ATTORNEY GENERAL OF MISSOURI

CATHERINE L. HANAWAY

August 24, 2026

Danny Martinez
Via email: records@americanoversight.org

RE: Sunshine Law Request 26-248

Dear Mr. Martinez,

We are writing in response to your above-referenced request. We are enclosing a PDF document which contains the final responsive records. Thank you for your patience while we completed our review and production. We now consider this request complete and have closed file, 26-248.

Sincerely,

/s/ Tracy Lehmen

Tracy Lehmen | Custodian of Records
Missouri Attorney General's Office

AMERICAN OVERSIGHT

Message

From: Capozzi, Louis [/O=MO AGO/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3CF641F611D4F6097F367BD70042692-CAPOZZI, LOUIS]
Sent: 9/29/2025 2:04:03 PM
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Subject: RE: Rule 7.1(a) Conference - Missouri v. U.S. FDA, No. 2:22-cv-00223-Z (N.D. Tex)

Hello,

Missouri, Kansas, and Idaho do not oppose.

Thank you,
Lou

Louis J. Capozzi III | Solicitor General
Missouri Attorney General's Office
207 West High St.
Jefferson City, MO 65101
573-645-9662
Louis.Capozzi@ago.mo.gov

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[EXTERNAL]
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Thanks,
Amy

Amy S. Hilton
Chief
Healthcare Program Enforcement Division
Office of the Texas Attorney General
P.O. Box 12548 (MC 009)
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Just a heads-up: if the court grants your motion, we may need to seek a similar courtesy due to a conflicting deadline with a Supreme Court filing and the Thanksgiving holiday.

Thanks,
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ALLIANCE DEFENDING FREEDOM
FOR FAITH. FOR JUSTICE.

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Rosalie Markezich and the State of Louisiana oppose Danco's request because the intervention motions should be ruled on sequentially rather than through consolidated briefing. It would be unfair to Florida and Texas to add another month's delay on the resolution of their August 22 motion. What's more, the interests of Ms. Markezich and Louisiana are sufficiently different for the Court to resolve them separately and sequentially.

Of course, we are happy to chat about any reasonable extensions needed for your response to our intervention motion.

Thanks,
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If the Federal Defendants and GenBioPro would like to request similar relief to keep the briefing aligned, we can style the motion to request relief for all three parties.

Please let us know your client's positions on this motion.

Thanks,
Jess

Jessica Ellsworth
Partner

Columbia Square
555 Thirteenth Street, NW
Washington, DC 20004-1109

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Direct:	+1 202 637 5886
Fax:	+1 202 637 5910
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Hogan Lovells US LLP

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Sent: 9/26/2025 12:46:06 PM
To: Ellsworth, Jessica L. [jessica.ellsworth@hoganlovells.com]; Amy.Hilton@oag.texas.gov [amy.hilton@oag.texas.gov]; Samuel Elliott [Samuel.Elliott@myfloridalegal.com]; Jason Muehlhoff [Jason.Muehlhoff@myfloridalegal.com]; Jeffrey DeSousa [Jeffrey.DeSousa@myfloridalegal.com]; james.craig@ag.idaho.gov; jay.rodriguez@ag.ks.gov; Capozzi, Louis [/o=MO AGO/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3cf641f611d4f6097f367bd70042692-Capozzi, Louis]; Freedlund, Samuel [/o=MO AGO/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8a4bd8e285e8452f9b1e3d1fdcdcdba7-Freedlund, Samuel]; michael.zarian@ag.idaho.gov; Julie Marie Blake [jblake@adflegal.org]
CC: Katzen, Noah T. [Noah.T.Katzen@usdoj.gov]; Odell, Christopher M. [Christopher.Odell@arnoldporter.com]; Katerberg, Robert J. [Robert.Katerberg@arnoldporter.com]; Stetson, Catherine E. [cate.stetson@hoganlovells.com]; Katz, Philip [philip.katz@hoganlovells.com]; Mehler, Lynn W. [lynn.mehler@hoganlovells.com]; ryan@ryanbrownattorneyatlaw.com; cflaxman@democracyforward.org; sperryman@democracyforward.org
Subject: RE: Rule 7.1(a) Conference - Missouri v. U.S. FDA, No. 2:22-cv-00223-Z (N.D. Tex)

Jess,

Rosalie Markezich and the State of Louisiana oppose Danco's request because the intervention motions should be ruled on sequentially rather than through consolidated briefing. It would be unfair to Florida and Texas to add another month's delay on the resolution of their August 22 motion. What's more, the interests of Ms. Markezich and Louisiana are sufficiently different for the Court to resolve them separately and sequentially.

Of course, we are happy to chat about any reasonable extensions needed for your response to our intervention motion.

Thanks,
Erik

ALLIANCE DEFENDING FREEDOM
FOR FAITH. FOR JUSTICE.

Erik Baptist
Sr. Counsel, Director of Center for Life
+1 571 707 4655 (Office)
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From: Ellsworth, Jessica L. <jessica.ellsworth@hoganlovells.com>
Sent: Wednesday, September 24, 2025 7:27 PM
To: Amy.Hilton@oag.texas.gov; Samuel Elliott <Samuel.Elliott@myfloridalegal.com>; Jason Muehlhoff <Jason.Muehlhoff@myfloridalegal.com>; Jeffrey DeSousa <Jeffrey.DeSousa@myfloridalegal.com>; james.craig@ag.idaho.gov; jay.rodriguez@ag.ks.gov; Capozzi, Louis <Louis.Capozzi@ago.mo.gov>; Samuel.Freedlund@ago.mo.gov; michael.zarian@ag.idaho.gov; Erik Baptist <ebaptist@adflegal.org>; Julie Marie Blake <jblake@adflegal.org>
Cc: Katzen, Noah T. <Noah.T.Katzen@usdoj.gov>; Odell, Christopher M. <Christopher.Odell@arnoldporter.com>; Katerberg, Robert J. <Robert.Katerberg@arnoldporter.com>; Stetson, Catherine E. <cate.stetson@hoganlovells.com>;

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Katz, Philip <philip.katz@hoganlovells.com>; Mehler, Lynn W. <lynn.mehler@hoganlovells.com>; ryan@ryanbrownattorneyatlaw.com; cflaxman@democracyforward.org; sperryman@democracyforward.org
Subject: Rule 7.1(a) Conference - Missouri v. U.S. FDA, No. 2:22-cv-00223-Z (N.D. Tex)

Counsel:

Good evening. In light of Louisiana's motion to intervene, Danco intends to file a motion requesting leave to file a combined opposition brief to the motion filed by Texas and Florida and the motion filed by Louisiana. Danco intends to request a 40 pages limit for that combined response brief, which is 10 pages less than the 50 pages we would have if responding separately, and to request an extension of the filing date of November 10, which is a 30-day extension from the October 10 deadline to respond to Louisiana's motion.

If the Federal Defendants and GenBioPro would like to request similar relief to keep the briefing aligned, we can style the motion to request relief for all three parties.

Please let us know your client's positions on this motion.

Thanks,
Jess

Jessica Ellsworth
Partner

Columbia Square
555 Thirteenth Street, NW
Washington, DC 20004-1109

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Message

From: Erik Baptist [ebaptist@adflegal.org]
Sent: 9/29/2025 10:37:36 AM
To: Ellsworth, Jessica L. [jessica.ellsworth@hoganlovells.com]; Amy.Hilton@oag.texas.gov [amy.hilton@oag.texas.gov]; Samuel Elliott [Samuel.Elliott@myfloridalegal.com]; Jason Muehlhoff [Jason.Muehlhoff@myfloridalegal.com]; Jeffrey DeSousa [Jeffrey.DeSousa@myfloridalegal.com]; james.craig@ag.idaho.gov; jay.rodriguez@ag.ks.gov; Capozzi, Louis [/o=MO AGO/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3cf641f611d4f6097f367bd70042692-Capozzi, Louis]; Freedlund, Samuel [/o=MO AGO/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8a4bd8e285e8452f9b1e3d1fdcdcdba7-Freedlund, Samuel]; michael.zarian@ag.idaho.gov; Julie Marie Blake [jblake@adflegal.org]
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Subject: RE: Rule 7.1(a) Conference - Missouri v. U.S. FDA, No. 2:22-cv-00223-Z (N.D. Tex)

Jess,

I apologize for the multiple emails in response to your motion. But, upon further reflection, Rosalie Markezich and the State of Louisiana do not oppose the motion.

Just a heads-up: if the court grants your motion, we may need to seek a similar courtesy due to a conflicting deadline with a Supreme Court filing and the Thanksgiving holiday.

Thanks,
Erik

ALLIANCE DEFENDING FREEDOM
FOR FAITH. FOR JUSTICE.

Erik Baptist
Sr. Counsel, Director of Center for Life
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From: Erik Baptist
Sent: Friday, September 26, 2025 1:46 PM
To: 'Ellsworth, Jessica L.' <jessica.ellsworth@hoganlovells.com>; Amy.Hilton@oag.texas.gov; Samuel Elliott <Samuel.Elliott@myfloridalegal.com>; Jason Muehlhoff <Jason.Muehlhoff@myfloridalegal.com>; Jeffrey DeSousa <Jeffrey.DeSousa@myfloridalegal.com>; james.craig@ag.idaho.gov; jay.rodriguez@ag.ks.gov; Capozzi, Louis <Louis.Capozzi@ago.mo.gov>; Samuel.Freedlund@ago.mo.gov; michael.zarian@ag.idaho.gov; Julie Marie Blake <jblake@adflegal.org>
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