

Confidential Information Request Form

Instructions: Please complete this form in its entirety to request confidential treatment of information or documents. You may use a separate document to provide the required information below. Multiple forms may be needed for larger requests. The Office will evaluate the responses provided below to determine whether to approve or deny the request for confidentiality.

Contact Information

Name: _____

Title: _____

Company/Organization: _____

Email: _____

Phone: _____

Document Details: _____

Title of Document: _____

Purpose of Document: _____

Duration of Confidentiality: _____

Reason for Confidentiality: _____

Document Upload Instructions

Please upload the proposed confidential document(s) for which you are requesting confidential access to the secure and confidential folder. These documents must be unredacted to ensure that the Office can evaluate the information that the submitter claims to be confidential. If possible, ensure that these documents have a “confidential” label on each page.

You must also upload redacted versions of the proposed confidential documents that can be publicly posted with the Material Change Notice. If the entire document must be redacted, then it is not necessary to upload a redacted version of that document.

Marked-confidential versions of stock purchase agreement(s), compensation documents, contract rates, documents sufficient to show valuation of the transaction, and unredacted résumés are deemed confidential by the Office. You must upload these documents into the secure and confidential folder. Use this form to identify any documents that are stock purchase agreements, valuation documents, compensation documents, or unredacted resumes. For

documents containing contract rates, redact the rates as they appear throughout the document and use this form to inform the Office that the contract rates have been redacted. If those documents also include non-confidential information, the Office may post them with the contract rates redacted.

Justification for Confidentiality

All proposed requests for confidentiality must be justified in accordance with 22 CCR § 97439(d). In the next section, please identify proposed confidential information or document(s) and explain why the Office must treat the document or information as confidential. Pursuant to 22 CCR § 97439(d), the submitter must state whether any of the following applies when claiming confidentiality:

1. Whether the information is proprietary or of a confidential business nature, including trade secrets (as defined in California Civil Code section 3426.1(d)), and whether the release would be damaging or prejudicial to the business concern;
2. Whether another state or federal agency deems the filed document confidential and, if so, for what period of time;
3. Whether the information is confidential based on statute or other law; or
4. Whether the information is such that the public interest is served in withholding the information.

The Office will not consider requests for confidentiality that do not clearly relate to these factors. Be sure to clearly explain the reasoning for confidentiality using the above factors. You must also include a specific time for which confidential treatment of the information is necessary and confirm that the information or documents have been confidentially maintained by the submitter. The Office will communicate all decisions regarding confidentiality through the messaging system of the online portal.

The Office will not grant any request for confidentiality for documents or information that are publicly available.

Document Details and Confidentiality Justification

In the space below, identify the information or document(s) that the Office should review for confidential treatment in accordance with 22 CCR § 97439(d). A separate document may be used to provide this information to the Office. Include a detailed justification for confidentiality as outlined above. Be sure to identify the length of time that the Office must treat the information or document(s) as confidential if the request is granted.

Confidentiality of Documents Submitted with Notice

22 CCR 97439(d)

- d. Confidentiality of Documents Submitted with Notice. All of the information provided to the Office by the submitter shall be treated as a public record unless the submitter designates documents or information as confidential when submitting through the Office portal system and the Office accepts the designation in accordance with paragraphs (1) through (3) below.
 1. A submitter of a notice pursuant to this section may request confidential treatment of information or documents submitted. The submitter shall file two versions of any document for which confidentiality is requested. The nonpublic version shall be unredacted and shall be maintained as confidential by the Office and Department pending a determination of confidentiality. The public version, which may be made available to the public by the Office, shall have the confidential portions removed or redacted. Requests for confidentiality of publicly available information or documents will be denied.
 2. Marked-confidential versions of stock purchase agreements, compensation documents, contract rates, transaction valuation documentation provided in response to subsection (c)(3), and unredacted résumés are deemed confidential and nonpublic by the Office, pursuant to section 127507.2(c)(2).
 3. A submitter claiming confidentiality in respect to portions of a notice, or any documents not specified in subsection (d)(2) thereafter submitted in support of the notice, shall include a justification that provides a detailed statement of the grounds enumerated in (A) through (D), below, on which confidentiality is claimed, a statement of the specific time for which confidential treatment of the information is necessary, and a statement that the information has been confidentially maintained by the entity. The detailed statement in support of the request for confidentiality shall indicate whether any of the following applies:
 - A. Whether the information is proprietary or of a confidential business nature, including trade secrets (as defined in California Civil Code section 3426.1(d)), and whether the release would be damaging or prejudicial to the business concern;
 - B. Whether another state or federal agency deems the filed document confidential and, if so, for what period of time;
 - C. Whether the information is confidential based on statute or other law; or
 - D. Whether the information is such that the public interest is served in withholding the information.
 4. When the Office makes a determination regarding a request for confidential treatment, the submitter will be notified in writing. If a request for confidential treatment is granted, the information will be marked "Confidential" and kept separate from the public file. With the exception of disclosure to the Attorney General pursuant to sections 127507.2(c)(1) and 127507.2(d)(1) of the Code, the Office and the Department shall keep confidential

all nonpublic information and documents designated as confidential pursuant to this section.