@odh.ohio.gov**

Ms. Andrea Denning  
Bureau Chief  
Ohio Department of Health  
Bureau of Regulatory Operations  
246 N. High St.  
Columbus, OH 43215

**RE: Public Records Request**

Dear Ms. Denning,

Pursuant to Ohio's open records law, Ohio Rev. Code § 149.43, the following is a formal request for public records in the possession of the Ohio Department of Health (ODH):

I hereby request the following records:

Any emails that you have sent or received that mention or refer to the Toledo Women's Center from May 8, 2025 to the date of this request (July 1, 2025). This request includes all emails that mention or refer to the Toledo Women's Center by name; all emails that mention or refer to the Toledo Women's Center using an abbreviated name (such as "TWC"); all emails that mention or refer to the Toledo Women's Center's owner/medical director (Dr. David Burkons); and all emails that mention or refer to all or part of the address of the Toledo Women's Center (1160 W. Sylvania Ave., Toledo, OH 43612).

Please provide responsive records on a rolling basis as you are able to prepare them, and kindly send the records to me in electronic format at [kjc150@case.edu](mailto:kjc150@case.edu) no later than July 15, 2025. *See* R.C. § 149.43(B)(1) (records must be produced "promptly"); *State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Educ.*, 97 Ohio St. 3d 58, 65 (2002).

If there is a cost related to production, please advise me before incurring that cost. If you believe that any portion of a responsive record is exempted from disclosure by the Ohio Revised Code, please specify the basis for redaction and release all non-exempt portions of the record.

If there are any questions relating to this request, please contact me at [kjc150@case.edu](mailto:kjc150@case.edu).

Sincerely,

Katie Corwin, Esq.

Legal Fellow

Reproductive Rights Law Initiative

Case Western Reserve University School of Law



July 1, 2025

**SENT VIA EMAIL: tracey.lamb@odh.ohio.gov**

Ms. Tracey Lamb  
Ohio Department of Health  
Bureau of Regulatory Operations  
246 N. High St.  
Columbus, OH 43215

**RE: Public Records Request**

Dear Ms. Lamb,

Pursuant to Ohio's open records law, Ohio Rev. Code § 149.43, the following is a formal request for public records in the possession of the Ohio Department of Health (ODH):

I hereby request the following records:

Any emails that you have sent or received that mention or refer to the Toledo Women's Center from May 8, 2025 to the date of this request (July 1, 2025). This request includes all emails that mention or refer to the Toledo Women's Center by name; all emails that mention or refer to the Toledo Women's Center using an abbreviated name (such as "TWC"); all emails that mention or refer to the Toledo Women's Center's owner/medical director (Dr. David Burkons); and all emails that mention or refer to all or part of the address of the Toledo Women's Center (1160 W. Sylvania Ave., Toledo, OH 43612).

Please provide responsive records on a rolling basis as you are able to prepare them, and kindly send the records to me in electronic format at [kjc150@case.edu](mailto:kjc150@case.edu) no later than July 15, 2025. *See* R.C. § 149.43(B)(1) (records must be produced "promptly"); *State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Educ.*, 97 Ohio St. 3d 58, 65 (2002).

If there is a cost related to production, please advise me before incurring that cost. If you believe that any portion of a responsive record is exempted from disclosure by the Ohio Revised Code, please specify the basis for redaction and release all non-exempt portions of the record.

If there are any questions relating to this request, please contact me at [kjc150@case.edu](mailto:kjc150@case.edu).

Sincerely,

Katie Corwin, Esq.  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law

# **EXHIBIT K**

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## Public Records Requests

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Katie Corwin <kjc150@case.edu>

Mon, Jun 16, 2025 at 9:04 AM

To: "Brianne.Brown@odh.ohio.gov" <Brianne.Brown@odh.ohio.gov>, Jessie Hill <bjh11@case.edu>

Cc: "james.hodge@odh.ohio.gov" <james.hodge@odh.ohio.gov>, "Andrea.Denning@odh.ohio.gov" <Andrea.Denning@odh.ohio.gov>, "Tracy.Lamb@drc.ohio.gov" <Tracy.Lamb@drc.ohio.gov>

Hi Brianne,

I hope you had a good weekend. We would like to schedule a meet and confer regarding the public records request we sent on May 8th. Please send us your availability for next week.

Thank you,  
Katie

[Quoted text hidden]

[Quoted text hidden]

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**Public Records Requests**

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**Brianne.Brown@odh.ohio.gov** <Brianne.Brown@odh.ohio.gov>

Mon, Jun 16, 2025 at 12:38 PM

To: Katie Corwin &lt;kjc150@case.edu&gt;, Jessie Hill &lt;bjh11@case.edu&gt;

Cc: "james.hodge@odh.ohio.gov" &lt;james.hodge@odh.ohio.gov&gt;, "Andrea.Denning@odh.ohio.gov" &lt;Andrea.Denning@odh.ohio.gov&gt;, "Tracy.Lamb@drc.ohio.gov" &lt;Tracy.Lamb@drc.ohio.gov&gt;

Good Afternoon Katie,

The weekends are never quite long enough, but it was good. Hope yours was too! I am happy to get something scheduled; however, we are in the final stages of the state budget process right now through the end of June so I'm unfortunately not available until July at this point.

Please let me know what day(s) and time(s) would work for you and I will get a meeting scheduled.

Thanks,

Bree

[Quoted text hidden]

**CAUTION:** This is an external email and may not be safe. If the email looks suspicious, please do not click links or open attachments and forward the email to [csc@ohio.gov](mailto:csc@ohio.gov) or click the Phish Alert Button if available.

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**Public Records Requests**

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**Katie Corwin** <kjc150@case.edu>

Mon, Jun 23, 2025 at 1:12 PM

To: "Brianne.Brown@odh.ohio.gov" &lt;Brianne.Brown@odh.ohio.gov&gt;

Cc: Jessie Hill &lt;bjh11@case.edu&gt;, "James.Hodge@odh.ohio.gov" &lt;james.hodge@odh.ohio.gov&gt;, "Andrea.Denning@odh.ohio.gov" &lt;Andrea.Denning@odh.ohio.gov&gt;, "Tracy.Lamb@drc.ohio.gov" &lt;Tracy.Lamb@drc.ohio.gov&gt;

Hi Brianne,

Apologies for the delay! Please see our availability below.

Tuesday, July 1st before 1pm or after 3pm

Wednesday, July 2nd before 2pm

Monday, July 7th before noon

Tuesday, July 8th any time

Thursday, July 10th before 11am or between 12:30pm-3:00pm

Thank you!

Katie

[Quoted text hidden]

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**Public Records Requests**

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**Brianne.Brown@odh.ohio.gov** <Brianne.Brown@odh.ohio.gov>

Tue, Jun 24, 2025 at 8:44 AM

To: Katie Corwin &lt;kjc150@case.edu&gt;

Cc: Jessie Hill &lt;bjh11@case.edu&gt;, "James.Hodge@odh.ohio.gov" &lt;james.hodge@odh.ohio.gov&gt;, "Andrea.Denning@odh.ohio.gov" &lt;Andrea.Denning@odh.ohio.gov&gt;, "Tracy.Lamb@drc.ohio.gov" &lt;Tracy.Lamb@drc.ohio.gov&gt;

Good Morning Katie,

July 10<sup>th</sup> is probably the best day out of the list as far as availability goes; how about 9:30? I am happy to send a Teams link if you'd like- let me know?

[Quoted text hidden]

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**Public Records Requests**

---

**Katie Corwin** <kjc150@case.edu>

Tue, Jun 24, 2025 at 12:08 PM

To: "Brianne.Brown@odh.ohio.gov" &lt;Brianne.Brown@odh.ohio.gov&gt;

Cc: Jessie Hill &lt;bjh11@case.edu&gt;, "james.hodge@odh.ohio.gov" &lt;james.hodge@odh.ohio.gov&gt;, "Andrea.Denning@odh.ohio.gov" &lt;Andrea.Denning@odh.ohio.gov&gt;, "Tracy.Lamb@drc.ohio.gov" &lt;Tracy.Lamb@drc.ohio.gov&gt;

Hi Brianne,

Yes, that works for us. Sending a teams link would be great.

Thank you!

Katie

[Quoted text hidden]





Katie Corwin <kjc150@case.edu>

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## Public Records Requests

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**Brianne.Brown@odh.ohio.gov** <Brianne.Brown@odh.ohio.gov>

Tue, Jun 24, 2025 at 12:50 PM

To: Katie Corwin <kjc150@case.edu>

Cc: Jessie Hill <bjh11@case.edu>, "James.Hodge@odh.ohio.gov" <james.hodge@odh.ohio.gov>, "Andrea.Denning@odh.ohio.gov" <Andrea.Denning@odh.ohio.gov>, "Tracy.Lamb@drc.ohio.gov" <Tracy.Lamb@drc.ohio.gov>

Done!

Have a great rest of your day.

[Quoted text hidden]

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**Public Records Request response**

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**Brianne.Brown@odh.ohio.gov** <Brianne.Brown@odh.ohio.gov>  
To: Katie Corwin <kjc150@case.edu>, Jessie Hill <bjh11@case.edu>

Wed, Jul 9, 2025 at 5:07 PM

Good Afternoon Katie and Jessie,

Below please find all responsive records to your April 17, 2025 public records request addressed to James Hodge which requested the following records:

1. All **new** license applications for ambulatory surgical facilities (ASFs) received by ODH between January 1, 2020 and April 1, 2025. We are not requesting applications for a renewal of an already existing license.
2. All of the inspection reports generated by ODH in connection with each new ASF license application received by ODH between January 1, 2020 and April 1, 2025.

<https://filedrop.cloudafs.ohio.gov/pickup?claimID=bYZbgoWH2tMHoi4i&claimPasscode=PG46ju5ZSkACqtnh&emailAddr=159418>

I know we had a meeting on the books for tomorrow morning to discuss this request, so I am cancelling said meeting in light of this response.

Thanks,

Bree

**Brianne Brown**

Chief Legal Counsel

Office of General Counsel

246 North High St.

Columbus, OH 43215

P: 380.203.5654

[Brianne.Brown@odh.ohio.gov](mailto:Brianne.Brown@odh.ohio.gov)



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**Public Records Request response**

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**Katie Corwin** <kjc150@case.edu>

Wed, Jul 9, 2025 at 5:17 PM

To: "Brianne.Brown@odh.ohio.gov" &lt;Brianne.Brown@odh.ohio.gov&gt;

Cc: Jessie Hill &lt;bjh11@case.edu&gt;

Hi Brianne,

Thank you for sending us those documents. We would still like to meet tomorrow to discuss the May 8th requests. Can you please reinstate the meeting? If that time no longer works, we are happy to reschedule.

Best,  
Katie

[Quoted text hidden]

--

Katie Corwin, Esq.

she/her/hers

Legal Fellow

Reproductive Rights Law Initiative

Case Western Reserve University School of Law

11075 East Blvd., Cleveland, Ohio 44106

(513) 401-1122

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**Public Records Request response**

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**Brianne.Brown@odh.ohio.gov** <Brianne.Brown@odh.ohio.gov>  
To: Katie Corwin <kjc150@case.edu>  
Cc: Jessie Hill <bjh11@case.edu>

Thu, Jul 10, 2025 at 8:38 AM

Good Morning Katie,

As tends to happen quickly, our original meeting time has been replaced with another meeting.

Since your May 8<sup>th</sup> requests were denied as overbroad as explained in our June 5<sup>th</sup> letter, I don't know that there's anything to discuss on those absent some clarification. If you have any specific questions, you are always welcome to email them to me.

Thanks,

Bree

[Quoted text hidden]

**CAUTION:** This is an external email and may not be safe. If the email looks suspicious, please do not click links or open attachments and forward the email to [csc@ohio.gov](mailto:csc@ohio.gov) or click the Phish Alert Button if available.

# **EXHIBIT L**

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## Public Records Request response

---

Katie Corwin <kjc150@case.edu>

Fri, Jul 11, 2025 at 10:45 AM

To: "Brianne.Brown@odh.ohio.gov" <Brianne.Brown@odh.ohio.gov>

Cc: Jessie Hill <bjh11@case.edu>


Hi Brianne,

Please see the letter attached regarding the denial of our May 8, 2025 public records request.

Sincerely,  
Katie

[Quoted text hidden]

---

 **Reply to 5.8.25 PRR Denial.pdf**  
95K

July 11, 2025

**SENT VIA EMAIL: Brianne.Brown@odh.ohio.gov**

Ms. Brianne Brown  
Chief Legal Counsel  
Ohio Department of Health  
246 N. High St.  
Columbus, OH 43215

**RE: Denial of May 8, 2025 Public Records Request**

Dear Ms. Brown:

We are writing in further response to your denial of our May 8, 2025 public records request. We were disappointed that late on the eve of our meet and confer, you unilaterally cancelled the meeting, explaining early yesterday morning that you had “replaced it with another meeting” and that there was “nothing to discuss.” This letter refutes your stated objections to our May 8, 2025 public records request. All of your objections are untenable.

First, our request is not overly broad, vague or indefinite. It covers a time frame of only five months; it is limited to three specific employees; and it even provides specific search terms. Nor does our request seek production of any records that are protected by attorney-client privilege. For a communication to be privileged the communication must “facilitate the rendition of legal services or advice.” *State ex rel. Lanham v. DeWine*, 2013-Ohio-199. Simply copying a lawyer on emails sent or received is not enough for those emails to be considered privileged. If the Ohio Department Health (“ODH”) meets its burden of proving that a record responsive to our request is exempt from disclosure pursuant to R.C. 149.43, ODH may withhold the record from production. *State ex rel. Nat’l Broad. Co. v. City of Cleveland*, 38 Ohio St. 3d 79.

Our request does not request information, but instead identifies existing records. Emails are unquestionably “records” subject to the Public Records Act. *State ex rel. Glasgow v. Jones*, 2008-Ohio-4788. We are not asking a public official to create any record. We simply request that three named public officials search their email and provide us with the specific records that meet the search parameters.

Lastly, you stated that our requests fail to request records based on the manner in which ODH organizes its records. But we have provided search terms, and would be willing to consider different or additional search terms if that would help you comply with our request. *See* R.C. 149.43(B)(2) (requiring agencies to “provide the requester with an opportunity to revise the

request by informing the requester of the manner in which records are maintained by the public office and accessed in the ordinary course of the public office's or person's duties.'").

Please provide the requested records by **July 18, 2025**. If we do not receive the records by that date, we will be forced to seek them via a Section 149 complaint and potentially mandamus litigation.

Sincerely,

Katie Corwin, Esq.  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law



# **EXHIBIT M**

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**Public Records Request response**

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**Brianne.Brown@odh.ohio.gov** <Brianne.Brown@odh.ohio.gov>

Tue, Jul 15, 2025 at 3:42 PM

To: Katie Corwin &lt;kjc150@case.edu&gt;

Cc: "bjh11@case.edu" &lt;bjh11@case.edu&gt;

Dear Ms. Corwin,

I am in receipt of your July 11, 2025 letter in which you write in further response to the denial of your May 8, 2025 public records request by the Ohio Department of Health (ODH). To clarify, my understanding was that the meeting we had scheduled on July 10<sup>th</sup> was to discuss a pending request for records that had not been delivered stemming from your April 17, 2025 public records request. The records were delivered in full on July 9<sup>th</sup>, the day before the meeting, so the need for the meeting had been obviated. To the extent you wanted to discuss the May 8<sup>th</sup> public records requests that had been denied on June 5, 2025, my July 10<sup>th</sup> email to you stated: "I don't know that there's anything to discuss on those *absent some clarification*. If you have any specific questions, you are always welcome to email them to me." (emphasis added since your July 11<sup>th</sup> letter took my words out of context implying that I stated there was "nothing to discuss"). In your response, you did not attempt to clarify or give us any further specifics on your request. Instead, you disagreed with our response, calling our objections "untenable". Not only did you not clarify your response, you escalated it with the threat of litigation.

Without restating the June 5, 2025 denial letter of ODH, it seems prudent to add that discovery-style requests that seek all records relating to or reflecting certain types of information are overbroad. *State ex rel. Dillery v. Icsman*, 92 Ohio St.3d 312, [2001-Ohio-193](#), 750 N.E.2d 156; *Kanter v. City of Cleveland Hts.*, Ct. of Cl. No. 2018-01092PQ, 2018-Ohio-4592 (request for all "communications, messages, schedules, logs, and documents shared" regarding requester between City of Cleveland Heights and a newspaper for a specific date range was overbroad); *Hicks v. Newtown*, Ct. of Cl. No. 2017- Ohio-00612-PQ, 2017-Ohio-8952, ¶ 8 ("A request to search for information 'regarding,' or 'relating' to, a topic is generally improper."). Additionally, Ohio law does not require a public office to provide all communications between that office and another organization, person, or persons related to a given topic, *Kanter v. City of Cleveland Hts.*, Ct. of Cl. No. 2018-01092PQ, 2018-Ohio-4592, ¶ 8-12.

You may still submit a revised, narrower request that identifies the records you seek so that ODH can determine where to look for, and how to identify responsive non-privileged records. However, in the interest of transparency, I have attached several email records that ODH was able to identify based on the current wording of your request.

Sincerely,

Bree

**Brianne Brown**

Chief Legal Counsel

Office of General Counsel

[246 North High St.](#)[Columbus, OH 43215](#)

P: 380.203.5654

[Brianne.Brown@odh.ohio.gov](mailto:Brianne.Brown@odh.ohio.gov)

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 **20250128.PRRresponse1.pdf**  
202K


 **20250129.PRRresponse1.pdf**  
219K

 **20250307.PRRresponse2.pdf**  
220K

 **20250603.PRRresponse1.pdf**  
519K

 **20250701.PRRresponse1.pdf**  
363K

 **20250701.PRRresponse2.pdf**  
200K

 **FW\_ASF License Inspection.pdf**  
199K

 **FW\_Public Records Request.pdf**  
328K

 **FW\_Public Records Request\_4.pdf**  
329K

# **EXHIBIT N**

## Rogers, Jayson

---

**From:** Lamb, Tracey  
**Sent:** Tuesday, January 28, 2025 1:11 PM  
**To:** Rogers, Jayson  
**Subject:** FW: Toledo Womens Center  
**Attachments:** Toledo Womens Center.pdf

This is the one that I messaged you about – abortion center maybe?

---

**From:** Subler, Kelli <Kelli.Subler@odh.ohio.gov>  
**Sent:** Tuesday, January 28, 2025 11:07 AM  
**To:** Lamb, Tracey <Tracey.Lamb@odh.ohio.gov>  
**Subject:** Toledo Womens Center

Good Morning,  
Please see the attachment.

Thanks!

Kelli Subler  
Administrative Professional 2  
Bureau of Regulatory Operations  
246 North High St.  
Columbus, OH 43215  
P: 614.387.7483  
[Kelli.Subler@odh.ohio.gov](mailto:Kelli.Subler@odh.ohio.gov)



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## Rogers, Jayson

---

**From:** Rogers, Jayson  
**Sent:** Wednesday, January 29, 2025 1:01 PM  
**To:** Hodge, James  
**Cc:** Denning, Andrea; Shonk, Jill; Richey, Shannon  
**Subject:** FW: Toledo Womens Center  
**Attachments:** Toledo Womens Center.pdf

FYI. New app to reopen Capital Care Center as Toledo Women's Center. Will be owned by Northeast Ohio Women's Center.

Jayson Rogers

Administrative Officer 2

Licensure and Certification Section

Bureau of Regulatory Operations

246 North High St.

Columbus, OH 43215

P: 614.752.9156

[Jayson.Rogers@odh.ohio.gov](mailto:Jayson.Rogers@odh.ohio.gov)



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---

**From:** Lamb, Tracey <[Tracey.Lamb@odh.ohio.gov](mailto:Tracey.Lamb@odh.ohio.gov)>  
**Sent:** Wednesday, January 29, 2025 12:38 PM  
**To:** Rogers, Jayson <[Jayson.Rogers@odh.ohio.gov](mailto:Jayson.Rogers@odh.ohio.gov)>  
**Subject:** FW: Toledo Womens Center

---

**From:** Subler, Kelli <[Kelli.Subler@odh.ohio.gov](mailto:Kelli.Subler@odh.ohio.gov)>  
**Sent:** Tuesday, January 28, 2025 11:07 AM  
**To:** Lamb, Tracey <[Tracey.Lamb@odh.ohio.gov](mailto:Tracey.Lamb@odh.ohio.gov)>  
**Subject:** Toledo Womens Center

Good Morning,  
Please see the attachment.

Thanks!

Kelli Subler  
Administrative Professional 2

Bureau of Regulatory Operations  
246 North High St.  
Columbus, OH 43215  
P: 614.387.7483  
[Kelli.Subler@odh.ohio.gov](mailto:Kelli.Subler@odh.ohio.gov)



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## Rogers, Jayson

---

**From:** Moody, Angelique  
**Sent:** Friday, March 7, 2025 12:33 PM  
**To:** Robbins, William  
**Cc:** Rogers, Jayson  
**Subject:** RE: Toledo Womens Center

Hi Bill and Jay,

I have created and uploaded an application for Toledo Womens Center , I have sent the Transfer Agreement to Robin. The State ID number is 1343AS.

Thank you  
Angie

---

**From:** Rogers, Jayson <Jayson.Rogers@odh.ohio.gov>  
**Sent:** Friday, March 7, 2025 8:57 AM  
**To:** Moody, Angelique <Angelique.Moody@odh.ohio.gov>  
**Cc:** Robbins, William <Bill.Robbins@odh.ohio.gov>  
**Subject:** FW: Toledo Womens Center

Angie-

Please create this facility in ACO and get this application uploaded to CALS. Once you do that, let Bill know it's in there.

Thanks.

Jayson Rogers  
Administrative Officer 2  
Licensure and Certification Section  
Bureau of Regulatory Operations  
246 North High St.  
Columbus, OH 43215  
P: 614.752.9156  
[Jayson.Rogers@odh.ohio.gov](mailto:Jayson.Rogers@odh.ohio.gov)



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---

**From:** Lamb, Tracey <[Tracey.Lamb@odh.ohio.gov](mailto:Tracey.Lamb@odh.ohio.gov)>  
**Sent:** Wednesday, January 29, 2025 12:38 PM



**To:** Rogers, Jayson <[Jayson.Rogers@odh.ohio.gov](mailto:Jayson.Rogers@odh.ohio.gov)>

**Subject:** FW: Toledo Womens Center

---

**From:** Subler, Kelli <[Kelli.Subler@odh.ohio.gov](mailto:Kelli.Subler@odh.ohio.gov)>

**Sent:** Tuesday, January 28, 2025 11:07 AM

**To:** Lamb, Tracey <[Tracey.Lamb@odh.ohio.gov](mailto:Tracey.Lamb@odh.ohio.gov)>

**Subject:** Toledo Womens Center

Good Morning,  
Please see the attachment.

Thanks!

Kelli Subler  
Administrative Professional 2  
Bureau of Regulatory Operations  
246 North High St.  
Columbus, OH 43215  
P: 614.387.7483  
[Kelli.Subler@odh.ohio.gov](mailto:Kelli.Subler@odh.ohio.gov)



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**From:** [Lamb, Tracey](#)  
**To:** [Rogers, Jayson](#); [Robbins, William](#)  
**Subject:** FW: Public Records Request Follow Up  
**Date:** Tuesday, June 3, 2025 1:36:13 PM  
**Attachments:** [Public Records Request Follow Up Lamb 6.3.25.pdf](#)  
[Public Records Request Lamb 5.8.25.pdf](#)  
[Lamb Email 5.8.25.pdf](#)

---

To keep you in the loop

Tracey

---

**From:** Katie Corwin <kjc150@case.edu>  
**Sent:** Tuesday, June 3, 2025 1:33 PM  
**To:** Lamb, Tracey <Tracey.Lamb@odh.ohio.gov>; Jessie Hill <bjh11@case.edu>; Adams, Brenda <Brenda.Adams@odh.ohio.gov>  
**Subject:** Public Records Request Follow Up

You don't often get email from [kjc150@case.edu](mailto:kjc150@case.edu). [Learn why this is important](#)

Dear Ms. Lamb,

Please see the attached letter following up on my previous public records request. I have provided the original request for your convenience and the initial email I sent you containing the request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

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**From:** [Lamb, Tracey](#)  
**To:** [Rogers, Jayson](#); [Robbins, William](#)  
**Subject:** FW: Public Records Request  
**Date:** Tuesday, July 1, 2025 2:31:34 PM  
**Attachments:** [Public Records Request Lamb 7.1.25.pdf](#)  
[image001.png](#)

---

Please see below.

**Tracey Lamb**  
**License Specialist**  
**Office of Bureau of Regulatory Operations**  
246 North High St.  
Columbus, OH 43215  
P: 380.203.8806  
[Tracey.Lamb@odh.ohio.gov](mailto:Tracey.Lamb@odh.ohio.gov)



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---

**From:** Katie Corwin <kjc150@case.edu>  
**Sent:** Tuesday, July 1, 2025 2:17 PM  
**To:** Lamb, Tracey <[Tracey.Lamb@odh.ohio.gov](mailto:Tracey.Lamb@odh.ohio.gov)>; Brown, Brianne <[Brianne.Brown@odh.ohio.gov](mailto:Brianne.Brown@odh.ohio.gov)>; Jessie Hill <[bjh11@case.edu](mailto:bjh11@case.edu)>; Adams, Brenda <[Brenda.Adams@odh.ohio.gov](mailto:Brenda.Adams@odh.ohio.gov)>; PRI <[PRI@odh.ohio.gov](mailto:PRI@odh.ohio.gov)>  
**Subject:** Public Records Request

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Dear Ms. Lamb,

Please see the attached public records request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative

Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

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## Rogers, Jayson

---

**From:** PRI  
**Sent:** Tuesday, July 1, 2025 2:38 PM  
**To:** Robbins, William; Rogers, Jayson  
**Subject:** Fw: Public Records Request  
**Attachments:** Public Records Request Hodge 7.1.25.pdf

**Importance:** High

Hello,

We received these request today.

Thanks!

### Elani Birosh

**Health Information Technician**  
**Bureau of Regulatory Operations**

246 North High St.

Columbus, OH 43215

P: 614-930-0205

[elani.birosh@odh.ohio.gov](mailto:elani.birosh@odh.ohio.gov)



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---

**From:** Katie Corwin <kjc150@case.edu>  
**Sent:** Tuesday, July 1, 2025 2:14 PM  
**To:** Hodge, James <james.hodge@odh.ohio.gov>; Brown, Brianne <Brianne.Brown@odh.ohio.gov>; Jessie Hill <bjh11@case.edu>; Adams, Brenda <Brenda.Adams@odh.ohio.gov>; PRI <PRI@odh.ohio.gov>  
**Subject:** Public Records Request

You don't often get email from [kjc150@case.edu](mailto:kjc150@case.edu). [Learn why this is important](#)

Dear Mr. Hodge,

Please see the attached public records request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

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**From:** [Lamb, Tracey](#)  
**To:** [Robbins, William](#)  
**Subject:** FW: ASF License Inspection  
**Date:** Friday, March 7, 2025 7:40:00 AM

---

Here you go.

---

**From:** dmburkons@aol.com <dmburkons@aol.com>  
**Sent:** Thursday, March 6, 2025 4:11 PM  
**To:** Lamb, Tracey <Tracey.Lamb@odh.ohio.gov>  
**Cc:** Angela Flores <angeecarmen@gmail.com>; Sarah Lengen <sarahlengen@gmail.com>; Jessie Hill <bjh11@case.edu>  
**Subject:** ASF License Inspection

You don't often get email from [dmburkons@aol.com](mailto:dmburkons@aol.com). [Learn why this is important](#)

Dear Ms. Lamb,

I am the owner of Toledo Women's Center.

Well over a month ago we filed an application for an ASF license at our location at 1160 W. Sylvania Toledo OH 43612.

I am told that you are the person responsible for scheduling the required inspection.

Despite over a dozen calls we have not received a reply.

As we have been told that we must have everything in place at the the of inspection to begin doing procedures, we put in a great deal of time and expense to get everything ready before filing our application. Quite a bit of additional expenses in the form of increase in rent and salaries our ongoing.

Could you please contact me either by email or phone ASAP to let me know if our application is complete and when an inspection will be scheduled.

If you are not the person responsible for this scheduling, could you please inform me who is

Sincerely yours,

David M. Burkons, MD  
Owner of Toledo Women's Center  
216 403 6448  
[dmburkons@aol.com](mailto:dmburkons@aol.com)



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**From:** [Lamb, Tracey](#)  
**To:** [Rogers, Jayson](#); [Robbins, William](#)  
**Subject:** FW: Public Records Request  
**Date:** Tuesday, July 1, 2025 2:31:00 PM  
**Attachments:** [Public Records Request Lamb 7.1.25.pdf](#)  
[image001.png](#)

---

Please see below.

**Tracey Lamb**  
**License Specialist**  
**Office of Bureau of Regulatory Operations**  
246 North High St.  
Columbus, OH 43215  
P: 380.203.8806  
[Tracey.Lamb@odh.ohio.gov](mailto:Tracey.Lamb@odh.ohio.gov)



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---

**From:** Katie Corwin <kjc150@case.edu>  
**Sent:** Tuesday, July 1, 2025 2:17 PM  
**To:** Lamb, Tracey <[Tracey.Lamb@odh.ohio.gov](mailto:Tracey.Lamb@odh.ohio.gov)>; Brown, Brianne <[Brianne.Brown@odh.ohio.gov](mailto:Brianne.Brown@odh.ohio.gov)>; Jessie Hill <[bjh11@case.edu](mailto:bjh11@case.edu)>; Adams, Brenda <[Brenda.Adams@odh.ohio.gov](mailto:Brenda.Adams@odh.ohio.gov)>; PRI <[PRI@odh.ohio.gov](mailto:PRI@odh.ohio.gov)>  
**Subject:** Public Records Request

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Dear Ms. Lamb,

Please see the attached public records request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative

Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

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**From:** [Lamb, Tracey](#)  
**To:** [Rogers, Jayson](#)  
**Subject:** FW: Public Records Request  
**Date:** Thursday, May 8, 2025 2:32:00 PM  
**Attachments:** [Public Records Request Lamb 5.8.25.pdf](#)  
[image001.png](#)

---

Not sure what to do about this.

**Tracey Lamb**  
**License Specialist**  
**Office of Bureau of Regulatory Operations**  
246 North High St.  
Columbus, OH 43215  
P: 380.203.8806  
[Tracey.Lamb@odh.ohio.gov](mailto:Tracey.Lamb@odh.ohio.gov)



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---

**From:** Katie Corwin <kjc150@case.edu>  
**Sent:** Thursday, May 8, 2025 2:30 PM  
**To:** Lamb, Tracey <Tracey.Lamb@odh.ohio.gov>; Jessie Hill <bjh11@case.edu>  
**Subject:** Public Records Request

You don't often get email from [kjc150@case.edu](mailto:kjc150@case.edu). [Learn why this is important](#)

Dear Ms. Lamb,

Please see the attached public records request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

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# **EXHIBIT O**

---

**Public Records Request response**

---

**Katie Corwin** <kjc150@case.edu>

Thu, Jul 17, 2025 at 12:22 PM

To: "Brianne.Brown@odh.ohio.gov" &lt;Brianne.Brown@odh.ohio.gov&gt;

Cc: "bjh11@case.edu" &lt;bjh11@case.edu&gt;

Dear Brianne,

In my email dated June 16, 2025, I specifically stated "We would like to schedule a meet and confer regarding the public records request we sent on May 8th." There was no ambiguity about the purpose of the meeting scheduled on July 10, 2025 that you unilaterally cancelled.

In case it wasn't clear before, we are asking James Hodge, Tracey Lamb, and Andrea Denning to search their email inboxes and sent email folders using the below search terms from the period of January 1, 2025 to July 1, 2025.

- Toledo Women's Center;
- TWC;
- Burkons;
- 1160 W. Sylvania; and
- Toledo + abortion

We are operating under the belief that the three named ODH employees can search for responsive emails using the parameters we have provided. Because you have declined our attempts to meet and confer, we are unable to understand what you mean, so we cannot suggest, a "revised, narrower request that identifies the records [we] seek so that ODH can determine where to look for, and how to identify responsive non-privileged records." While we have already provided sufficiently precise information to execute this search, we will revise it further if necessary and possible, once you inform us of the manner in which ODH maintains and accesses its emails, as you are statutorily required to do. R.C. 149.43(B) (2). Otherwise, please respond to this public records request by Friday, July 18.

Sincerely,  
Katie

[Quoted text hidden]

[Quoted text hidden]

# **EXHIBIT P**



---

**Public Records Request**

---

**Katie Corwin** <kjc150@case.edu>

Fri, Jul 18, 2025 at 10:06 AM

To: Bill.Robbins@odh.ohio.gov, Jessie Hill <bjh11@case.edu>, Brenda.Adams@odh.ohio.gov, "Brianne.Brown@odh.ohio.gov" <Brianne.Brown@odh.ohio.gov>, PRI@odh.ohio.gov

Dear Mr. Robbins,

Please see the attached public records request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

**Public Records Request Robbins 7.18.25.pdf**

99K

July 18, 2025

**SENT VIA EMAIL: Bill.Robbins@odh.ohio.gov**

Mr. William Robbins  
Assistant Bureau Chief  
Ohio Department of Health  
Bureau of Regulatory Operations  
246 N. High St.  
Columbus, OH 43215

**RE: Public Records Request**

Dear Mr. Robbins,

Pursuant to Ohio's open records law, Ohio Rev. Code § 149.43, the following is a formal request for public records in the possession of the Ohio Department of Health (ODH):

I hereby request the following records:

Any emails that you have sent or received that mention or refer to the Toledo Women's Center from January 1, 2025 to the date of this request (July 18, 2025). This request includes all emails that mention or refer to the Toledo Women's Center by name; all emails that mention or refer to the Toledo Women's Center using an abbreviated name (such as "TWC"); all emails that mention or refer to the Toledo Women's Center's owner/medical director (Dr. David Burkons); and all emails that mention or refer to all or part of the address of the Toledo Women's Center (1160 W. Sylvania Ave., Toledo, OH 43612).

In order to fulfill this request, please search your email inbox and sent mail folders using the below search terms from the period of January 1, 2025 to July 18, 2025:

- Toledo Women's Center;
- TWC;
- Burkons
- 1160 W. Sylvania; and
- Toledo + abortion

Please provide responsive records on a rolling basis as you are able to prepare them, and kindly send the records to me in electronic format at [kjc150@case.edu](mailto:kjc150@case.edu) no later than August 1, 2025. *See*

R.C. § 149.43(B)(1) (records must be produced “promptly”); *State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Educ.*, 97 Ohio St. 3d 58, 65 (2002).

If there is a cost related to production, please advise me before incurring that cost. If you believe that any portion of a responsive record is exempted from disclosure by the Ohio Revised Code, please specify the basis for redaction and release all non-exempt portions of the record.

If there are any questions relating to this request, please contact me at [kjc150@case.edu](mailto:kjc150@case.edu).

Sincerely,

Katie Corwin, Esq.  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law

---

**Public Records Request**

---

**Katie Corwin** <kjc150@case.edu>

Fri, Jul 18, 2025 at 10:06 AM

To: Jayson.Rogers@odh.ohio.gov, Jessie Hill <bjh11@case.edu>, Brenda.Adams@odh.ohio.gov, "Brianne.Brown@odh.ohio.gov" <Brianne.Brown@odh.ohio.gov>, PRI@odh.ohio.gov

Dear Mr. Rogers,

Please see the attached public records request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122



**Public Records Request Rogers 7.18.25.pdf**  
101K

July 18, 2025

**SENT VIA EMAIL: Jayson.Rogers@odh.ohio.gov**

Mr. Jayson Rogers  
Administrative Officer 2  
Licensure and Certification Section  
Ohio Department of Health  
Bureau of Regulatory Operations  
246 N. High St.  
Columbus, OH 43215

**RE: Public Records Request**

Dear Mr. Rogers,

Pursuant to Ohio's open records law, Ohio Rev. Code § 149.43, the following is a formal request for public records in the possession of the Ohio Department of Health (ODH):

I hereby request the following records:

Any emails that you have sent or received that mention or refer to the Toledo Women's Center from January 1, 2025 to the date of this request (July 18, 2025). This request includes all emails that mention or refer to the Toledo Women's Center by name; all emails that mention or refer to the Toledo Women's Center using an abbreviated name (such as "TWC"); all emails that mention or refer to the Toledo Women's Center's owner/medical director (Dr. David Burkons); and all emails that mention or refer to all or part of the address of the Toledo Women's Center (1160 W. Sylvania Ave., Toledo, OH 43612).

In order to fulfill this request, please search your email inbox and sent folders using the below search terms from the period of January 1, 2025 to July 18, 2025:

- Toledo Women's Center;
- TWC;
- Burkons;
- 1160 W. Sylvania; and
- Toledo + abortion

In addition, please provide the message you referenced in Tracey Lamb's January 28, 2025 email to you with the subject line "Toledo Womens Center," in which Ms. Lamb said, "This is the one that I messaged you about – abortion center maybe?"

Please provide responsive records on a rolling basis as you are able to prepare them, and kindly send the records to me in electronic format at [kjc150@case.edu](mailto:kjc150@case.edu) no later than August 1, 2025. *See* R.C. § 149.43(B)(1) (records must be produced "promptly"); *State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Educ.*, 97 Ohio St. 3d 58, 65 (2002).

If there is a cost related to production, please advise me before incurring that cost. If you believe that any portion of a responsive record is exempted from disclosure by the Ohio Revised Code, please specify the basis for redaction and release all non-exempt portions of the record.

If there are any questions relating to this request, please contact me at [kjc150@case.edu](mailto:kjc150@case.edu).

Sincerely,

Katie Corwin, Esq.  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law

---

**Public Records Request**

---

**Katie Corwin** <kjc150@case.edu>

Fri, Jul 18, 2025 at 10:05 AM

To: tracey.lamb@odh.ohio.gov, Jessie Hill <bjh11@case.edu>, Brenda.Adams@odh.ohio.gov, "Brianne.Brown@odh.ohio.gov" <Brianne.Brown@odh.ohio.gov>, PRI@odh.ohio.gov

Dear Ms. Lamb,

Please see the attached public records request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122



**Public Records Request Lamb 7.18.25.pdf**  
88K

July 18, 2025

**SENT VIA EMAIL: tracey.lamb@odh.ohio.gov**

Ms. Tracey Lamb  
Ohio Department of Health  
Bureau of Regulatory Operations  
246 N. High St.  
Columbus, OH 43215

**RE: Public Records Request**

Dear Ms. Lamb,

Pursuant to Ohio's open records law, Ohio Rev. Code § 149.43, the following is a formal request for public records in the possession of the Ohio Department of Health (ODH):

I hereby request the following records:

The message you referenced in your January 28, 2025 email to Jayson Rogers with the subject line "Toledo Womens Center," in which you said, "This is the one that I messaged you about – abortion center maybe?"

Please provide the message to me in electronic format at [kjc150@case.edu](mailto:kjc150@case.edu) no later than August 1, 2025. *See* R.C. § 149.43(B)(1) (records must be produced "promptly"); *State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Educ.*, 97 Ohio St. 3d 58, 65 (2002).

If there is a cost related to production, please advise me before incurring that cost. If you believe that any portion of the responsive record is exempted from disclosure by the Ohio Revised Code, please specify the basis for redaction and release all non-exempt portions of the record.

If there are any questions relating to this request, please contact me at [kjc150@case.edu](mailto:kjc150@case.edu).

Sincerely,

Katie Corwin, Esq.  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law



# EXHIBIT Q

---

## Public Records Request

---

**Brenda.Adams@odh.ohio.gov** <Brenda.Adams@odh.ohio.gov>

Fri, Jul 18, 2025 at 2:06 PM

To: Katie Corwin <kjc150@case.edu>, "Bill.Robbins@odh.ohio.gov" <Bill.Robbins@odh.ohio.gov>, Jessie Hill <bjh11@case.edu>, "Brianne.Brown@odh.ohio.gov" <Brianne.Brown@odh.ohio.gov>, "PRI@odh.ohio.gov" <PRI@odh.ohio.gov>

Hello Ms. Corwin,

Our department is in receipt of your public records request to William Robbins.

We will respond to your request in a timely manner.

Thank you.

Brenda

**Brenda Adams**

**Administrative Professional**

**Office of General Counsel**

**246 North High Street**

**Columbus, OH 43215**

P: 614-466-4882

Brenda.Adams@odh.ohio.gov



**Department of  
Health**

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[Quoted text hidden]

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---

**Public Records Request**

---

**Brenda.Adams@odh.ohio.gov** <Brenda.Adams@odh.ohio.gov>

Fri, Jul 18, 2025 at 2:07 PM

To: Katie Corwin &lt;kjc150@case.edu&gt;, "Jayson.Rogers@odh.ohio.gov" &lt;Jayson.Rogers@odh.ohio.gov&gt;, Jessie Hill &lt;bjh11@case.edu&gt;, "Brianne.Brown@odh.ohio.gov" &lt;Brianne.Brown@odh.ohio.gov&gt;, "PRI@odh.ohio.gov" &lt;PRI@odh.ohio.gov&gt;

Hello Ms. Corwin,

Our department is in receipt of your public records request to Jayson Rogers.

We will respond to your request in a timely manner.

Thank you.

Brenda

**Brenda Adams****Administrative Professional****Office of General Counsel****246 North High Street****Columbus, OH 43215**

P: 614-466-4882

Brenda.Adams@odh.ohio.gov

**Department of  
Health**

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[Quoted text hidden]

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---

**Public Records Request**

---

**Brenda.Adams@odh.ohio.gov** <Brenda.Adams@odh.ohio.gov>

Fri, Jul 18, 2025 at 2:06 PM

To: Katie Corwin &lt;kjc150@case.edu&gt;

Cc: "Tracey.Lamb@odh.ohio.gov" &lt;Tracey.Lamb@odh.ohio.gov&gt;, Jessie Hill &lt;bjh11@case.edu&gt;, "Brianne.Brown@odh.ohio.gov" &lt;Brianne.Brown@odh.ohio.gov&gt;, "PRI@odh.ohio.gov" &lt;PRI@odh.ohio.gov&gt;

Hello Ms. Corwin,

Our department is in receipt of your public records request to Tracey Lamb.

We will respond to your request in a timely manner.

Thank you.

Brenda

**Brenda Adams****Administrative Professional****Office of General Counsel****246 North High Street****Columbus, OH 43215**

P: 614-466-4882

Brenda.Adams@odh.ohio.gov

**Department of  
Health**

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[Quoted text hidden]

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# **EXHIBIT R**

---

**Public Records Request response**

---

**Brianne.Brown@odh.ohio.gov** <Brianne.Brown@odh.ohio.gov>

Wed, Jul 23, 2025 at 2:14 PM

To: Katie Corwin &lt;kjc150@case.edu&gt;

Cc: "bjh11@case.edu" &lt;bjh11@case.edu&gt;

Dear Katie,

It is the position of the Ohio Department of Health (ODH) that your 3 public records requests sent to James Hodge, Andrea Denning and Tracey Lamb on July 1<sup>st</sup>, your July 17<sup>th</sup> email to me, your 3 public records requests sent to Tracey Lamb, Bill Robbins and Jay Rogers on July 18<sup>th</sup> (in addition to your July 21<sup>st</sup> email to Jay Rogers addressed below) are legally insufficient. Despite that, ODH has conducted a search and provided you records on July 15, 2025. This concludes our correspondence on this matter.

Regarding the email you sent directly to Jay Rogers on July 21<sup>st</sup> after receiving a July 21<sup>st</sup> response email from Mr. Rogers, the email you received was sent automatically from his inbox. His email settings autogenerate such a reply when he receives any email titled "Public Records Request" and thus the email you received was in error and not applicable to this particular request.

Sincerely,

Bree

**Brianne Brown**

Chief Legal Counsel

Office of General Counsel

246 North High St.

Columbus, OH 43215

P: 380.203.5654

[Brianne.Brown@odh.ohio.gov](mailto:Brianne.Brown@odh.ohio.gov)

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**From:** Katie Corwin <kjc150@case.edu>**Sent:** Thursday, July 17, 2025 12:22 PM**To:** Brown, Brianne <Brianne.Brown@odh.ohio.gov>**Cc:** bjh11@case.edu**Subject:** Re: Public Records Request response

Dear Brianne,

[Quoted text hidden]

[Quoted text hidden]

[csc@ohio.gov](mailto:csc@ohio.gov) or click the Phish Alert Button if available.

# EXHIBIT S



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

**1. Article Addressed to:**

Brianne Brown  
246 N. High St.  
Columbus OH  
43215



9590 9402 9160 4225 9036 74

**2. Article Number (Transfer from service label)**

7022 1670 0003 0277 6680

**COMPLETE THIS SECTION ON DELIVERY****A. Signature**

X *Darren*

☐ Agent☐ Addressee**B. Received by (Printed Name)****C. Date of Delivery**

8-18-25

**D. Is delivery address different from item 1? ☐ Yes**  
If YES, enter delivery address below: ☐ No**3. Service Type**

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Mail  
Mail Restricted Delivery  
00)

# **EXHIBIT T**

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**Formal Complaint****Brianne.Brown@odh.ohio.gov** <Brianne.Brown@odh.ohio.gov>

Thu, Aug 21, 2025 at 10:51 AM

To: Katie Corwin &lt;kjc150@case.edu&gt;

Cc: "bjh11@case.edu" &lt;bjh11@case.edu&gt;

Katherine:

The Ohio Department of Health (ODH) is in receipt of 5 manila envelopes received via regular mail with no return address on Monday, August 18th separately addressed to the attention of Andrea Denning, James Hodge, Tracey Lamb, Jayson Rogers and Bill Robbins. The contents of each envelope were identical and contained a complaint form from the Ohio Court of Claims Public Records Access with an attached Complaint as Exhibit A and accompanying exhibits.

Despite the Office of General Counsel not receiving an envelope itself, nevertheless I am responding on behalf of the department. As I'm sure you're aware, recent legislation requires public records requesters to provide a public office with a three-day "cure period" before filing their complaint with the court. That is, requesters must serve on the public office, in accordance with Civil Rule 4, a copy of their complaint and may not file the complaint with the court until after three days has passed. Specifically, RC 149.43(C)(1) provides:

(C)(1) If a person allegedly is aggrieved by the failure of a public office or the person responsible for public records to promptly prepare a public record and to make it available to the person for inspection in accordance with division (B) of this section or by any other failure of a public office or the person responsible for public records to comply with an obligation in accordance with division (B) of this section, the person allegedly aggrieved may serve pursuant to Rule 4 of the Ohio Rules of Civil Procedure a complaint, on a form prescribed by the clerk of the court of claims, to the public office or person responsible for public records allegedly responsible for the alleged failure. Upon receipt of the complaint of the person allegedly aggrieved, the public office or person responsible for public records has three business days to cure or otherwise address the failure alleged in the complaint. The person allegedly aggrieved shall not file a complaint with a court or commence a mandamus action under this section within the three-day period.

Despite a failure to serve ODH with a copy of the complaint in accordance with Civil Rule 4, ODH has attached additional, potentially responsive emails, other than those withheld due to attorney-client privilege, to cure the failure alleged in your complaint within the three-day period of receipt of the complaint.

In the future, please refrain from contacting individual department staff members about legal action and run all such communication through the Office of General Counsel to better facilitate a timely response.

Sincerely,

**Brianne Brown**

Chief Legal Counsel

Office of General Counsel

246 North High St.

Columbus, OH 43215

P: 380.203.5654

Brianne.Brown@odh.ohio.gov


















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15 attachments

-  **20250306.PRRresponse1.pdf**  
147K
-  **20250307.PRRresponse4.pdf**  
229K
-  **FW\_ Public Records Request Follow Up.pdf**  
485K
-  **FW\_ Public Records Request Follow Up2.pdf**  
442K
-  **FW\_ Public Records Requests\_1.pdf**  
593K
-  **public information requests.pdf**  
579K
-  **Public Records Request Follow Up.pdf**  
452K
-  **Public Records Request Follow Up.pdf**  
452K
-  **Public Records Request.pdf**  
250K
-  **Public Records Request\_2.pdf**  
251K
-  **Records Request to ODH .pdf**  
143K
-  **Fw\_ ASF License Inspection.pdf**  
297K
-  **FW\_ ASF Survey Schedule Toledo Women's Center .pdf**  
160K
-  **FW\_ Public Records Request Follow Up.pdf**  
442K
-  **FW\_ Toledo Women's Center ASF License application.pdf**  
210K

# **EXHIBIT U**

## Rogers, Jayson

---

**From:** Shonk, Jill  
**Sent:** Thursday, March 6, 2025 7:58 AM  
**To:** Rogers, Jayson; Denning, Andrea; Hodge, James  
**Subject:** FW: ASF Survey Schedule Toledo Women's Center

I haven't sent this to legal. I didn't know if they are pinging multiple places so thought I'd check before I send it there.

---

**From:** Coleman, Maria Victoria <[MariaVictoria.Coleman@odh.ohio.gov](mailto:MariaVictoria.Coleman@odh.ohio.gov)>  
**Sent:** Wednesday, March 5, 2025 12:39 PM  
**To:** Le, Hanh <[Hanh.Le@odh.ohio.gov](mailto:Hanh.Le@odh.ohio.gov)>  
**Subject:** ASF Survey Schedule Toledo Women's Center

Good Afternoon,

Received a call from Dr. Burkons who asked when they will be scheduled for their Survey since the check was cashed a month ago. He stated that this is for an ASF facility called Toledo Women's Center. He said he has called multiple times and has been sent to different departments so he wanted to email someone directly and I told him that is not the process that I would send an email to someone in Scheduling for them to reach out to him. His call back # is 216-403-6448.

Thank you,

Viki

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## Rogers, Jayson

---

**From:** Moody, Angelique  
**Sent:** Friday, March 7, 2025 12:49 PM  
**To:** Robbins, William; Zender, Robin  
**Cc:** Rogers, Jayson  
**Subject:** RE: 1343AS Toledo Women's Center

You're Welcome, have a great weekend too 😊

---

**From:** Robbins, William <Bill.Robbins@odh.ohio.gov>  
**Sent:** Friday, March 7, 2025 12:48 PM  
**To:** Zender, Robin <Robin.Zender@odh.ohio.gov>  
**Cc:** Rogers, Jayson <Jayson.Rogers@odh.ohio.gov>; Moody, Angelique <Angelique.Moody@odh.ohio.gov>  
**Subject:** Re: 1343AS Toledo Women's Center

Thank you both for taking care of this. Have a GREAT weekend!

### Bill Robbins

Assistant Chief

Bureau of Regulatory Operations

246 North High St.

Columbus, OH 43215

P: 614.466.7218

[Bill.Robbins@odh.ohio.gov](mailto:Bill.Robbins@odh.ohio.gov)



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---

**From:** Zender, Robin <[Robin.Zender@odh.ohio.gov](mailto:Robin.Zender@odh.ohio.gov)>  
**Sent:** Friday, March 7, 2025 12:46 PM

**To:** Robbins, William <[Bill.Robbins@odh.ohio.gov](mailto:Bill.Robbins@odh.ohio.gov)>  
**Cc:** Rogers, Jayson <[Jayson.Rogers@odh.ohio.gov](mailto:Jayson.Rogers@odh.ohio.gov)>; Moody, Angelique <[Angelique.Moody@odh.ohio.gov](mailto:Angelique.Moody@odh.ohio.gov)>  
**Subject:** RE: 1343AS Toledo Women's Center

Ok done, thank you.

**Robin Zender**  
Office of Regulatory Operations  
246 North High St. Columbus, OH 43215  
[Robin.Zender@odh.ohio.gov](mailto:Robin.Zender@odh.ohio.gov)



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---

**From:** Robbins, William <[Bill.Robbins@odh.ohio.gov](mailto:Bill.Robbins@odh.ohio.gov)>  
**Sent:** Friday, March 7, 2025 12:40 PM  
**To:** Zender, Robin <[Robin.Zender@odh.ohio.gov](mailto:Robin.Zender@odh.ohio.gov)>  
**Cc:** Rogers, Jayson <[Jayson.Rogers@odh.ohio.gov](mailto:Jayson.Rogers@odh.ohio.gov)>; Moody, Angelique <[Angelique.Moody@odh.ohio.gov](mailto:Angelique.Moody@odh.ohio.gov)>  
**Subject:** Re: 1343AS Toledo Women's Center

Yes, please. I have taken it off license watch.

**Bill Robbins**

**Assistant Chief**

**Bureau of Regulatory Operations**

246 North High St.

Columbus, OH 43215

P: 614.466.7218

[Bill.Robbins@odh.ohio.gov](mailto:Bill.Robbins@odh.ohio.gov)



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---

**From:** Zender, Robin <[Robin.Zender@odh.ohio.gov](mailto:Robin.Zender@odh.ohio.gov)>  
**Sent:** Friday, March 7, 2025 12:39 PM  
**To:** Robbins, William <[Bill.Robbins@odh.ohio.gov](mailto:Bill.Robbins@odh.ohio.gov)>  
**Cc:** Rogers, Jayson <[Jayson.Rogers@odh.ohio.gov](mailto:Jayson.Rogers@odh.ohio.gov)>; Moody, Angelique <[Angelique.Moody@odh.ohio.gov](mailto:Angelique.Moody@odh.ohio.gov)>  
**Subject:** RE: 1343AS Toledo Women's Center

Hi Bill, this TA has already been reviewed by the whole review team on 2/25/2025. Do you want me to re-enter the notes and checklist info?

**Robin Zender**  
Office of Regulatory Operations  
246 North High St. Columbus, OH 43215  
[Robin.Zender@odh.ohio.gov](mailto:Robin.Zender@odh.ohio.gov)



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---

**From:** Robbins, William <[Bill.Robbins@odh.ohio.gov](mailto:Bill.Robbins@odh.ohio.gov)>  
**Sent:** Friday, March 7, 2025 12:36 PM  
**To:** Zender, Robin <[Robin.Zender@odh.ohio.gov](mailto:Robin.Zender@odh.ohio.gov)>  
**Cc:** Rogers, Jayson <[Jayson.Rogers@odh.ohio.gov](mailto:Jayson.Rogers@odh.ohio.gov)>; Moody, Angelique <[Angelique.Moody@odh.ohio.gov](mailto:Angelique.Moody@odh.ohio.gov)>  
**Subject:** 1343AS Toledo Women's Center

Robin

Good afternoon to you. I have placed this facility on license watch. Please let me know when you are ready to review the transfer agreement and I will take them off license watch.

Thanks  
Bill

**Bill Robbins**

**Assistant Chief**

**Bureau of Regulatory Operations**

246 North High St.

Columbus, OH 43215

P: 614.466.7218

[Bill.Robbins@odh.ohio.gov](mailto:Bill.Robbins@odh.ohio.gov)



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**From:** [Robbins, William](#)  
**To:** [Hodge, James](#); [Denning, Andrea](#)  
**Cc:** [Rogers, Jayson](#); [Rowan, Andrew](#)  
**Subject:** Fw: ASF License Inspection  
**Date:** Friday, March 7, 2025 8:02:01 AM  
**Attachments:** [Outlook-Graphical .png](#)

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James & Andrea,

Good morning to you both. We received the below email from Dr. Burkon's regarding his facility's ASF license application. I'm forwarding to you for your awareness and to pass along to the appropriate area for a response. I let Tracy know that if she receives any further emails or if the facility calls in to forward those to Jay and myself. I also let her know she is not to respond to any emails or phone calls she may receive.

Thanks

Bill

**Bill Robbins**  
**Assistant Chief**  
**Bureau of Regulatory Operations**  
246 North High St.  
Columbus, OH 43215  
P: 614.466.7218  
[Bill.Robbins@odh.ohio.gov](mailto:Bill.Robbins@odh.ohio.gov)



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---

**From:** Lamb, Tracey <[Tracey.Lamb@odh.ohio.gov](mailto:Tracey.Lamb@odh.ohio.gov)>  
**Sent:** Friday, March 7, 2025 7:40 AM  
**To:** Robbins, William <[Bill.Robbins@odh.ohio.gov](mailto:Bill.Robbins@odh.ohio.gov)>  
**Subject:** FW: ASF License Inspection

Here you go.

---

**From:** [dmburkons@aol.com](mailto:dmburkons@aol.com) <[dmburkons@aol.com](mailto:dmburkons@aol.com)>  
**Sent:** Thursday, March 6, 2025 4:11 PM  
**To:** Lamb, Tracey <[Tracey.Lamb@odh.ohio.gov](mailto:Tracey.Lamb@odh.ohio.gov)>  
**Cc:** Angela Flores <[angeecarmen@gmail.com](mailto:angeecarmen@gmail.com)>; Sarah Lengen <[sarahlengen@gmail.com](mailto:sarahlengen@gmail.com)>; Jessie Hill <[bjh11@case.edu](mailto:bjh11@case.edu)>  
**Subject:** ASF License Inspection

You don't often get email from [dmburkons@aol.com](mailto:dmburkons@aol.com). [Learn why this is important](#)

Dear Ms. Lamb,

I am the owner of Toledo Women's Center.

Well over a month ago we filed an application for an ASF license at our location at 1160 W. Sylvania Toledo OH 43612.

I am told that you are the person responsible for scheduling the required inspection.

Despite over a dozen calls we have not received a reply.

As we have been told that we must have everything in place at the the of inspection to begin doing procedures, we put in a great deal of time and expense to get everything ready before filing our application. Quite a bit of additional expenses in the form of increase in rent and salaries our ongoing.

Could you please contact me either by email or phone ASAP to let me know if our application is complete and when an inspection will be scheduled.

If you are not the person responsible for this scheduling, could you please inform me who is

Sincerely yours,

David M. Burkons, MD  
Owner of Toledo Women's Center  
216 403 6448  
[dmburkons@aol.com](mailto:dmburkons@aol.com)

**CAUTION:** This is an external email and may not be safe. If the email looks suspicious, please do not click links or open attachments and forward the email to [csc@ohio.gov](mailto:csc@ohio.gov) or click the Phish Alert Button if available.

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**From:** [Shonk, Jill](#)  
**To:** [Rogers, Jayson](#); [Denning, Andrea](#); [Hodge, James](#)  
**Subject:** FW: ASF Survey Schedule Toledo Women's Center  
**Date:** Thursday, March 6, 2025 7:58:23 AM

---

I haven't sent this to legal. I didn't know if they are pinging multiple places so thought I'd check before I send it there.

---

**From:** Coleman, Maria Victoria <[MariaVictoria.Coleman@odh.ohio.gov](mailto:MariaVictoria.Coleman@odh.ohio.gov)>  
**Sent:** Wednesday, March 5, 2025 12:39 PM  
**To:** Le, Hanh <[Hanh.Le@odh.ohio.gov](mailto:Hanh.Le@odh.ohio.gov)>  
**Subject:** ASF Survey Schedule Toledo Women's Center

Good Afternoon,

Received a call from Dr. Burkons who asked when they will be scheduled for their Survey since the check was cashed a month ago. He stated that this is for an ASF facility called Toledo Women's Center. He said he has called multiple times and has been sent to different departments so he wanted to email someone directly and I told him that is not the process that I would send an email to someone in Scheduling for them to reach out to him. His call back # is 216-403-6448.

Thank you,

Viki

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**From:** [Denning, Andrea](#)  
**To:** [Rowan, Andrew](#); [Hodge, James](#)  
**Subject:** FW: Public Records Request Follow Up  
**Date:** Tuesday, June 3, 2025 1:36:00 PM  
**Attachments:** [Public Records Request Follow Up Denning 6.3.25.pdf](#)  
[Public Records Request Denning 5.8.25.pdf](#)  
[Denning Email 5.8.25.pdf](#)

---

---

**From:** Katie Corwin <kjc150@case.edu>  
**Sent:** Tuesday, June 3, 2025 1:30 PM  
**To:** Denning, Andrea <Andrea.Denning@odh.ohio.gov>; Jessie Hill <bjh11@case.edu>; Adams, Brenda <Brenda.Adams@odh.ohio.gov>  
**Subject:** Public Records Request Follow Up

You don't often get email from [kjc150@case.edu](mailto:kjc150@case.edu). [Learn why this is important](#)

Dear Ms. Denning,

Please see the attached letter following up on my previous public records requests. I have provided the original request for your convenience and the initial email I sent you containing the request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

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**From:** [Lamb, Tracey](#)  
**To:** [Rogers, Jayson](#); [Robbins, William](#)  
**Subject:** FW: Public Records Request Follow Up  
**Date:** Tuesday, June 3, 2025 1:36:00 PM  
**Attachments:** [Public Records Request Follow Up Lamb 6.3.25.pdf](#)  
[Public Records Request Lamb 5.8.25.pdf](#)  
[Lamb Email 5.8.25.pdf](#)

---

To keep you in the loop

Tracey

---

**From:** Katie Corwin <kjc150@case.edu>  
**Sent:** Tuesday, June 3, 2025 1:33 PM  
**To:** Lamb, Tracey <Tracey.Lamb@odh.ohio.gov>; Jessie Hill <bjh11@case.edu>; Adams, Brenda <Brenda.Adams@odh.ohio.gov>  
**Subject:** Public Records Request Follow Up

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Dear Ms. Lamb,

Please see the attached letter following up on my previous public records request. I have provided the original request for your convenience and the initial email I sent you containing the request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
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**From:** [Denning, Andrea](#)  
**To:** [Rowan, Andrew](#); [Hodge, James](#)  
**Subject:** FW: Public Records Request Follow Up  
**Date:** Tuesday, June 3, 2025 1:36:00 PM  
**Attachments:** [Public Records Request Follow Up Denning 6.3.25.pdf](#)  
[Public Records Request Denning 5.8.25.pdf](#)  
[Denning Email 5.8.25.pdf](#)

---

---

**From:** Katie Corwin <kjc150@case.edu>  
**Sent:** Tuesday, June 3, 2025 1:30 PM  
**To:** Denning, Andrea <Andrea.Denning@odh.ohio.gov>; Jessie Hill <bjh11@case.edu>; Adams, Brenda <Brenda.Adams@odh.ohio.gov>  
**Subject:** Public Records Request Follow Up

You don't often get email from [kjc150@case.edu](mailto:kjc150@case.edu). [Learn why this is important](#)

Dear Ms. Denning,

Please see the attached letter following up on my previous public records requests. I have provided the original request for your convenience and the initial email I sent you containing the request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
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**From:** [Lamb, Tracey](#)  
**To:** [Rogers, Jayson](#)  
**Subject:** FW: Public Records Requests  
**Date:** Wednesday, May 28, 2025 1:58:00 PM  
**Attachments:** [Public Records Request Hodge 5.8.25.pdf](#)  
[Public Records Request Hodge 4.17.25.pdf](#)  
[Public Records Request Lamb 5.8.25.pdf](#)  
[Public Records Request Denning 5.8.25.pdf](#)  
[image001.png](#)

---

Just wanted to keep you in the loop.

Tracey

---

**From:** Adams, Brenda <Brenda.Adams@odh.ohio.gov>  
**Sent:** Wednesday, May 28, 2025 1:53 PM  
**To:** Brown, Brianne <Brianne.Brown@odh.ohio.gov>  
**Cc:** Koorn, Amy <Amy.Koorn@odh.ohio.gov>; Hodge, James <james.hodge@odh.ohio.gov>; Denning, Andrea <Andrea.Denning@odh.ohio.gov>; Lamb, Tracey <Tracey.Lamb@odh.ohio.gov>  
**Subject:** FW: Public Records Requests

Please see attached follow up email on these Public Records Request.  
FYI. I already acknowledged all her PRRs.

Brenda

**Brenda Adams**  
**Administrative Professional**  
**Office of General Counsel**  
**246 North High Street**  
**Columbus, OH 43215**  
P: 614-466-4882  
[Brenda.Adams@odh.ohio.gov](mailto:Brenda.Adams@odh.ohio.gov)



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---

**From:** Katie Corwin <[kjc150@case.edu](mailto:kjc150@case.edu)>  
**Sent:** Wednesday, May 28, 2025 12:08 PM  
**To:** Adams, Brenda <[Brenda.Adams@odh.ohio.gov](mailto:Brenda.Adams@odh.ohio.gov)>  
**Subject:** Re: Public Records Requests

Hi Brenda,

I hope you enjoyed the long weekend! I wanted to follow up with you on the public records requests I previously submitted. Please see the list below

- James Hodge on 4/17/25
- James Hodge on 5/8/25
- Andrea Denning on 5/8/25
- Tracey Lamb on 5/8/25

Can you please provide an update on when I will receive the information requested? I have attached all of the requests for your convenience.

Thank you,  
Katie

On Mon, May 19, 2025 at 12:09 PM Katie Corwin <[kjc150@case.edu](mailto:kjc150@case.edu)> wrote:

Hi Brenda,

I hope you had a good weekend! I submitted the following public records requests:

- James Hodge on 4/17/25
- James Hodge on 5/8/25
- Andrea Denning on 5/8/25
- Tracey Lamb on 5/8/25

Can you please provide an update on when I will receive the information requested? I have attached all of the requests for your convenience.

Thank you,  
Katie

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

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**From:** [Denning, Andrea](#)  
**To:** [Rowan, Andrew](#); [Hodge, James](#)  
**Subject:** FW: Toledo Women's Center ASF License application  
**Date:** Friday, May 2, 2025 8:39:00 AM

---

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**From:** dmburkons@aol.com <dmburkons@aol.com>  
**Sent:** Friday, May 2, 2025 12:07 AM  
**To:** Denning, Andrea <Andrea.Denning@odh.ohio.gov>  
**Cc:** Jessie Hill <bjh11@case.edu>; Angela Flores <angeecarmen@gmail.com>; SHERRI GROSSMAN <slgrossman37@gmail.com>; Sarah Lengen <sarahlengen@gmail.com>; kristinhady@gmail.com; nickle@nickieantonio.com; Moran, Monica <monica.moran@ohiosenate.gov>  
**Subject:** Toledo Women's Center ASF License application

You don't often get email from [dmburkons@aol.com](mailto:dmburkons@aol.com). [Learn why this is important](#)

Dear Ms. Denning :

It has now been over 3 months since you received our application for an ASF license. I find it very disconcerting that despite numerous phone calls, emails and texts to your office, we can not find out anything about its status or when we will have the required inspection.

We spent quite a bit of time and money getting our facility ready for the required inspection before we submitted our application and many of the expenses are ongoing. In addition many of the staff we have trained are in limbo as to when they can start, Thus it is only normal that I would want to have timely information about the status of our application.

It has come to my attention that other applications for an ASF or AFC licenses may be being treated in a totally different way then we ,as an Abortion Provider are. This would not only be wrong on an a basic administrative level but since the passage of the Issue One amendment, it is against the law.

Ms. Denning, I am not asking for any special treatment but I should be treated fairly and have the ODH simply do its job and schedule an inspection.

If I am wrong about us being treated unfairly I would be glad to hear from you and find out the status of our application and why it is not being processed.

I can be reached at any time at [dmburkons@aol.com](mailto:dmburkons@aol.com) or 216 403 6448.

I look forward to hearing expeditiously from you in regard to this very important issue

David M. Burkons, MD  
Owner, Toledo Women's Center

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**From:** [Lamb, Tracey](#)  
**To:** [Rogers, Jayson](#); [Robbins, William](#)  
**Subject:** public information requests  
**Date:** Thursday, June 5, 2025 3:16:00 PM  
**Attachments:** [FW Public Records Requests.msg](#)  
[FW Public Records Requests.msg](#)  
[image001.png](#)

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Evidently, someone is sending these to the other Tracy Lamb.

**Tracey Lamb**  
**License Specialist**  
**Office of Bureau of Regulatory Operations**  
246 North High St.  
Columbus, OH 43215  
P: 380.203.8806  
[Tracey.Lamb@odh.ohio.gov](mailto:Tracey.Lamb@odh.ohio.gov)



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**From:** [Katie Corwin](#)  
**To:** [Lamb, Tracey](#); [Jessie Hill](#); [Adams, Brenda](#)  
**Subject:** Public Records Request Follow Up  
**Date:** Tuesday, June 3, 2025 1:34:02 PM  
**Attachments:** [Public Records Request Follow Up Lamb 6.3.25.pdf](#)  
[Public Records Request Lamb 5.8.25.pdf](#)  
[Lamb Email 5.8.25.pdf](#)

---

You don't often get email from [kjc150@case.edu](mailto:kjc150@case.edu). [Learn why this is important](#)

Dear Ms. Lamb,

Please see the attached letter following up on my previous public records request. I have provided the original request for your convenience and the initial email I sent you containing the request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

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**From:** [Katie Corwin](#)  
**To:** [Lamb, Tracey](#); [Jessie Hill](#); [Adams, Brenda](#)  
**Subject:** Public Records Request Follow Up  
**Date:** Tuesday, June 3, 2025 1:34:02 PM  
**Attachments:** [Public Records Request Follow Up Lamb 6.3.25.pdf](#)  
[Public Records Request Lamb 5.8.25.pdf](#)  
[Lamb Email 5.8.25.pdf](#)

---

You don't often get email from [kjc150@case.edu](mailto:kjc150@case.edu). [Learn why this is important](#)

Dear Ms. Lamb,

Please see the attached letter following up on my previous public records request. I have provided the original request for your convenience and the initial email I sent you containing the request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
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**From:** [Katie Corwin](#)  
**To:** [Lamb, Tracey](#); [Brown, Brianne](#); [Jessie Hill](#); [Adams, Brenda](#); [PRI](#)  
**Subject:** Public Records Request  
**Date:** Tuesday, July 1, 2025 2:18:21 PM  
**Attachments:** [Public Records Request Lamb 7.1.25.pdf](#)

---

You don't often get email from [kjc150@case.edu](mailto:kjc150@case.edu). [Learn why this is important](#)

Dear Ms. Lamb,

Please see the attached public records request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

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**From:** [Katie Corwin](#)  
**To:** [Lamb, Tracey](#); [Jessie Hill](#)  
**Subject:** Public Records Request  
**Date:** Thursday, May 8, 2025 2:31:16 PM  
**Attachments:** [Public Records Request Lamb 5.8.25.pdf](#)

---

You don't often get email from kjc150@case.edu. [Learn why this is important](#)

Dear Ms. Lamb,

Please see the attached public records request.

Sincerely,  
Katie Corwin

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

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**From:** [Adams, Brenda](#)  
**To:** [kjc150@case.edu](mailto:kjc150@case.edu)  
**Subject:** Records Request to ODH  
**Date:** Thursday, May 8, 2025 3:33:01 PM  
**Attachments:** [image001.png](#)  
**Importance:** High

---

Dear Ms. Corwin:

ODH is in receipt of your Public Record Request dated April 17, 2025 addressed to James Hodge, Chief of Healthcare Compliance. Your request is in being processed in accordance with R.C. 149.43.

Thank you.

Brenda

**Brenda Adams**  
**Administrative Professional**  
**Office of General Counsel**  
**246 North High Street**  
**Columbus, OH 43215**  
P: 614-466-4882  
[Brenda.Adams@odh.ohio.gov](mailto:Brenda.Adams@odh.ohio.gov)



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# **EXHIBIT V**

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## Formal Complaint

---

Katie Corwin <kjc150@case.edu>

Thu, Aug 21, 2025 at 2:53 PM

To: "Brianne.Brown@odh.ohio.gov" <Brianne.Brown@odh.ohio.gov>

Cc: "bjh11@case.edu" <bjh11@case.edu>

Hi Brianne,

Thank you for your response. Can you confirm that you have now produced all of the non-privileged documents in ODH's custody that are responsive to all of our public records requests?

Sincerely,  
Katie

[Quoted text hidden]

--

Katie Corwin, Esq.  
she/her/hers  
Legal Fellow  
Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd., Cleveland, Ohio 44106  
(513) 401-1122

---

## Formal Complaint

---

**Brianne.Brown@odh.ohio.gov** <Brianne.Brown@odh.ohio.gov>  
To: Katie Corwin <kjc150@case.edu>  
Cc: "bjh11@case.edu" <bjh11@case.edu>

Thu, Aug 21, 2025 at 3:04 PM

Katie,

My previous response speaks for itself.

Sincerely,

**Brianne Brown**

Chief Legal Counsel

Office of General Counsel

246 North High St.

Columbus, OH 43215

P: 380.203.5654

[Brianne.Brown@odh.ohio.gov](mailto:Brianne.Brown@odh.ohio.gov)



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This e-mail is intended for the sole use of the intended recipient and may contain privileged, sensitive, or protected health information. If you are not the intended recipient, be advised that the unauthorized use, disclosure, copying, distribution, or action taken in reliance on the contents of this communication is prohibited. If you have received this e-mail in error, please notify the sender via telephone or return e-mail and immediately delete this e-mail.

[Quoted text hidden]

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# **EXHIBIT W**



---

**Formal Complaint**

---

Katie Corwin &lt;kjc150@case.edu&gt;

Fri, Aug 22, 2025 at 9:00 AM

To: "Brianne.Brown@odh.ohio.gov" &lt;Brianne.Brown@odh.ohio.gov&gt;, Jessie Hill &lt;bjh11@case.edu&gt;

Hi Brianne,

Given the piecemeal way in which you have provided the records, in addition to the fact that a message referenced in an email between Lamb and Rogers sent on January 28, 2025 includes a message that is not attached, absent any confirmation from you that all of the records responsive to our Public Records Requests dated May 5, 2025, July 21, 2025, and July 18, 2025, requesting records from Hodge, Denning, Lamb, Robbins, and Rogers during the time period of January 1, 2025, to July 1, 2025, regarding the Toledo Women's Center have been produced, we will be forced to file another Section 149 Complaint and proceed with litigation if necessary.

Sincerely,

Katie

[Quoted text hidden]

---

**Formal Complaint**

---

**Brianne.Brown@odh.ohio.gov** <Brianne.Brown@odh.ohio.gov>  
To: Katie Corwin <kjc150@case.edu>, Jessie Hill <bjh11@case.edu>

Fri, Aug 22, 2025 at 1:27 PM

Katie,

My August 21<sup>st</sup> email to you expressly stated that the records produced to you cured the failure alleged in your complaint. Should you choose to bring frivolous litigation in violation of Rule 3.1 of the Ohio Code of Professional Conduct, the department is prepared to defend itself.

[Quoted text hidden]

---

**Formal Complaint**

---

**Katie Corwin** <kjc150@case.edu>

Mon, Aug 25, 2025 at 10:35 AM

To: "Brianne.Brown@odh.ohio.gov" &lt;Brianne.Brown@odh.ohio.gov&gt;

Cc: Jessie Hill &lt;bjh11@case.edu&gt;

Hi Brianne,

We appreciate that your position is that you 'cured the failure alleged in [our] complaint.' Unfortunately, however, this does not answer our question. What is needed is a direct answer to the question: have you produced all responsive, non-privileged, documents. If your answer is yes, then this matter is resolved. If your answer is no, then we have no choice other than to pursue the remaining documents.

Thank you,

Katie

Katie Corwin, Esq.

she/her/hers

Legal Fellow

Reproductive Rights Law Initiative

Case Western Reserve University School of Law

11075 East Blvd., Cleveland, Ohio 44106

(513) 401-1122

[Quoted text hidden]

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**Formal Complaint**

---

**Brianne.Brown@odh.ohio.gov** <Brianne.Brown@odh.ohio.gov>  
To: Katie Corwin <kjc150@case.edu>  
Cc: Jessie Hill <bjh11@case.edu>

Mon, Aug 25, 2025 at 1:04 PM

Katie,

You sent to our office a complaint alleging a failure to produce responsive records. We produced additional records, excepting privileged records, and expressly told you that those records cured your complaint. There is only one possible interpretation of this response: all responsive, non-privileged records have been produced. While I do not understand how there could possibly be any confusion about this response, I hope the issue is now sufficiently clarified.

[Quoted text hidden]

---

**Formal Complaint**

---

**Katie Corwin** <kjc150@case.edu>

Wed, Aug 27, 2025 at 9:03 AM

To: "Brianne.Brown@odh.ohio.gov" &lt;Brianne.Brown@odh.ohio.gov&gt;

Cc: Jessie Hill &lt;bjh11@case.edu&gt;

Dear Brianne,

Thank you for clarifying ODH's position. However, my July 18, 2025 PRRs to Tracey Lamb and Jayson Rogers specifically requested a message referenced in an email from Tracey Lamb to Jayson Rogers on January 28, 2025 with the subject line "Toledo Womens Center." I do not believe that message was produced. Could you please state ODH's basis for withholding that record? And if that message was inadvertently omitted, could you please search for any other responsive and non-privileged emails that were also inadvertently omitted?

Sincerely,  
Katie

[Quoted text hidden]

---

**Formal Complaint**

---

**Brianne.Brown@odh.ohio.gov** <Brianne.Brown@odh.ohio.gov>

Wed, Aug 27, 2025 at 10:03 AM

To: Katie Corwin &lt;kjc150@case.edu&gt;

Cc: Jessie Hill &lt;bjh11@case.edu&gt;

Katie,

As previously stated, all responsive records have been produced. With regard to your specific inquiry, no responsive record was withheld as no responsive record existed at the time of your request.

[Quoted text hidden]

---

## Formal Complaint

---

Katie Corwin <kjc150@case.edu>

Thu, Aug 28, 2025 at 12:47 PM

To: "Brianne.Brown@odh.ohio.gov" <Brianne.Brown@odh.ohio.gov>

Dear Brianne,

Thank you for your response. Given that the record in question existed at one time, your email appears to imply that it was deleted. Is that the case? And if so, could you confirm the applicable records retention policy? If I am misunderstanding your response, please let me know.

Sincerely,  
Katie

[Quoted text hidden]

---

## Formal Complaint

---

**Brianne.Brown@odh.ohio.gov** <Brianne.Brown@odh.ohio.gov>  
To: Katie Corwin <kjc150@case.edu>

Thu, Aug 28, 2025 at 1:49 PM

Katie,

When your request was made, a search was conducted, and no responsive record existed. ODH is not obligated to and is not capable of determining whether a record that did not exist at the time of a request ever existed, much less conducting further research into the circumstances surrounding a non-existent record. That said, if a "message" responsive to your request ever existed, it was likely subject to the retention policy linked here [General Schedule Detail - RIMS](#). The email which forms the basis of your request and references the "message" in question was sent in January. If such a transient record ever existed, it is possible that it was deleted in accordance with the applicable records retention policy sometime during the six months that passed before you submitted your request.

ODH has gone far beyond its legal obligation in responding to your repeated inquiries regarding this matter in the interest of finality. This response is ODH's final communication on the topic.

[Quoted text hidden]



# **EXHIBIT X**

---

**Katie Corwin PRRs****Jessie Hill** <bjh11@case.edu>

Tue, Oct 7, 2025 at 3:46 PM

To: "Brianne.Brown@odh.ohio.gov" &lt;brianne.brown@odh.ohio.gov&gt;

Cc: Katie Corwin &lt;kjc150@case.edu&gt;

Dear Brianne,

I'm writing in regard to the public records requests sent to ODH employees by Katie Corwin on May 8, July 1, and July 18, 2025. You informed Ms. Corwin by email on August 25 and August 27 that ODH had produced "all responsive, non-privileged records." However, we have since become aware of at least half a dozen emails that are responsive to our request and clearly not privileged, but that were not produced by ODH in response to the PRRs. An example of such an email—Dr. Burkons's April 3 email to Andrea Denning—is attached here for your reference. As I'm sure you'll agree, the email is responsive to the request for "[a]ny emails that you [i.e., Andrea Denning] have sent or received that mention or refer to the Toledo Women's Center from January 1, 2025 to the date of this request (July 1, 2025)." Moreover, this document is clearly not privileged.

In addition, it appears that the only responsive email produced by ODH from James Hodge, Chief of the Bureau of Regulatory Operations, was an email from [pri@odh.ohio.gov](mailto:pri@odh.ohio.gov) that was forwarded to Williams and Rogers containing Ms. Corwin's July 1 PRR. It is surprising that no responsive emails would be found in Mr. Hodge's inbox or sent email box given that he oversees all ASF licensing, and the Toledo Women's Center's license was approved during the time period of this request.

We request that you (1) explain why the attached document wasn't included in your production. Additionally, because your production was not complete, we ask that you (2) conduct a more thorough search that will turn up this, as well as all other responsive documents. Lastly, we ask that you (3) confirm whether ODH has searched the inboxes and sent email boxes of all relevant personnel. If you would like to meet and confer regarding these three matters, I'd be glad to set up a time.

Sincerely,  
Jessie

--

Jessie Hill  
(she/her/hers)  
Judge Ben C. Green Professor of Law  
Director, Reproductive Rights Law Initiative  
Case Western Reserve University School of Law  
11075 East Blvd.  
Cleveland, Ohio 44106  
ph: 216.368.0553  
f: 216.368.2086  
[jessie.hill@case.edu](mailto:jessie.hill@case.edu)

<http://ssrn.com/author=372606>

---

 **4.3.25 Denning.pdf**  
140K

# **EXHIBIT Y**

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**Katie Corwin PRRs**

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**Brianne.Brown@odh.ohio.gov** <Brianne.Brown@odh.ohio.gov>  
To: Jessie Hill <bjh11@case.edu>  
Cc: Katie Corwin <kjc150@case.edu>

Fri, Oct 10, 2025 at 3:51 PM

Jessie,

As was repeatedly explained to Katie Corwin, the requests you mention were legally insufficient and did not provide ODH with the necessary information to identify with reasonable clarity the records at issue.

Despite this legal insufficiency and unethical threats to bring a frivolous lawsuit in violation of Rule 3.1 of the Ohio Rules of Professional Conduct, ODH, though not legally obligated, produced responsive records to the best of its ability. To make this production, ODH was forced to conduct an imprecise search based on the wording of the legally insufficient requests. All responsive records that were returned through this search process were provided.

To the extent you are requesting copies of records that, based on your email, appear to already be in your possession, it is unclear without further consideration whether ODH has a legal responsibility to produce duplicate copies. That said, should you wish to make a more precise, legally sufficient request such as for "a copy of the email sent from dmburkons@aol.com to andrea.denning@odh.ohio.gov on April 3, 2025 at 6:04 AM" or "copies of emails sent or received between dmburkons@aol.com and andrea.denning@odh.ohio.gov [during a specified period of time]," ODH will respond in accordance with its obligations under the law.

Sincerely,

**Brianne Brown**

Chief Legal Counsel

Office of General Counsel

246 North High St.

Columbus, OH 43215

P: 380.203.5654

[Brianne.Brown@odh.ohio.gov](mailto:Brianne.Brown@odh.ohio.gov)



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[Quoted text hidden]

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# **EXHIBIT 25**

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

Attn: Brianne Brown, Chief Legal Counsel  
Ohio Department of Health  
246 N. High St., Columbus, OH  
43215



9590 9402 9160 4225 9037 35

## 2. Article Number (Transfer from service label)

7022 1670 0003 0277 6697

**COMPLETE THIS SECTION ON DELIVERY**

## A. Signature

X

- ☐ Agent  
☐ Addressee

## B. Received by (Printed Name)

## C. Date of Delivery

11-4-25

- D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

## 3. Service Type

- ☐ Adult Signature  
☐ Adult Signature Restricted Delivery  
☒ Certified Mail®  
☐ Certified Mail Restricted Delivery  
☐ Collect on Delivery  
☐ Collect on Delivery Restricted Delivery

- ☐ Priority Mail Express®  
☐ Registered Mail™  
☐ Registered Mail Restricted Delivery  
☐ Signature Confirmation™  
☐ Signature Confirmation Restricted Delivery

and Mail

and Mail Restricted Delivery  
(\$500)