

**IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION**

CHIANNE D., *et al.*,

Plaintiffs,

Case No. 3:23-cv-00985-MMH-LLL

v.

JASON WEIDA, in his official capacity  
as Secretary for the Florida Agency for  
Health Care Administration, and  
SHEVAUN HARRIS, in her official  
capacity as Secretary for the Florida  
Department of Children and Families,

Defendants.

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**DCF'S RESPONSE TO MOTION TO COMPEL**

Defendant Shevaun Harris, in her official capacity as Secretary of Children and Families ("DCF"), respectfully responds in opposition to Plaintiffs' Motion to Compel Production of Documents and Re-Convene Agency Representative Deposition (ECF No. 97).

## INTRODUCTION

DCF has not implemented, and has no plans to implement, any of the suggestions communicated to DCF during the 2021 review of its Notices by Cambria, an outside vendor. The documents comprising the 2021 Cambria Review<sup>1</sup> are therefore not responsive to Request 3 of Plaintiffs' First Request for Production to DCF. *See* ECF No. 97-1 at 10 ("Request 3").

Request 3 is straightforward. It seeks "[a]ll documents that describe **changes or planned changes to NOCAs** as part of DCF's modernization of the ACCESS Florida System **discussed in the declaration of Laquetta Anderson. (Doc. 39-8, ¶9).**" *Id.* (emphases supplied).<sup>2</sup> Responsive documents are therefore those that describe changes to NOCAs that DCF has made or plans to make as part of DCF's ACCESS Modernization Project, as the Project is described in paragraph 9 of Ms. Anderson's declaration.

The 2021 Cambria Review does not fit within this plain language. No witness testified that DCF has implemented, or has plans to implement, any of Cambria's recommendations—whether as part of the ACCESS Modernization Project (which was not funded until 2022) or otherwise. DCF's ACCESS Director, Andrea Latham, oversees the ACCESS System and the ACCESS Modernization Project, has never even seen

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<sup>1</sup> There is no single "report" from Cambria as Plaintiffs characterize it, but rather a collection of documents reflecting suggestions and recommendations provided by Cambria, a third-party vendor. This Response will refer to this group of documents as the "2021 Cambria Review."

<sup>2</sup> The term "NOCA" refers to a DCF Notice of Case Action. As used in this Response, "NOCA" and "Notice" have the same meaning.

the 2021 Cambria Review documents. Ms. Anderson, moreover, testified that her declaration referenced only the currently-funded ACCESS Modernization Project, and that she did not have the 2021 Cambria Review in mind when she executed her declaration.

At most, DCF acknowledged that the 2021 Cambria Review might be a useful resource that DCF may consider when it ultimately redesigns its Notices years from now, during later stages of the ACCESS Modernization Project. That does not describe an actual change or a planned change. Instead, DCF's witnesses consistently testified that DCF has not yet identified the changes that it plans to make to the Notices as part of the ACCESS Modernization Project. This stems from several factors, including the multi-year timeline of the Project (which requires annual funding by the Legislature) and the need to replace several predecessor processes and systems before the Notices can be redesigned. DCF cannot plan specific changes to the Notices as part of the ACCESS Modernization Project until it knows with certainty the capabilities of the various component systems that affect Notice-generation (for example, the system that determines eligibility which feeds information into the Notice-generation platform).

DCF has not, and cannot, put the cart before the horse. Because other parts of the ACCESS Modernization Project must be completed first, design of the new Notices as part of the Project cannot begin for approximately two years. It defies logic to characterize vendor suggestions created in 2021 as "planned changes" for the ACCESS Modernization Project, when DCF testified that it has no plans to implement the vendor suggestions, the design phase for the new Notices has not yet started, and the Legislature did not fund—and thus DCF did not embark on—the ACCESS Modernization Project

until 2022, after Cambria completed its review. The 2021 Cambria Review simply does not reflect any “planned changes” to Notices.

At its core, Plaintiffs’ Motion asks this Court to rewrite their Requests for Production to seek documents they could have requested months ago, but did not.<sup>3</sup> Rather than focus on the text of Request 3, Plaintiffs’ Motion insists that the 2021 Cambria Review is “relevant” and that DCF should therefore be compelled to produce it. ECF No. 97 at 9, 10, 11, 14. But of course, DCF is not required to produce every document in its possession that is “relevant” to an issue in litigation, without regard to whether the documents are responsive to a discovery request. Even if they are arguably “relevant to the case at hand,” *id.* at 14, the documents comprising the 2021 Cambria Review are not *responsive* to Request 3, and DCF is not required to produce them.<sup>4</sup>

## ARGUMENT

### **I. The 2021 Cambria Review is not responsive to Request 3.**

The 2021 Cambria Review is not responsive to Request 3 because it does not reflect any changes that DCF has made or plans to make to its Notices—let alone changes that DCF has made or plans to make as part of its ACCESS Modernization

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<sup>3</sup> Plaintiffs served their First Request for Production on December 21, 2023. They served no additional requests for production during the remaining three months of the discovery period.

<sup>4</sup> To be sure, DCF has not taken a restrictive view of responsiveness. DCF has produced more than 7,400 pages of documents to Plaintiffs—not including the documents that DCF’s corporate representatives produced before their depositions. The Agency for Health Care Administration has produced nearly 2,200 pages of documents.

Project. Saying otherwise does not make it so, and Plaintiffs’ desire to review documents that it did not request does not render those documents responsive. DCF’s witnesses made plain that DCF has no plans to implement the suggestions made by Cambria in 2021. Those witnesses made equally plain that DCF is not in a position to identify *any* planned changes to the Notices as part of the ACCESS Modernization Project because the Project is still in its early stages, and Notice design efforts have not yet begun—nor can they begin until other predecessor changes are implemented within the ACCESS system. DCF certainly intends to modify its Notices as part of the ACCESS Modernization Project, but the nature of those modifications remain unknown—and unplanned.

DCF designated Andrea Latham to testify as its corporate representative on the topic of DCF’s ACCESS Modernization Project, including the changes that DCF plans to make to its Notices as part of the Project. Ex. 1, Latham Dep., at 8:13–23. Ms. Latham is DCF’s ACCESS Director, and in that role oversees the entire ACCESS System and the ACCESS Modernization Project. *Id.* at 5:22–6:14. She has never seen the 2021 Cambria Review documents, nor does she know who possesses them. *Id.* at 20:17–21:8.

Ms. Latham confirmed that the ACCESS Modernization Project is a “multi-year project” to “incrementally replace” DCF’s 40-year-old “mainframe system and the ancillary systems,” and that the Project “started in 2022”—the year *after* Cambria conducted its review. *Id.* at 7:17–23; *see also id.* at 8:24–9:2 (ACCESS Modernization Project was funded in 2022). Before DCF can change its Notices during the ACCESS Modernization Project, several “predecessor processes” must be updated, such as the processes that determine eligibility, which “feed into” the Notices. *Id.* at 25:13–26:8. Because

those changes to the ACCESS System must come first, design of new Notices will not likely begin for two years. *Id.* at 25:13–26:1, 26:18–21, 27:8–18; *see also id.* at 22:10–15 (explaining that “potential changes” to Notices have not been discussed “in great detail” because DCF “just finished year one” of the ACCESS Modernization Project and DCF has “not yet laid out requirements for notices”).

Therefore, because these initial system changes have not occurred, Ms. Latham testified that DCF has not yet planned its changes to the Notices. *See id.* at 30:9–11 (“Q: Is there anything that you can tell me for certain about what will change about the notices? A: I cannot at this time for certain.”). For example, DCF has not yet decided whether or how to replace the system that generates Notices, or whether it can use recently-purchased software, called OnBase, for Notice generation. Ex. 1 at 14:12–15:9. Ms. Latham is also unaware of any planned changes to reason codes within DCF’s Notices as part of the ACCESS Modernization Project and testified that DCF has not yet begun reviewing documents to “start evaluating what additional changes to the reason codes might be necessary.” *Id.* at 20:5–16. While DCF cannot say what future changes to Notices will result from the ACCESS Modernization Project or what the magnitude of those changes might be, *id.* at 39:23–40:8, Ms. Latham reaffirmed that it is likely that changes will be made—but those changes have simply not been identified, *id.* at 40:16–41:22.

Certainly, if DCF has not yet planned its changes to Notices, the 2021 Cambria Review cannot possibly reflect DCF’s “planned changes.” It is therefore not responsive to Request 3.

The most Plaintiffs have shown is that DCF might consider the 2021 Cambria Review as a resource in the future when the time comes to begin making changes to the Notice templates as part of the ACCESS Modernization Project. But Request 3 does not ask for documents that DCF might consult or consider as part of the ACCESS Modernization Project. Instead, it asks for documents reflecting actual and planned changes to Notices—*i.e.*, changes DCF has made or plans to make. The 2021 Cambria Review does not reflect either.

Plaintiffs rely on Tonyaleah Veltkamp’s testimony that she would like to consider Cambria’s work as a “starting point” when the time comes to revise Notices as part of the ACCESS Modernization Project. ECF No. 97 at 13 (citing ECF No. 97-9 at 166:13–18). But a future starting point is not a planned change. And in contrast to the carefully-selected excerpts in Plaintiffs’ Motion, when read in context, Ms. Veltkamp’s testimony is clear that any consideration of the 2021 Cambria Review would occur, if ever, “when [DCF] got to that point in the ACCESS Modernization Project,” ECF No. 97-9 at 89:1–9—a point that DCF has not yet reached. In the same answer quoted by Plaintiffs, Ms. Veltkamp stated that Cambria’s “recommendations” were not a “starting point” for “the actual [ACCESS] project,” but were something DCF “*could* use and build from *when we got to the point* when we wanted to review the notices.” *Id.* at 166:17–23 (emphases supplied). Like Ms. Latham, Ms. Veltkamp also testified that DCF has not made any changes recommended by Cambria “[b]ecause in order the make changes to notices, it’s an extensive testing, and I don’t even know if the current software we have is

appropriate. And so it was going to be a part of the Access Modernization Project.” *Id.* at 92:16–22.

Far from establishing a “planned change” to DCF’s Notices, Ms. Veltkamp’s testimony simply shows that the 2021 Cambria Review is a resource she wants DCF to consider at a later date. Ms. Veltkamp has never had any conversations about implementing the 2021 Cambria Review recommendations into the current ACCESS Modernization Project. *Id.* at 191:24–192:2. Nor is she aware of any planned changes to Notices that would implement Cambria’s recommendations. *Id.* at 192:3–5. Ms. Veltkamp could not recall whether the 2021 Cambria Review even addressed the reason codes at issue in this case. *Id.* at 91:19–22. Indeed, she has not looked at Cambria’s work product “in a couple years,” *id.* at 90:3–4, and Ms. Latham—who oversees and was designated to testify about the ACCESS Modernization Project—has never seen it at all, Ex. 1 at 20:17–21:8. Ms. Veltkamp also cautioned that current DCF leadership may disagree with her opinion that the 2021 Cambria Review could be used as a starting point, noting that DCF leadership has changed since DCF commissioned the review, ECF No. 97-9 at 167:5–12, and the individual who spearheaded the 2021 Cambria Review has since retired from DCF, *id.* at 9:14–20, 92:23–25, 165:21–166:2.

Plaintiffs’ counsel’s questioning of DCF’s witnesses is also telling because it does not come close to tracking the “changes or planned changes” language in Request 3. For example, Plaintiffs’ counsel asked Ms. Veltkamp whether Cambria’s 2021 recommendations might “help inform” or “help guide” the development of new Notices. *Id.* at 166:24–167:8. Counsel asked Ms. Latham whether the 2021 Cambria Review “would



*be useful* to use in your role working on the ACCESS Modernization Project to review prior work produced related to the reason codes,” Ex. 1 at 21:9–11 (emphasis supplied), or whether Ms. Latham “*might consider* those changes [suggested by Cambria] and *either decide to implement them or not implement them*,” *id.* at 21:25–22:2 (emphasis supplied); *accord id.* at 23:16–18 (asking whether DCF would review Cambria’s suggestions “to determine whether or not DCF would adopt the changes proposed”); *id.* at 22:21–23:6 (asking about potential changes that DCF’s policy team “hopes” to make during the ACCESS Modernization Project). Documents that might be useful to review, or that might inform future work, or that contain suggestions DCF might or might not decide to implement, are not documents that describe “changes or planned changes.” ECF No. 97-1 at 10.

Plaintiffs’ own questions therefore undercut their characterization of the 2021 Cambria Review as “planned changes” and instead frame the documents as exactly what they are: three-year-old outside recommendations that DCF may or may not consult as a resource in the future.<sup>5</sup> DCF correctly determined that these documents are not responsive to Request 3.

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<sup>5</sup> By contrast, when asking about changes DCF actually plans to make, counsel’s questions were clear, and used those words. *See, e.g.*, Ex. 1, Latham Dep., at 19:5–10 (“Q: Are there any other *plans currently underway to change the reason codes* that you were referring to? A: “There is one change in progress. It’s around reason code 227, so that if that number, that reason code is used that a second reason code will be required by the caseworker.” (emphasis supplied)).

In attempting to tie the 2021 Cambria Review to the present day, Plaintiffs mischaracterize the ACCESS Modernization Project as a nebulous collection of forward-looking motivations within DCF to improve the ACCESS System that has existed for many years, indistinguishable from the current iteration of the Project—and without regard to when the Project was funded or when implementation began. Not only is this incorrect as a factual matter, but on its face, Request 3 defines the ACCESS Modernization Project by reference to paragraph 9 of Ms. Anderson’s declaration. ECF No. 97-1 at 10. This paragraph identifies the current, ongoing ACCESS Modernization Project—not some previous conception of a modernization effort that the Legislature never funded—and explains that the Project will include “replacement of the eligibility and case management system that triggers notices to recipients as well as the system that . . . generates the notices to recipients,” and notes that the “current system DCF uses to generate notices will be replaced as part of this modernization effort.” ECF No. 39-8 ¶ 9; *see* Ex. 2, Anderson Dep. Vol. II at 111:22–112:5<sup>6</sup> (testifying that the “current” ACCESS modernization effort identified in her declaration has “been underway for about a year”); *accord* Ex. 1, Latham Dep., at 10:6–17 (testifying that the ACCESS Modernization Project was funded in 2022, and that DCF must “go back to the State legislature and federal partners every single year” of the Project’s “six-year roadmap . . . to request funding”).

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<sup>6</sup> The transcript filed by Plaintiffs at ECF No. 97-14 is the morning session of Ms. Anderson’s deposition. Exhibit 2 to this Response is the transcript of the afternoon session.

Any “planned changes” to Notices within the scope of Request 3 must therefore be tethered to DCF’s *current* modernization efforts described by Ms. Anderson—not historical conversations about unfunded ideas. *See* ECF No. 97-1 at 10. When asked whether the 2021 Cambria Review was “done in connection with the ACCESS modernization project,” Ms. Anderson answered: “No, it was not.” ECF No. 97-14 at 74:13–15. Ms. Anderson testified unequivocally that she did not have the 2021 Cambria Review in mind when she executed her declaration, nor was she referencing Cambria’s work in her declaration. Ex. 2, Anderson Dep. Vol. II at 110:8–21. Ms. Anderson also confirmed that DCF has not implemented any changes reflected in the 2021 Cambria Review, and she had no knowledge of any plans to implement them. ECF No. 97-14 at 75:3–24, 78:4–12.

It does not matter whether Plaintiffs believe the 2021 Cambria review documents are “relevant” to the litigation. ECF No. 97-1 at 11, 14. If the documents are not *responsive* to a discovery request, there is no basis to compel their production. *See Davis v. Lockheed Martin Corp.*, No: 6:22-cv-00081, 2023 WL 6845250, \*2–3 (M.D. Fla. Oct. 17, 2023) (denying motion to compel production of documents that “Defendant reviewed and found to be unresponsive to Plaintiffs’ discovery requests,” and noting that “in the face of [Defendant’s] long-standing discovery responses in this case, Plaintiff has provided the Court with no legal authority” to compel production of documents “that are not responsive to a discovery request”). Plaintiffs bear the burden of describing “with reasonable particularity” the documents they seek. Fed. R. Civ. P. 34(b)(1)(A). Request 3 asks for documents describing actual and planned changes to Notices as part of DCF’s

modernization of the ACCESS system, as referenced in Ms. Anderson's declaration. Request 3 does not ask for documents DCF may consider when revising Notices during the ACCESS Modernization Project. It does not ask for documents reflecting feedback that DCF has received regarding its Notices, or reviews of Notices by third parties. Nor does it ask for all documents that may be relevant to the ACCESS Modernization Project, or that might inform revisions to Notices. Plaintiffs could have propounded any number of additional requests, but did not. DCF is not obligated to produce documents that Plaintiffs never requested. Indeed, Rule 34 would be superfluous if a party were obligated to produce all relevant documents, whether or not its adversary requested them.

**II. DCF was not required to produce the 2021 Cambria Review in response to a corporate-deposition topic.**

Plaintiffs' new reliance on Topic 6 of their corporate-deposition notice to DCF is inappropriate and misplaced. *See* ECF No. 97 at 7–8.<sup>7</sup> This is the first time Plaintiffs have invoked Topic 6 as a basis to compel production of the 2021 Cambria Review. The parties' conferral focused only on Request 3. Therefore, as to Topic 6, Plaintiffs did not appropriately confer before filing their Motion to Compel.

Most fundamentally, a corporate-deposition topic is not a document request. A corporate-deposition notice "must describe with reasonable particularity the matters for

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<sup>7</sup> Plaintiffs' Amended Rule 30(b)(6) Notice of Deposition Duces Tecum to DCF was filed at ECF No. 97-8. Topic 6 states: "A description of whether DCF conducts any monitoring or oversight of the reason codes, and if so, a description of that monitoring or oversight and any findings." *Id.* at 5.

examination.” Fed. R. Civ. P. 30(b)(6). But the rule does not require the deponent to produce all documents within the scope of those “matters for examination.” *Id.* The deposition notice “may be accompanied by a request under Rule 34 to produce documents . . . at the deposition,” Fed. R. Civ. P. 30(b)(2), but a corporate-deposition topic does not itself operate as an independent request for documents, *compare* Fed. R. Civ. P. 30(b)(6), *with* Fed. R. Civ. P. 34(a)(1), (b). DCF was not obligated to produce the 2021 Cambria Review in response to Topic 6 of Plaintiffs’ corporate-deposition notice.

Plaintiffs’ corporate-deposition notice requested DCF to produce the documents that its designated representatives “reviewed” in preparation for their depositions. ECF No. 97-8 at 2. DCF produced those documents, and therefore completed any obligation to produce documents under the corporate-deposition notice. No DCF witness reviewed the 2021 Cambria Review in preparation for the deposition. Specific to Topic 6, Ms. Veltkamp was DCF’s designee and has not looked at the 2021 Cambria Review documents for several years. ECF No. 97-9 at 90:3–4. She clearly did not review these documents in preparation for her testimony on Topic 6, and DCF was not obligated to produce it.

Finally, no witness testified that the 2021 Cambria Report constitutes “monitoring or oversight of the reason codes” by DCF, so even if a document could conceivably be “responsive” to a corporate-deposition topic, the 2021 Cambria Report would not be responsive to Topic 6.

**III. DCF's corporate deposition should not be reconvened.**

Because DCF had no obligation to produce the 2021 Cambria Review, no basis exists to reconvene DCF's corporate deposition on Topic 6. Indeed, it is unclear how the 2021 Cambria Review is related to Topic 6 at all, since no witness testified that these documents were the product of any monitoring or oversight of reason codes by DCF, and no witness reviewed the documents in preparation for the deposition.

For the same reasons that this Court should deny Plaintiffs' Motion to Compel production of the 2021 Cambria Review documents, it should deny Plaintiffs' request to reconvene DCF's deposition.

**CONCLUSION**

For these reasons, DCF respectfully requests that this Court deny Plaintiffs' Motion to Compel (ECF No. 97).

Respectfully submitted,

/s/ Ashley H. Lukis

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CHIANNE D., et al.,

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Defendants.

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REMOTE DEPOSITION OF  
ANDREA LATHAM

VOLUME 1: (Pages 1 - 51)

Monday, March 18, 2024  
5:03 p.m. - 6:27 p.m.

LOCATION: REMOTE VIA ZOOM

Stenographically Reported By:  
I. Iris Cooper  
Stenographic Reporter

Job No.: 354345



1 APPEARANCES: (All parties appeared remotely.)

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(Exhibits were not marked for identification.)

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1 Thereupon, proceedings began remotely at 5:03 a.m.:

2 THE STENOGRAPHER: Do you swear or affirm that  
3 the testimony you are about to give in this case  
4 will be the truth, the whole truth, and nothing but  
5 the truth?

6 THE WITNESS: Yes.

7 Thereupon:

8 ANDREA LATHAM,  
9 under penalty of perjury, was examined and testified  
10 as follows:

11 DIRECT EXAMINATION

12 BY MS. GRUSIN:

13 Q Would you please state and spell your name for  
14 the record.

15 A Sure. My name is Andrea Latham. A-n-d-r-e-a,  
16 last name Latham, L-a-t-h-a-m.

17 Q My name is Sarah Grusin. I'm one of the  
18 attorneys for the plaintiffs. I'm realizing because  
19 we're doing so many depositions today that I've  
20 forgotten a lot of my usual intro stuff.

21 Have you ever given a deposition before?

22 A I have not.

23 Q Let me go over a couple quick rules. So  
24 you're under oath. There's a court reporter here taking  
25 down your testimony. That means a couple of things for

1     how we have to talk to one another. It's a little  
2     different than a typical conversation.

3             So the first and most important and one that I  
4     personally struggle with a lot is not talking over each  
5     other. You will probably figure out what I'm trying to  
6     ask before the words finish coming out of my mouth. I  
7     get excited and interested in what you're saying and so  
8     jump in with another question. We both have to try not  
9     to do that; okay?

10            A     Okay.

11            Q     And the second rule, which sort of that your  
12     answer just indicates, is because there's a court  
13     reporter taking down what we're saying, you have to give  
14     verbal answers. So it's fine if you want to nod or  
15     shake your head, but you also need to say yes or no.

16            A     Okay. Got it. I'll work on it.

17            Q     I'll try to remind you. Your counsel will  
18     probably try to remind you. It's just so we have a  
19     clear record because things like uh-huh or uh-uh don't  
20     really show up on the record very well.

21            A     Got you.

22            Q     So can you just give me a little background on  
23     yourself. What's your current job title,  
24     responsibilities? How long have you been with DCF?

25            A     Sure. I started with DCF in May of 2022. I

1 am the Access director in the IT area in the office of  
2 information technology services. So my role is to kind  
3 of oversee the operations for the Access system.  
4 Really, when I started, my main focus was modernization,  
5 and it continues to be that.

6 So while I'm overseeing the ACCESS system,  
7 when I came in, I hit the ground running to do  
8 procurements, the documentation, legislative, State,  
9 federal, just to get the whole process going and set up.  
10 So we're now in year two of our modernization.

11 For my duties, it is overseeing the team. I  
12 think you've spoken with a few of our business analysts.  
13 The Deloitte team reports to me as well, the M&O team.  
14 That's basically it.

15 Q M&O is the --

16 A Is maintenance and operations.

17 Q There is one where you knew what I was asking  
18 and you jumped in. I can tell you have a similar  
19 conversational style to me, so we'll work on it.

20 Where were you working before May of 2022?

21 A So I was working for the Department of  
22 Education for the last 22 years prior to starting here.  
23 So I started with the Department of Education in 2020 --  
24 sorry -- 2000. So for 22 years, I was with the  
25 Department in various roles.

1           I was project director for the student  
2   advising system. I oversaw the single sign-on project  
3   at the Department of Education. I also implemented the  
4   modernization project for the Early Learning office. I  
5   was project manager and then became the deputy director  
6   of IT at Early Learning.

7           Q     And I meant to ask before. I also talked to  
8   LaQuetta Anderson. How does your job relate to hers?

9           A     So LaQuetta is, I would say, kind of second in  
10   my line. She is one of my direct reports. She has a  
11   wealth of information. She's been with DCF forever and  
12   ever, has really great system knowledge and history.

13                  She is my primary for the system. I rely on  
14   her for a lot of the inner workings of how the system  
15   works. Same thing with the Deloitte team as well. I  
16   rely upon them, so they are my system experts.

17           Q     So what is the ACCESS Modernization Project?

18           A     So the ACCESS Modernization Project is a  
19   multi-year project. It started in 2022. We want to  
20   incrementally replace our mainframe system and the  
21   ancillary systems. So the core system of record for  
22   ACCESS is based on a mainframe, which is technology from  
23   the '80s. It's very limited.

24                  That system because of its limited  
25   functionality, multiple other systems were developed.

1 So it's not just ACCESS system is one system. It's  
2 actually multiple systems that work together to do  
3 different parts of functionality.

4 So this project is to make a cloud-based  
5 efficient, human centric system that we can use for our  
6 staff, for our customers, a much better online  
7 experience streamlined from front to end.

8 Q And then I realize we need to show you  
9 Exhibit 1, which has been previously marked during  
10 30(b)(6) depositions. So this is the notice of  
11 deposition for today. It has Exhibit A with a list of  
12 all of the topics.

13 We have been told that you are designated to  
14 testify on behalf of DCF with respect to Topic No. 11, a  
15 description of the ACCESS Modernization Project,  
16 including what changes to the NOCAs are planned as part  
17 of that modernization project, an explanation of how and  
18 why those changes were identified and selected, when the  
19 changes to the NOCAs are expected to be implemented, and  
20 the budget allocated for those changes.

21 Are you prepared to testify on behalf of DCF  
22 related to those topics today?

23 A Yes.

24 Q So you said that the ACCESS Modernization  
25 Project started in 2022. What do you mean by started?

1           A     That is when we got our funding from the  
2     legislature and federal partners.

3           Q     Discussions about ACCESS modernization have  
4     been going on for much longer than that; correct?

5           A     Correct.

6           Q     Do you know when discussions around ACCESS  
7     modernization first started?

8           A     I do not. It predated me.

9           Q     When you started in your role, just focused on  
10    ACCESS modernization, did you research the history of  
11    thinking and discussions around the Modernization  
12    Project?

13          A     Yes.

14          Q     And so in that research and history,  
15    researching the history of discussions and research  
16    around the modernization project, do you have any sense  
17    of how long discussions about ACCESS modernization have  
18    been going on?

19          A     What I reviewed was the feasibility study that  
20    was done the year prior. So that document was just a  
21    year old. So, again, that probably was a culmination of  
22    many conversations that I didn't have access to.

23          Q     And so you aren't aware of whether DCF was  
24    having conversations about ACCESS modernization back in  
25    2018?



1           A     I guess I would assume they were, but I cannot  
2     answer that.

3           Q     Have you reviewed a report from SHADAC about  
4     Florida's Medicaid eligibility system?

5           A     I have not.

6           Q     You said that 2022 is when you first got  
7     funding for the ACCESS Modernization Project?

8           A     Correct.

9           Q     How many years of funding does the ACCESS  
10    Modernization Project have?

11          A     We have a six-year roadmap, but the funding is  
12    only one year at a time. We have to go back to the  
13    State legislature and federal partners every single year  
14    to request funding.

15          Q     Is the project contingent on that future  
16    legislative funding?

17          A     Correct. Yes.

18          Q     So the six-year roadmap or timeline could  
19    change?

20          A     Correct.

21          Q     And you don't know whether efforts at ACCESS  
22    modernization have been changed or stalled in the past,  
23    do you?

24          A     Prior to 2022, I do not.

25          Q     Have there been any delays since the project

1 was funded in 2022?

2 A There's different flavors of that.

3 Q Tell me about the flavor?

4 A Have there been delays, not with  
5 implementation. Well, let me take that back. There  
6 have been delays getting approvals from the State  
7 legislature. There have been delays from the federal  
8 partners.

9 It hasn't amounted to much of a delay to  
10 actually producing product. But, yes, there have been  
11 delays in different work streams.

12 Q You said there had been delays in getting  
13 approvals from the legislature. What did you mean by  
14 that?

15 A There are different reports that we send over.  
16 There's communication packages before we can release  
17 things to the public that we have the Governor's office  
18 sign off on, things like that. It hasn't amounted to  
19 much of a delay, but delays happen, of course. That's  
20 typical in an IT project.

21 Q You mentioned delays from federal partners.  
22 Can you tell me about those?

23 A So the federal partners have regs where they  
24 require advance notification, and they have 60 days to  
25 respond, things like that. So I suppose they haven't

1 exceeded their 60 days. But for us, we would like to be  
2 moving faster.

3 Q And when you say federal partners, do you  
4 mean the Centers for Medicare and Medicaid Services?

5 A In addition to F&S, yes. The system, again,  
6 has multiple benefit programs, so we actually have to do  
7 both. And actually, CMS does approve things faster than  
8 F&S, but it's always contingent upon F&S's joint  
9 approval.

10 Q And what kind of things need to be approved by  
11 the federal partners?

12 A We have an implementation plan and  
13 procurements. Those are largely -- things tied to  
14 funding because the federal government does provide  
15 funding for the project.

16 Q How much funding does the federal government  
17 provide?

18 A It is a 90/10 rate for DDI, for design  
19 development implementation. It's 90/10.

20 Q You said that the delays in getting these  
21 approvals hasn't really resulted in delays in builds.  
22 Why is that?

23 A Well, we try to craft schedules. We do our  
24 best to pivot and just make things work. So our initial  
25 deployment for year one, which was the customer portal,

1 was initially slated to go in September. It didn't go  
2 until December. So at most, it was a two-month delay.  
3 It wasn't two months. It wasn't two months.

4 Q And then you said that the federal government  
5 is providing 90 percent of the funding?

6 A CMS is 90/10.

7 Q But even though CMS provides 90 percent of the  
8 funding, it couldn't start until the State legislature  
9 approved the remaining State funds; right?

10 A Correct.

11 Q I've heard reference to something called the  
12 FLORIDA Replacement Project. Is that the same thing as  
13 the ACCESS Modernization Project?

14 A I don't know the context. FLORIDA is what we  
15 call the mainframe, and we are replacing the mainframe.  
16 That may be, but I don't know the context.

17 Q So you're not familiar with something called  
18 the FLORIDA Replacement Project?

19 A Unless they're referring to replacing the  
20 mainframe, which is part of the ACCESS for the system  
21 modernization.

22 Q So you don't know if there were discussions  
23 about a FLORIDA Replacement Project before 2022, you  
24 wouldn't know what the scope of that project would have  
25 encompassed?

1           A     No.

2           Q     And you wouldn't know what happened to the  
3     FLORIDA Replacement Project?

4           A     No.

5           Q     And you don't know whether the ACCESS  
6     modernization will accomplish the same goals as the  
7     FLORIDA Replacement Project?

8           A     Not in detail, no, because I don't have privy  
9     to that information. But at a high level, it sounds  
10    like it's replacing the mainframe, which we intend to  
11    do.

12          Q     As part of the ACCESS Modernization Project,  
13    will the notice-generating system be replaced?

14          A     The Agency hasn't made a decision on that.  
15    It's a possibility, but we haven't made a decision.

16          Q     And when I say notice-generating system, what  
17    does that mean?

18          A     So we have the Extreme platform, so I'm  
19    talking about the technology platform.

20          Q     So you don't know one way or the other whether  
21    Extreme will continue to be used?

22          A     I do not.

23          Q     Have you evaluated other possible software  
24    that might be used in exchange for Extreme?

25          A     Not at this time. Not yet.

1           Q     Do you recall any meetings about the system  
2     called OnBase?

3           A     We did purchase OnBase.

4           Q     What is OnBase?

5           A     OnBase is a cloud platform for documents, so  
6     that is one of the systems that we purchased for the  
7     project. We're currently using it to store all of our  
8     documents. It may be used for the template generation,  
9     but that determination hasn't been made.

10          Q     What information does the Department need in  
11     order to make that determination?

12          A     Well, I think it's a matter of volume. Some  
13     of these systems that sound like on the surface that  
14     they can do these things, it has to meet our  
15     specifications and our volume. Florida has very high  
16     volume. Let's see what else. That would definitely be  
17     a factor.

18                I think whether it could integrate with our  
19     services, what platform, you know, if it was .net, if it  
20     was Java, what have you. We would just have to evaluate  
21     its capabilities for whatever the system may be.

22          Q     Are there limitations in the capabilities of  
23     Extreme that the Department is interested in, like  
24     finding a new system that wouldn't have the same  
25     limitations?

1           A     I would think, yes.

2           Q     Can you tell me more about what those  
3 limitations in Extreme are?

4           A     So to make changes in Extreme, we have to go  
5 through our developers. I think one thing that we would  
6 be interested in is looking at a platform that has more  
7 template and edit capabilities, had a low code. No code  
8 is a term where, you know, maybe I can go in and make  
9 these changes, versus having to go to a development team  
10 to make these changes, that sort of thing.

11          Q     Any other capabilities?

12          A     Maybe translations if they have built-in  
13 things for grammar, maybe if it has readability checks,  
14 things of that nature. Like just how easy is it to  
15 modify templates, create new templates, make changes  
16 faster and easier, that kind of thing, and what kind of  
17 still is needed to make those changes.

18          Q     And so you don't know yet whether the new  
19 notice system will enable DCF to make changes on its  
20 own?

21          A     Not yet, no.

22          Q     And you don't know yet whether the new notice  
23 system will have readability checks built in?

24          A     Not yet.

25          Q     Extreme does not currently?

1           A     I don't believe so.

2           Q     Does Extreme -- is there any limitation in  
3     Extreme that limits the ability to present dynamic  
4     information in a notice?

5           A     I don't believe so. I'm not an expert in  
6     Extreme, though, but I don't believe so.

7           Q     Is one of the capabilities that you are  
8     looking for with a new notice-generating system a  
9     greater ability to put in dynamic information into a  
10    notice?

11          A     Yes. We have to have the ability to provide  
12    that information, yes.

13          Q     What did you mean by we have to have the  
14    ability to provide that information?

15          A     Part of our eligibility process is we need to  
16    be able to store information in order to use that  
17    information, so just at a high level.

18          Q     As part of the ACCESS Modernization Project,  
19    are there plans to enable the database to store more  
20    information?

21          A     Yes.

22          Q     How would that be accomplished?

23          A     It's twofold. A little bit on the input side  
24    where you can ask additional questions, but also fields  
25    to store those. Sometimes in the mainframe, it's



1 concatenated or if it's a short amount, a limitation of  
2 characters, things like that. So it's, I would say,  
3 both ends, the input and the storage capabilities.

4 Q Are the current templates that are in Extreme  
5 -- well, are the current templates that are in Extreme  
6 going to be replaced as part of modernization project?

7 A They may be. We have not made that  
8 determination yet.

9 Q So you can't guarantee that there will be new  
10 templates in place at the end of the modernization  
11 project?

12 A I cannot.

13 Q Will DCF continue to use the existing reason  
14 codes at the end of the modernization project?

15 A I think we're making changes now, so I think  
16 that it's likely they will have changed by the end of  
17 the project.

18 Q You said that we're making changing now.  
19 What's changes are you referring to?

20 A We have made some changes with the language.

21 Q How many reason codes?

22 A I'm sorry?

23 Q How many reason codes?

24 A I don't know the exact number.

25 Q Would six sound right to you?

1           A     That sounds right.

2           Q     Are you referring to the six reason codes that  
3     were changed around December of 2023?

4           A     Right.

5           Q     Are there any other plans currently underway  
6     to change the reason codes that you were referring to?

7           A     There is one change in progress.  It's around  
8     reason code 227 so that if that number, that reason code  
9     is used that a second reason will be required by the  
10    caseworker.

11          Q     What prompted that change?

12                MS. LUKIS:  So I'm going to interject only  
13     because I know that there was an issue with this  
14     during LaQuetta's deposition.

15                If you can answer that question without  
16     disclosing any conversations you've had with  
17     counsel or at the direction of counsel, then I will  
18     instruct you to answer in that manner.  Otherwise,  
19     do not disclose.

20                THE WITNESS:  So I believe that came up during  
21     litigation conversations with counsel.

22    BY MS. GRUSIN:

23          Q     Did DCF consider adding a similar  
24     functionality change to any other reason codes?

25          A     Perhaps.  But again, I think that came up in

1 privileged conversation.

2 Q So let me go back. We were talking about  
3 changes that you are aware of. So there was changes to  
4 the text of six reason codes in December of 2023 and the  
5 change to the functionality of 227. Are there any other  
6 changes to the reason codes that you are aware of?

7 A No.

8 Q And you said earlier that as part of the  
9 ACCESS Modernization Project that you assumed that  
10 reason codes may be changed in the future; is that  
11 correct?

12 A Correct.

13 Q Has DCF reviewed any documents to start  
14 evaluating what additional changes to the reason codes  
15 might be necessary?

16 A Not that I'm aware of.

17 Q Are you aware of any prior reviews or analyses  
18 of the list of reason codes?

19 A Honestly, I have heard of one recently, but I  
20 don't know the exact content of that. I've heard  
21 mention of a study that was done prior, but I have not  
22 seen that document. I don't know the quality of that  
23 work or what it covered.

24 Q Can you just tell me what you do know about  
25 that document?

1           A     Pretty much that there was something done a  
2     couple years ago by a vendor and that there was a work  
3     product. That's really it. I have not been able to see  
4     that document yet.

5           Q     Have you asked anyone to look at that  
6     document?

7           A     I have. I just -- we're trying to figure out  
8     who has it, honestly.

9           Q     Do you think that it would be useful to you in  
10    your role working on the ACCESS Modernization Project to  
11    review prior work product related to the reason codes?

12          A     Yes and no. It would. But also in the IT  
13    area, we take a lot of direction from the program area.  
14    We don't ourselves make -- we'll make requirements in  
15    terms of system capabilities kind of more on the  
16    technical lane. The content really come from the  
17    direction of program policy. So it would help, but I  
18    think it would also help other partners.

19          Q     If that 2021 report was relevant to the  
20    changes that the program policy office wanted, then  
21    would it be relevant to the implementation of the ACCESS  
22    Modernization Project?

23          A     Yes. I mean, I think it's relevant to review  
24    regardless.

25          Q     Because you might consider those changes and

1 either decide to implement them or not implement them;  
2 correct?

3 A Correct. And now it's a few years ago.  
4 Again, not knowing the content, I don't know the quality  
5 of the work, what it covered, the scope of it. It may  
6 not be worth anything. I don't know. Again, I think it  
7 is worth a review. And it may be an input, but I can't  
8 guarantee it would be an input, depending on what that  
9 work product was.

10 Q Have you had any conversations with the  
11 program policy office about potential changes to the  
12 notices as part of ACCESS modernization?

13 A Not in great detail. We just finished year  
14 one. We're in year two, so it's -- we have not yet laid  
15 out requirements for notices.

16 Q Can you tell me about the conversations that  
17 you've had, even if they were in not great detail?

18 A They were not in great detail.

19 Q Who were they with?

20 A I mostly interface with Tonyaleah.

21 Q And what has Tonyaleah told you about policy  
22 hopes for what the notices will be able to do after  
23 modernization is over?

24 A I think the Agency would want the letters to  
25 be human centric, you know, to be clear, be streamlined.

1 I think that is the goal for modernization, in general.

2 Every aspect that we're doing has that lens on.

3 Q Anything else that you talked about with  
4 Tonyaleah about what policy hopes the notices will look  
5 like at the end of modernization?

6 A No.

7 Q If Tonyaleah thought that the prior study was  
8 relevant to efforts to improve the notices, would that  
9 change your opinion on whether that 2021 or that prior  
10 report, the reasons codes were relevant to the  
11 modernization project?

12 A If she thought it was relevant?

13 Q Yes.

14 A Probably be a factor, but I would still review  
15 it myself.

16 Q And you would review it to determine whether  
17 or not DCF would adopt the changes proposed in that  
18 report?

19 A I think I would look at it with a different  
20 perspective. I'm not coming from program policy. I  
21 look at things from a technology perspective, what's  
22 possible, what's the art of the possible, you know, are  
23 we meeting our goals, you know, that sort of thing. So  
24 I'll put my 2 cents in on that.

25 Q So you would be evaluating that report to

1 determine if the recommendations were possible; is that  
2 your testimony?

3 MS. LUKIS: Object to form. You can answer.

4 THE WITNESS: If it was possible, yes. And  
5 again, not knowing what that study is, that was  
6 then. We're now. You know, how relevant is it? I  
7 really don't even know the content of it to defend.  
8 I don't know.

9 BY MS. GRUSIN:

10 Q Who will ultimately decide what the notices  
11 look like at the end of the ACCESS Modernization  
12 Project?

13 A It will be the program policy leadership.

14 Q And does that include Tonyaleah?

15 A Yes.

16 MS. GRUSIN: Ashley, I feel like we've come to  
17 a moment where I'm going to ask for the document  
18 again.

19 MS. LUKIS: All I heard is whether something  
20 is relevant to the modernization project, which is  
21 not what RFP-3 says. I haven't heard any testimony  
22 about a plan change to the NOCA, so I don't think  
23 our position has changed.

24 BY MS. GRUSIN:

25 Q So you just said that the policy office will

1 ultimately decide what the notices look like at the end  
2 of ACCESS modernization; correct?

3 A Correct.

4 Q If they ask you to implement the changes that  
5 were contained in that prior report, would your office  
6 be able to say no?

7 MS. LUKIS: Object to form. You can answer.

8 THE WITNESS: Well, I mean, in our office, in  
9 IT, we're here to help support the Agency. I don't  
10 think I would flat out say no. I would try and  
11 find a solution.

12 BY MS. GRUSIN:

13 Q So what year are the notice changes supposed  
14 to happen for ACCESS modernization?

15 A They're currently slated in the last year of  
16 the roadmap, which is year six, so I think that '27,  
17 '28, '28, yeah.

18 Q So is '27-'28 when the changes will be  
19 implemented or when they will be determined and planned  
20 for?

21 A That is when the DDI work would be happening.  
22 The design for notices probably will start prior to  
23 that. It wouldn't start prior to that. There's a  
24 couple of predecessors to that. Eligibility processes,  
25 mass change are different components that would feed



1 into ultimately the notices module.

2 Q Can you explain what you mean by predecessors?

3 A So in order to have a notice, what is a notice  
4 doing? It's telling you your eligibility determination,  
5 what you're authorized for. Those reason codes coming  
6 out of eligibility processes, so those are the sorts of  
7 modules that we will be tackling ahead of that to have  
8 in place for notices. Notices will use those processes.

9 Q Do you know if after the ACCESS Modernization  
10 Project, the database is going to store data about why  
11 somebody fails for a typical eligibility category?

12 A I would hope so.

13 Q But you don't know for sure?

14 A It is not a documented requirement that  
15 someone is actively working on. So it's not committed  
16 to at this point because literally that work stream  
17 isn't happening right now.

18 Q So until the work stream is happening and  
19 requirements are written, there's no guarantee for what  
20 changes will be made; right?

21 A Correct.

22 Q So can you guarantee that post modernization  
23 the notices will include case-specific income  
24 information?

25 A I couldn't say that today, no.

1           Q     Do you think that you could say that at some  
2 point in the future?

3           A     Yes, in the future.

4           Q     You will be able to say one way or another?

5           A     Correct.

6           Q     When in the future, roughly, do you think  
7 you'll be able to make that determination?

8           A     It's probably two years out is when those  
9 requirements will be inked, and then we'll start and  
10 have like a year and a half or so for development to  
11 meet that 2028 time frame. So I think it's two years  
12 out.

13          Q     So it's two years out before the requirements  
14 are defined; right?

15          A     At the current path, yes.

16          Q     And then another year and a half or so before  
17 the requirements are implemented?

18          A     Correct.

19          Q     So we're talking about another three and a  
20 half years before a Medicaid enrollee would actually see  
21 a different notice?

22          A     Well, produced from the modernized system.  
23 There are enhancements that we do now like the ones we  
24 talked about in December. Again, we're working on  
25 something now that will come early April, mid-April.

1           There was always changes, so we will take  
2   those changes, enhancements and work on them. But when  
3   we bump up against limitations, that's what we have to  
4   wait for with the modernization.

5           Q     So it's possible to do system enhancements on  
6   the current system and proceed with modernization at the  
7   same time?

8           A     Correct.

9           Q     They're not mutually exclusive?

10          A     They're not mutually exclusive. They're not  
11   mutually exclusive, correct.

12          Q     Can you answer questions like after  
13   modernization, will the notices still be organized with  
14   the same types of sections as they're currently  
15   organized?

16          A     I couldn't say that. But I would hypothesize  
17   in analysis, research, and design that that would be a  
18   consideration to reformat that.

19          Q     Can you guarantee that the notices after  
20   modernization will explain the household size that was  
21   used to evaluate eligibility?

22          A     I can't today.

23          Q     And that question will be answered in about  
24   two years?

25          A     For certain, yes.

1           Q     Same question about the eligibility  
2     categories. Can you guarantee that post modernization,  
3     the notices will include information about the various  
4     eligibility categories that somebody could be eligible  
5     for Medicaid under?

6           A     I couldn't answer that today, but I could two  
7     years from now, yes.

8           Q     And can you answer today whether DCF will  
9     continue to use reason codes?

10          A     May I ask, do you mean someone has a letter,  
11     and there is a -- I mean, not use the current reason  
12     codes or a reason code?

13          Q     Let's do both.

14          A     Like you were terminated for X or whatever the  
15     appropriate reason code may be? Do you mean an  
16     appropriate reason code or any reason code?

17          Q     What's the difference between an appropriate  
18     reason code and any reason code?

19          A     No. You said will the system use reason  
20     codes.

21          Q     Yes.

22          A     It probably will use reason codes, yes.

23          Q     Do you know whether the new system will come  
24     up with all new reason codes? Or do you think that the  
25     new system will modify the existing reason codes?

1           A     I couldn't say for certain.

2           Q     Do you have any guesses?

3           A     I do not.

4           Q     And I think I asked you, but do you know  
5 whether there are going to be new templates being  
6 developed as part of ACCESS modernization?

7           A     Again, I think it depends on the  
8 re-platforming and the design decisions that get made.

9           Q     Is there anything that you can tell me for  
10 certain about what will change about the notices?

11          A     I cannot at this time for certain.

12          Q     Is there anything that you can tell me that  
13 DCF is strongly considering changing about the notices?

14          A     I would say the things that we are -- you  
15 know, we will want to address, I think, readability, the  
16 formatting arrangements, you know, just to make a better  
17 letter improvements. We would certainly be open and  
18 willing to make improvements.

19          Q     And when you say improvements, can you be more  
20 specific?

21          A     I mean, improvements that currently is there,  
22 if that's what's necessary.

23          Q     Has DCF identified areas of the notices that  
24 need improvement?

25               MS. LUKIS: I'm going to object to form.

1           Outside the scope. You can answer, to the extent  
2           you're not disclosing privileged conversations.

3           THE WITNESS: Well, like we said before,  
4           there's enhancements that come up all the time, and  
5           there have been enhancements for notices. So are  
6           there areas of improvement? I mean, that's kind of  
7           where enhancement comes from.

8 BY MS. GRUSIN:

9           Q     As you sit here today, can you tell me with  
10          certainty anything that will not change about the  
11          notices?

12          A     I would think clients would still have the  
13          option to have a paper copy, an electronic copy, things  
14          of that nature. I know one thing that we would like to  
15          do is to have more, we call them, nudges, you know, to  
16          let people know that they have notices or actions due,  
17          things like that.

18          Q     Has DCF considered and ruled out any changes  
19          to the notices?

20          A     No.

21          Q     So you haven't determined that it would be  
22          infeasible, for instance, to add case-specific  
23          information about income?

24          A     I don't believe so, not that we've talked  
25          about in IT.

1           Q     We talked about how some of the requirements  
2     will be spelled out in about two years. Who will be  
3     involved in those discussions to spell out the  
4     requirements?

5           A     So what we'll do is kind of convene a working  
6     group of different people who have worked with  
7     customers, folks in the regions here in the program  
8     office. It will be a collective of individuals that  
9     will provide insight on the requirements.

10          Q     Do you know who will have final approval over  
11     the requirements?

12          A     There's a governance structure, so it will be  
13     through the leadership and governance structure.

14          Q     Can you just explain to me who in the  
15     leadership and governance structure would be involved in  
16     approving the requirements?

17          A     So for ESS, Tonyaleah would be involved. I  
18     believe her stream of leadership. Kara Bivins as well  
19     and perhaps Sharron. On the IT side, we have Cole  
20     Sousa, RCIO. They're part of the governance level.

21          Q     You said a couple of times that the notices  
22     are going to be more human centric. What makes  
23     something human centric?

24          A     That is a good question. It is a design  
25     architect where you are -- you know, again, you have to

1 keep your customer mind, the personas, you know, what  
2 really speaks to them and how people actually use  
3 things, the words, the jargon, things like that.  
4 There's the whole design centers and experts in this  
5 area for human design, human centric design.

6 Q Would you characterize the current notices as  
7 human centric?

8 A Do I think that they're human centric. I  
9 think that the current standards for human centric, they  
10 could be improved.

11 Q What metrics were human centric miss will DCF  
12 be applying to evaluate any notices that are going to be  
13 generated under the ACCESS Modernization Project?

14 MS. LUKIS: Same objection. You can answer.

15 THE WITNESS: Again, I'm not the expert in  
16 human centric design. But some of the design  
17 elements are color, graphics, info graphics, things  
18 like that.

19 BY MS. GRUSIN:

20 Q Are things like organization of information  
21 also relevant?

22 A Of course.

23 Q Formatting, structure?

24 A Yes.

25 Q You said that you're not an expert in human



1     centric design. Is somebody at DCF an expert in human  
2     centric design?

3           A     That would be part of our system integration  
4     contract that, you know, the work products that we do,  
5     that would be part of a vendor that we would rely on to  
6     vet these things and provide solutions in that regard.

7           Q     So is DCF planning to hire a vendor to do a  
8     human centric analysis of any new notices that are  
9     produced under ACCESS modernization?

10          A     That would roll into what we're already doing,  
11     which yes. Our system integrator, that is a guiding  
12     principle in our contracts with them.

13          Q     And who is your system integrator?

14          A     Deloitte.

15          Q     So Deloitte, is that the same team that's  
16     doing the M&O work?

17          A     It's a different team. Same company,  
18     different team.

19          Q     When did the contract with Deloitte for system  
20     integration start?

21          A     2022.

22          Q     And you said that's a separate contract and a  
23     separate team from the maintenance and operation of the  
24     ACCESS FLORIDA system?

25          A     Right.

1           Q     Can you just explain to me a little bit more  
2     of what system integration is? I'm not a tech person,  
3     so I don't know what that means.

4           A     The system integrator, you know, when we do a  
5     procurement, we would lay out what the scope of work is,  
6     you know, these are the modules, these are the  
7     requirements, these are the things that we're trying to  
8     accomplish, right.

9                     Vendors respond. We make a selection. You  
10    know, we engage in this work. This is some integrator  
11    would be responsible for implementing that. It is  
12    development. It is design, development, and  
13    implementation of the technical functionality.

14                  You know, it's the infrastructure. It's the  
15    coding that provides that interface for individuals.  
16    And because we're doing an incremental modernization, we  
17    also have to keep -- you know mainframes still exists,  
18    right. The other systems still exist.

19                  So you have to stay integrated with the back  
20    end systems, you know, kind of taking out components as  
21    we're adding new components.

22           Q     And that team is who you're going to rely on  
23    do to human centric analysis of the notices that are  
24    ultimately sent to enrollees?

25           A     I don't know that for certain, I should say.

1 It could be a separate vendor if that's a separate  
2 procurement because we haven't gotten to that point.  
3 That is something Deloitte is doing for us now with the  
4 modules we have now.

5 Q They're doing human centric design analysis  
6 for, let's say, the MyACCESS portal?

7 A Correct.

8 Q They haven't done human centric design  
9 analysis of notices, either current or future?

10 A Correct.

11 Q Can you say for certain whether DCF will have  
12 a vendor, whether it's Deloitte or somebody else, to do  
13 a human centric analysis of the notices that are coming  
14 at the other end of ACCESS modernization?

15 A Can I say they will have a vendor, Deloitte or  
16 otherwise, I would think yes.

17 Q You think yes?

18 A I would think yes.

19 Q Why do you say it like that? Why do you say I  
20 would think yes?

21 A Again, the governing structure has to agree to  
22 do this. Then we embark on it, get the procurement  
23 going, and so forth. I would think yes, but I don't --  
24 the Agency has not yet made that decision.

25 Q Is it also contingent on future funding?

1           A     That would be a part of it. That would be  
2     part of it. We do get funded annually.

3           Q     In the procurement process for any potential  
4     human centric analysis, could the Department specify  
5     particular standards that the notices have to meet?

6           A     It could.

7           Q     Are there any plans to specify standards in  
8     the procurement process?

9           A     If there was a procurement for that, it would  
10    be in there, yes.

11          Q     You can't tell me what standards would be in  
12    any procurement that might happen, can you?

13          A     I mean, if you -- for example, maybe  
14    grade-level readability is a standard. You would expect  
15    -- you would put in the procurement and say this is a  
16    requirement that this needs to be considered, worked  
17    into, whatever the design solution is. So that's an  
18    example of one standard.

19          Q     Has the Department decided on a grade-level  
20    standard to put into the procurement?

21          A     Not that I'm aware of.

22          Q     So we don't know if a procurement is going to  
23    happen for human centric analysis of the notices, but we  
24    think that it probably should; right? You're nodding.

25                THE WITNESS: I can answer?

1 MS. LUKIS: Yes.

2 THE WITNESS: Yes.

3 BY MS. GRUSIN:

4 Q You don't know which vendor it would be, if  
5 there is a procurement, whether it's Deloitte or  
6 somebody else; is that fair to say?

7 A Correct. I mean, you can't, yes.

8 Q And the Department hasn't decided what  
9 standards to put into that procurement to analyze the  
10 notices?

11 A It has not been documented, correct.

12 Q Are there discuss going on about what the  
13 standards should be, even if they haven't been written  
14 down yet?

15 A I mean not that I'm aware of, nothing in great  
16 detail.

17 Q Does the Department plan to review notices  
18 from other states when designing the notices post ACCESS  
19 modernization?

20 A I don't know, but I would imagine that would  
21 be part of a design review, what's available, what other  
22 states are doing, what's best practices, things like  
23 that.

24 Q What's a design review?

25 A Before we commit to this is our requirement,

1 this is how we want it designed, we need to analyze and  
2 do research. That's just a typical step before making  
3 that decision that you would do this analysis.

4 So I would imagine that would be part of that  
5 analysis. And again, it could be in that procurement,  
6 you know, that a vendor bring forth, you know, best  
7 practices with success in the other states, you know, et  
8 cetera, something like that.

9 Q Who does a design review?

10 A The design review would be part of -- well,  
11 okay. So, A, you have to write the procurement, do the  
12 procurement, get your vendor. Now the vendor is on  
13 board validating your requirements, and they would kind  
14 of lay out options.

15 That would be presented to these decision  
16 makers. I mean, I would be a part of it. Tonyaleah  
17 would be a part of it, you know, that governance group.

18 Q So the design review would be done jointly  
19 between DCF policy, DCF IT, and any other vendor; is  
20 that fair to say?

21 A Correct. Correct.

22 Q So I've tried to ask this a lot of different  
23 ways, and maybe I should just ask. So what can you tell  
24 me about any future changes to the notices that are  
25 coming from the ACCESS Modernization Project?

1           A     Not a whole lot.

2           Q     Basically, we don't know if the notices will  
3     change a lot or a little?

4           A     We do not have the requirements yet, so we  
5     can't --

6           Q     Go ahead.

7           A     No. So I can't tell you for sure what that  
8     magnitude is.

9           Q     So it's possible that there will only be minor  
10    tweaks around the existing templates in Extreme because  
11    Extreme won't be replaced?

12                MS. LUKIS: Object to form. You can answer.

13                THE WITNESS: It may be replaced. That  
14    decision hasn't been made yet.

15    BY MS. GRUSIN:

16           Q     So if it's not replaced, though, is it  
17    possible that one outcome is that there are only minor  
18    changes to the notice templates and that they stay  
19    mostly as they are today?

20                MS. LUKIS: Object to form. You can answer.

21                THE WITNESS: It's a possibility. I don't  
22    think that's -- we have money set aside to, you  
23    know -- for this.

24    BY MS. GRUSIN:

25           Q     Sorry. Did I hear you say you don't think

1     that that's likely? Did I hear you say that?

2           A     I don't -- your question was do I think it's  
3     likely that we will go through this and not have  
4     changes. I don't think that's likely. I think we will  
5     have changes.

6           Q     But what those changes are, you cannot say?

7           A     Yeah. No, I cannot.

8           Q     Why do you think it's likely that there will  
9     be no changes?

10          A     I think it's likely that we will have changes,  
11     just because of our -- what we're trying to accomplish  
12     here. This is not a simple replace of every single  
13     practice that we currently have. We're trying to make  
14     efficiencies, trying to make improvements.

15                 So the goal is not just to spend all this  
16     money and just do it the same way in a different system.  
17     So I just can't tell you the extent because we don't  
18     have those requirements. My expectation is that there  
19     are changes, not no changes.

20          Q     Is it your expectation that the notices will  
21     have more case-specific information following ACCESS  
22     modernization?

23          A     I believe so.

24          Q     And is it your expectation that the notices  
25     will have clear statements of the action that DCF is



1 taking?

2 A I believe so.

3 Q Do you have any expectations about what type  
4 of case-specific information might be included in the  
5 notices after modernization?

6 A No. I think -- you know, no, I don't. Let's  
7 just leave it at that.

8 MS. GRUSIN: Let's take a quick break.

9 (Recess 6:02 p.m. until 6:19 p.m.)

10 MS. GRUSIN: Ashley, I do just want to put on  
11 the record that we don't agree with defendants'  
12 refusal to produce the outside vendor report. We  
13 believe it's responsive to RFP No. 3.

14 It's certainly likely to lead to relevant  
15 information, given Tonyaleah's testimony about how  
16 the policy office expects it to be used in the  
17 ACCESS Modernization Project.

18 We intend to file a motion to compel with the  
19 court, unless the defendants produce the document  
20 within 24 hours by 6:20 p.m. tomorrow. We will  
21 also in the motion to compel ask to hold the  
22 30(b)(6) open to ask questions about that document.

23 So I just wanted to make sure that was clear  
24 on the record and that we are still requesting the  
25 document. We believe it's responsive, and we're

1 prepared to file a motion to compel with the court  
2 if defendants refuse to produce it.

3 MS. LUKIS: Understood. Thank you.

4 MS. GRUSIN: Actually, Ms. Latham, I have no  
5 more questions for you.

6 CROSS EXAMINATION

7 BY MS. LUKIS:

8 Q I have just a few. So you talked a lot during  
9 your direct testimony about the things you were unable  
10 to say for certain with some of the specifics with the  
11 Access Modernization Project. Do you recall that line  
12 of testimony?

13 A Yes.

14 Q Can you say for certain that the  
15 modernization, the ACCESS Modernization Project, will  
16 enable DCF to revise its NOCAs in a manner that they  
17 cannot do now due to system limitations?

18 A Yes.

19 Q We talked about the NOCAs and the timeline of  
20 the project. Is modification or modernization of those  
21 other predecessor processes necessary before DCF can  
22 significantly revise its NOCAs?

23 A To significantly revise them, yes.

24 Q Are the changes or revisions that DCF is able  
25 to make within the confines of its current system

1 limited in scope?

2 A I'm sorry. Can you repeat that.

3 Q So you said significant changes, so I just  
4 want to be clear that would you describe the changes  
5 that DCF is able to make within the limitations of its  
6 current system as limited?

7 A Yes.

8 Q And you are designated to testify only on  
9 Topic No. 11; is that right?

10 A Correct.

11 MS. LUKIS: I don't have anything else.

12 And to your comment, Sarah, we'll continue to  
13 talk about it internally tonight, but I understand  
14 your position.

15 REDIRECT EXAMINATION

16 BY MS. GRUSIN:

17 Q I have just a couple follow-up questions based  
18 on that. So what is a significant revision of the  
19 notice?

20 A I think, again, in conversations, you know, in  
21 the request for information and some of the inquiries  
22 I've seen here asking for more eligibility information,  
23 asking for, you know, income, those sorts of things,  
24 those are things that we're limited right now with.

25 Q So your testimony is that currently the system

1 is limited in its ability to provide income --  
2 case-specific income information in a notice?

3 A Yes, there's different pieces that have been  
4 requested or that have been discussed, and some of that  
5 we can't do due to the current system limitations.

6 Q So what current system limitations -- what are  
7 the current system limitations that exist that will no  
8 longer exist after modernization?

9 A One example is you had asked earlier about  
10 eligibility, like why -- or like the other things that  
11 maybe someone had failed before they got to the final  
12 limitation.

13 That's a system limitation because the process  
14 isn't necessarily keeping a record of each -- if you  
15 think about buckets like bucket, bucket, bucket and then  
16 you only get here, it's giving you the end, not the  
17 pieces in between.

18 So that's one of the -- why I said earlier  
19 about storing information and changing our processes.  
20 That's one thing that is a limitation that we couldn't  
21 do right now. Go ahead.

22 Q I'm sorry. Finish your answer. Without what?

23 A No. Just without this significant  
24 modification to the system.

25 Q What other system limitations currently exist

1 that will be removed post ACCESS modernization?

2 MS. LUKIS: I had twitched like I was going to  
3 say something, but then I stopped.

4 THE WITNESS: What was the question, something  
5 about what other limitations are there?

6 BY MS. GRUSIN:

7 Q Yes, ability to store failed information --  
8 the information about a failed eligibility group. Are  
9 there other existing system limitations that will be  
10 removed post modernization?

11 A I mean, that's the one that comes to mind at  
12 the top of the list.

13 Q And so sitting here today, can you guarantee  
14 that the system post ACCESS modernization will, in fact,  
15 store information about failed Medicaid eligibility  
16 groups?

17 A If that is a requirement that's in the  
18 procurement and documented, yes.

19 Q But do you know one way or another whether  
20 those will be in the requirements?

21 A All I can say is that I would suspect so.

22 Q Who has to ultimately make that decision?

23 A Again, we talked about requirements gathering,  
24 a workgroup would be together. You know, we would come  
25 up with all the requirements, document that. That it

1 would go through a governance review to make sure this  
2 is what it is that we want to put out there as far as  
3 system requirements.

4 And even so, once we have a vendor, it doesn't  
5 preclude the vendor from coming up with other design  
6 options and solutions and presenting it. So it  
7 ultimately winds up being a decision with the governance  
8 group to move forward with the design.

9 MS. GRUSIN: Okay. That's it.

10 MS. LUKIS: We'll read. I don't think I said  
11 it on the record for Mr. Garren, but we'll read his  
12 portion, too.

13 (Thereupon, the taking of the deposition  
14 concluded at 6:27 p.m)

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**CERTIFICATE OF OATH**

**STATE OF FLORIDA**  
**COUNTY OF LEON**

I, I. Iris Cooper, Notary Public, State of  
Florida, certify that ANDREA LATHAM remotely  
appeared before me on March 18, 2024 and was duly  
sworn.

Signed this 21st day of March, 2024.

---

I. Iris Cooper, Stenographic Reporter  
Notary Public, State of Florida  
Commission No. 1366674  
Expires: February 7, 2028

1                                    **CERTIFICATE OF REPORTER**

2

3        **STATE OF FLORIDA**

4        **COUNTY OF MIAMI-DADE**

5                    I, I. IRIS COOPER, do hereby certify that I  
6        was authorized to and did stenographically report  
7        the foregoing remote deposition of ANDREA LATHAM;  
8        that a review of the transcript was requested; and  
9        that the transcript is a true record of my  
10       stenographic notes.

11                  I FURTHER CERTIFY that I am not a relative,  
12       employee, attorney, or counsel of any of the  
13       parties, nor am I a relative or employee of any of  
14       the parties' attorney or counsel connected with the  
15       action, nor am I financially interested in the  
16       action.

17                  Dated this 21st day of March, 2024.

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21        \_\_\_\_\_  
22        I. Iris Cooper  
23        *Stenographic Reporter*  
24        Notary Public, State of Florida  
25        My Commission No. 1366674  
      Expires: February 7, 2028



1 ERRATA SHEET  
2 DO NOT WRITE ON TRANSCRIPT - ENTER CHANGES ON THIS PAGE

3 Deponent: ANDREA LATHAM  
4 Date: March 18, 2024  
5 CASE NO.: 3:23-cv-985-MMH-LLL  
6 CASE: Chianne D. vs. Jason Weida (OAG)

7 PAGE LINE REMARKS

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19 Under penalties of perjury, I declare that I have read  
20 the foregoing document and that the facts stated in it  
21 are true.

22 Signature of Witness \_\_\_\_\_

23 Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

24 Job No. 354345

25

1 March 21, 2024

2 Ashley Hoffman Lukis, Esq.  
3 GrayRobinson  
4 Phone: 850-577-9090  
Email: ashley.lukis@gray-robinson.com

5 WITNESS: ANDREA LATHAM  
6 CASE NO.: 3:23-cv-985-MMH-LLL  
Date: March 18, 2024  
CASE: Chianne D. vs. Jason Weida (OAG)

7 The transcript of the above proceeding is now available  
8 and requires signature by the witness. Please e-mail  
9 fl.production@lexitaslegal.com for access to a read-only  
10 PDF transcript and PDF-fillable errata sheet via  
11 computer or use the errata sheet that is located at the  
12 back of the transcript.

13 Once completed, please print, sign, and return to the  
14 email address listed below for distribution to all  
15 parties. If you are in need of assistance, please  
16 contact Lexitas at 888-811-3408.

17 If the witness does not read and sign the transcript  
18 within a reasonable amount of time (30 days if Federal  
19 court), the original transcript may be filed with the  
20 Clerk of the court.

21 If the witness wishes to waive his/her signature now,  
22 please have the witness sign on the line at the bottom  
23 of this letter and return to the email address listed  
24 below.

25 Very truly yours,

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I. Iris Cooper, Stenographic Reporter  
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I do hereby waive my right to read and sign.

ANDREA LATHAM

LaQuetta Anderson  
March 19, 2024

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

Case No. 3:23-cv-985-MMH-LLL

CHIANNE D., et al.,

Plaintiffs,

v.

JASON WEIDA, in his official capacity  
as Secretary for the Florida Agency  
for Health Care Administration, et al.,

Defendants.

\_\_\_\_\_ /

REMOTE DEPOSITION OF

LAQUETTA ANDERSON

VOLUME 2: (Pages 85 - 117)

Tuesday, March 19, 2024  
1:24 p.m. - 2:10 p.m.

LOCATION: REMOTE VIA ZOOM

Stenographically Reported By:  
I. Iris Cooper  
Stenographic Reporter

Job No.: 354345

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March 19, 2024

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1 APPEARANCES: (All parties appeared remotely.)

2

FOR THE PLAINTIFFS

3

SARAH GRUSIN, ESQ. (admitted pro hac vice)

4

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1 Thereupon, proceedings began remotely at 1:24 p.m.:

2 THE STENOGRAPHER: Do you swear or affirm that  
3 the testimony you are about to give in this case  
4 will be the truth, the whole truth, and nothing but  
5 the truth?

6 THE WITNESS: Yes.

7 Thereupon:

8 LAQUETTA ANDERSON,  
9 under penalty of perjury, was examined and testified  
10 as follows:

11 DIRECT EXAMINATION

12 BY MS. GRUSIN:

13 Q Before the break, I was going to ask you about  
14 reason code 227. Should I put the TSRC table back up on  
15 the screen?

16 A You can.

17 Q So 227 was one of the reason codes that was  
18 updated in December of 2023; correct?

19 A Yes.

20 Q What was the language of the reason code prior  
21 to December 2023?

22 A I don't know for sure, but I believe it said  
23 something like you're receiving the same type Medicaid  
24 in another category. I'm not sure.

25 Q Does DCF keep a record of prior versions of

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1 the reason codes?

2 A Not within the tables, no.

3 Q Anywhere else?

4 A No.

5 Q I'm going to show you a couple of documents  
6 and see if that refreshes your recollection. I'm going  
7 to show you what was previously marked as Exhibit 10,  
8 which is defendants' amended answers to the first set of  
9 interrogatories.

10 I'm going to scroll down to number eight where  
11 we ask, please explain the meaning of a phrase, a  
12 different Medicaid coverage group as used in reason code  
13 you or a member of your household remain eligible for  
14 Medicaid under a different Medicaid coverage group.

15 And then in the answer here it says that DCF  
16 uses reason code 227. Does that refresh your  
17 recollection about what the language of 227 was prior to  
18 December of 2023?

19 A Yes.

20 Q And was the language of reason code 227 before  
21 December of 2023, you or a member of your household  
22 remain eligible for Medicaid under a different Medicaid  
23 coverage group?

24 A Yes.

25 (Plaintiffs' Exhibit 35 was marked.)

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1 BY MS. GRUSIN:

2 Q Now, I want to show you another document which  
3 I don't think has been marked yet. So we're picking up  
4 at Exhibit 35. This is a document that was filed on  
5 Docket No. ECF 47-3.

6 Actually, before I get to Exhibit 35, do you  
7 know between March 31, 2023 and December 31, 2023 how  
8 many people received the reason code you or a member of  
9 your household remain eligible for Medicaid under a  
10 different Medicaid coverage group?

11 A No, I don't.

12 Q You're designated to testify on behalf of DCF  
13 with respect to the number of times each of the reason  
14 codes was used under Topic No. 2; correct?

15 A No. I believe that's Chris Presnell.

16 MS. GRUSIN: Ashley, I believe you had  
17 designated Ms. Anderson for Topic No. 2.

18 MS. LUKIS: Yes. I think we probably need to  
19 have a conversation about that. I don't know if  
20 you want us to go off the record now, or if you  
21 want to just at the next break maybe address and  
22 figure out what's going on?

23 MS. GRUSIN: Yes, let's do it at the next  
24 break.

25



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1 BY MS. GRUSIN:

2 Q So I will show you Exhibit 35, which is  
3 something the plaintiffs filed. We received this reason  
4 code list which at the top says for reason codes used  
5 between February 2017 and January 2019.

6 And so what I wanted to ask you is here on  
7 this document, 227 says we reviewed your case. You are  
8 still eligible for Medicaid, but in a different Medicaid  
9 coverage type.

10 Did DCF change the text of 227 between January  
11 of 2019 and November of 2023?

12 A It would have to be if it says something  
13 different prior to December of 2023.

14 Q So do you know when the change was made to  
15 227?

16 A No.

17 Q Looking at Docket No. 247-318, can you tell  
18 from the reason code table that it's the back end  
19 FLORIDA system or the version that has the text that  
20 goes into the notices?

21 A The first part of the question, I missed.

22 Q Sorry. I think there was a little feedback.  
23 Remember how earlier we talked about how there were two  
24 different versions of the reason code table?

25 A Yes.

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1 Q One that's in the FLORIDA system and one  
2 that's in Oracle?

3 A Yes.

4 Q Can you tell looking at this which version of  
5 the table this is?

6 A I am thinking that this looks like it could be  
7 the FLORIDA version.

8 Q And what is making you think that it could be  
9 the FLORIDA version?

10 A Because I don't see any of the text that it  
11 expanded past 150 characters. Scroll back up. That's  
12 the longer one somewhere.

13 Q That one, is that the long one?

14 A Yes. So this could be the Oracle version.  
15 I'm not sure.

16 Q Did DCF know whether it changed the text of  
17 reason code 227 ever prior to December of 2023?

18 A No, I don't.

19 Q And you are designated to talk about the  
20 history of past changes to the reason codes?

21 A Yes.

22 Q And so you're saying that DCF doesn't know if  
23 or when the text in 227 was changed?

24 A In preparation for this, I did not find where  
25 we had changed the text 227. But from looking at what

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1     you have in the document that you have in the  
2     declaration, it appears to have been changed where we  
3     have reviewed your case.

4           Q     And it also changed coverage type to coverage  
5     group?

6           A     Yes.

7           Q     I'm going to show you just another document  
8     that has been previously marked as Exhibit 11. Have you  
9     seen this document before?

10          A     I have not seen that document.

11          Q     This document has a date at the top right-hand  
12     corner of June 30, 2023. It lists 227, you or a member  
13     of your household remain eligible for Medicaid under a  
14     different Medicaid coverage group.

15                 So DCF doesn't know whether 227 has always had  
16     the language you or a member of your household remain  
17     eligible for Medicaid under a different Medicaid  
18     coverage group in the Oracle table; right?

19          A     Yes.

20          Q     So is it possible that Docket No. 247-3 is the  
21     FLORIDA version of the table?

22          A     Yes.

23          Q     And FLORIDA uses the coverage type language?

24          A     And Oracle uses the coverage group.

25          Q     And Oracle uses the coverage group. So that's

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1 one possibility?

2 A Yes.

3 Q The other possibility is that the Oracle  
4 language back in 2019 used the coverage type language,  
5 and then was changed to coverage group, and then was  
6 changed again in December of 2023?

7 A That's also a possibility, yes.

8 Q And DCF doesn't know which of those two  
9 possibilities occurred?

10 A The first possibility would probably be more  
11 likely as to what's happening.

12 Q Because had the reason code changed twice --

13 A I would have documentation of the change.

14 Q So we think that it's more likely that 227 has  
15 always -- prior to December of 2023 always said you or a  
16 member of your household remain eligible for Medicaid  
17 under a different Medicaid coverage group when it was  
18 actually in the notices?

19 A Yes.

20 Q And that the shorthand description in the  
21 FLORIDA system is what appears in Docket No. 247-3?

22 A Yes.

23 Q So you're also designated to explain why some  
24 of the changes were made. So can you explain why the  
25 text of 227 was changed in December of 2023?

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1           A     It was changed as a request from the program  
2     office to make the recent code contain more information  
3     for the customer.

4           Q     Can you explain why the policy office decided  
5     that the reason code needed to contain more information?

6           A     Can I confer with counsel for a second,  
7     please?

8                   MS. LUKIS: Is it a question about privilege?

9                   THE WITNESS: Yes.

10           MS. LUKIS: Since it's about privilege, do you  
11     mind if we just take one minute?

12   BY MS. GRUSIN:

13           Q     Are you able to disclose without disclosing  
14     conversations that you had with counsel, Ms. Anderson?

15           A     Well, yes.

16           MS. LUKIS: So I'm going to give you an  
17     instruction because it is appropriate to confer if  
18     there is a question about whether or not you're  
19     going to disclose something that's privilege, and  
20     so I'm going to give you an instruction.

21                   And if you still feel the need to confer, then  
22     we can confer. So my instruction would be that you  
23     can answer the question if you are able to answer  
24     it without disclosing anything that was  
25     communicated to you by counsel or in the presence

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1 of counsel or that was done at the direction of  
2 counsel.

3 THE WITNESS: I need to.

4 MS. LUKIS: Do you mind if we have a quick  
5 conversation?

6 MS. GRUSIN: Go ahead. And maybe you can also  
7 discuss the Topic No. 2 issue as well.

8 MS. LUKIS: That's a great idea, yes. We'll  
9 just take five.

10 (Recess 1:37 p.m. until 1:42 p.m.)

11 BY MS. GRUSIN:

12 Q So let me first do the Topic No. 2 issue. So  
13 for DCF to determine how many times a particular reason  
14 code had been used in a given date range, would you look  
15 at data prepared by somebody else in the Department?

16 A Yes.

17 Q And in this case, is the spreadsheet that  
18 contains that data been designated as DCF 718?

19 A Yes.

20 Q Was Chris Presnell, is that his name?

21 A Presnell.

22 Q Chris Presnell, did he prepare that document?

23 A Yes.

24 Q So you would defer questions about  
25 interpreting that document in order to identify the

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1 number of individuals who had received a particular  
2 reason code to him?

3 A Yes.

4 Q So back to the question about why the program  
5 office made the change to 227 in December of 2023? That  
6 was the other question on the table.

7 A I cannot answer that question, as it relates  
8 to privileged conversations.

9 Q Is that also going to be your answer if I ask  
10 why the other five reason codes were changed in December  
11 of 2023?

12 A Yes.

13 Q Can I ask, at that time, did DCF consider  
14 changing other reason codes?

15 A We were only asked to change the ones that we  
16 received, which were the six.

17 Q Why in December of 2023, why didn't DCF make  
18 other changes such as those recommended in the Cambria  
19 report?

20 A I'm IT. I only make the changes that are  
21 requested by the program office.

22 Q And you've been designated to explain the  
23 basis of changes on behalf of DCF. And so in that  
24 capacity as a corporate representative for DCF, can you  
25 answer why DCF didn't make changes to other reason codes

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1 such as those recommended by Cambria?

2 A I can answer from the IT perspective that we  
3 did not make any other changes to the reason codes  
4 because we were not given the requirement to do so.

5 Q And you cannot answer why IT was not given the  
6 requirement to do so?

7 A It was not a request from the program office  
8 at that time.

9 Q The program office is part of DCF?

10 A Yes.

11 Q And so you cannot answer on behalf of DCF as a  
12 whole why that request wasn't made?

13 A Based on those -- the other information, we  
14 can only make changes as requested and because of  
15 financial and fund and the cost to do that. There was  
16 not money available to make those changes at that time.

17 Q So DCF determined that there was only funding  
18 available to make the changes to six reason codes?

19 A Yes, because those were simple changes at that  
20 time.

21 Q What made them simple changes?

22 A Because we were updating just the table.

23 Q Would it have been possible to update just the  
24 table text for additional reason codes at that time?

25 A It was possible.



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1 Q And why was that not done?

2 A Because we did not receive a request to do  
3 that.

4 Q And the reason that DCF didn't request to do  
5 that is because of funding and priorities?

6 A And priorities, yes.

7 Q Who in the program office determines the  
8 priorities?

9 A The different program areas determine what  
10 needs to be worked on or come across to us as  
11 priorities, and that information is given to us by Chris  
12 Presnell.

13 Q With respect to the notices and the reason  
14 codes, let's say Medicaid notices specifically, who in  
15 the program office would determine the priorities?

16 A Well, Chris Presnell would present them to us,  
17 and he would do that in corroboration with the various  
18 program areas. So for Medicaid, that would be a  
19 discussion with Julie Reed and Angela Pridgeon.

20 Q And so in determining which reason codes  
21 should be changed in December of 2023, are you saying  
22 that that was a decision made by Chris Presnell in  
23 conversation with Julia Reed and Angela Pridgeon?

24 A That would have been where we would have  
25 gotten our direction from.

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1           Q     And can you answer on behalf of DCF whether  
2     the new text of the six reason codes underwent any  
3     analysis of readability?

4           A     By the program office, I cannot say if it was  
5     done by anyone else other than the program office.

6           Q     So what is the answer with respect to the  
7     program office?

8           A     That they would have done the readability  
9     analysis on the six reason codes.

10          Q     Do you know that they did do a readability  
11     analysis on the six reason codes?

12          A     I don't think so.

13          Q     Did the program office do a plain language  
14     analysis on the six reason codes?

15          A     No.

16          Q     Did the program office do any focus groups  
17     with respect to the --

18          A     No.

19          Q     Sorry. I know you know what I'm trying to  
20     say, and you're trying to move more quickly. But you've  
21     got to let me finish the question.

22                     Did the program office do any focus groups  
23     with respect to the new text of the six reason codes?

24          A     No.

25          Q     Did the program office solicit any stakeholder

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1 feedback related to the text of the six new reason  
2 codes?

3 A No.

4 Q Are any of the changes in the text intended to  
5 change the meaning of the reason codes?

6 A No.

7 Q Are any of the changes to the text intended to  
8 change the use of the reason codes?

9 A No.

10 Q You described changing the table as a simple  
11 change, a relatively simple change; right?

12 A Yes.

13 Q How many hours did the December 2023 changes  
14 to the reason codes take?

15 A I believe it was an 80-hour change.

16 Q And how many of those hours were related to  
17 drafting the change language?

18 A The drafting of the change language, they are  
19 not calculated into our time. That is done by the  
20 program office.

21 Q And how many hours of the 80 were due to  
22 testing?

23 A Forty.

24 Q How many hours of the 80 were for drafting the  
25 computer script that was actually used to make the

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1 changes?

2 A That would be the other additional 40.

3 Q Were there any hours attributed to defining  
4 the requirements for the change?

5 A Because that was a table change, the  
6 requirement is just a table change.

7 Q So a table change wouldn't require hours to  
8 define requirements?

9 A Correct.

10 Q Now, you described earlier that DCF had added  
11 whole new reason codes in the past?

12 A Yes.

13 Q I believe you mentioned some related to  
14 natural disasters?

15 A Yes.

16 Q Were there also new codes added related to the  
17 relative caretaker program?

18 A Yes.

19 Q And were there new codes added at the start of  
20 the pandemic to implement the continuous coverage  
21 requirement during the public health emergency?

22 A There were codes to not -- there were changes,  
23 not necessarily codes. There were changes that were  
24 done to keep coverage groups from closing as a part of  
25 our audit closure processes.

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1           Q     So it's fair to say that DCF is capable of  
2     adding new reason codes; correct?

3           A     Yes.

4           Q     Is it true that DCF is limited to 999 reason  
5     codes?

6           A     In our current environment, yes.

7           Q     So when you add new reason codes, you have to  
8     either use numbers that aren't currently assigned;  
9     right?

10          A     Correct.

11          Q     Or you would have to remove some other  
12     duplicate code?

13          A     Repurpose the codes is what we define it as.

14          Q     Repurpose. Okay. And when you added the  
15     codes for the natural disasters, was that adding new  
16     numbers or was that repurposing?

17          A     We added new numbers, and we repurposed.

18          Q     What about for the relative caretaker program?

19          A     Those were new codes.

20          Q     New numbers?

21          A     Yes.

22          Q     We discussed last week that DCF had changed  
23     the word will to may in the fair hearing paragraph?

24          A     Yes.

25          Q     And I asked whether that change was made in

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1 all of the AEO-1 NOCA templates. I don't know that you  
2 were sure of the answer.

3 A It was made in all of the notices that  
4 contained the footer.

5 Q So that would include all of the AEO-1  
6 templates?

7 A Yes.

8 Q We also looked at a different notice that  
9 still had, will have to repay benefits, in the text of  
10 the notice outside of the footer. Do you remember that?

11 A Yes.

12 Q Do you know why that language wasn't changed  
13 at the same time as the footer language?

14 A Because the request was to make the change in  
15 the footer and not in the text.

16 Q Do you know why the request was only made for  
17 the footer and didn't ask to make a corresponding change  
18 to the text of the other notice?

19 A I believe it may have been an oversight at  
20 that time.

21 Q Are there plans to go back and update that  
22 notice?

23 A We have not received a request to go back and  
24 change that.

25 Q So the answer is not currently?

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1           A     Not currently, yes.

2           Q     I think last week that you testified that it  
3     took about 550 hours to make the change from will to  
4     may?

5           A     555, 560, something like that, but yes.

6           Q     The change from will to may was implemented  
7     with some other changes to the footer text; right?

8           A     Correct.

9           Q     So does the 550 hours reflect just the change  
10    from will to may, or does it include the hours that were  
11    also needed to make the other changes to the footer  
12    text?

13          A     For that particular change, it included all of  
14    it.

15          Q     And so in terms of that 550-hour estimate, how  
16    many of those hours were due to drafting the changed  
17    footer text language?

18          A     The text is always provided to us, so we don't  
19    have to draft the text.

20          Q     So the drafting of the new text never counts  
21    towards the hours, is that what you're saying?

22          A     Correct.

23          Q     So how many of those 550 hours were due to  
24    testing?

25          A     I don't have the estimate with me at this

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1 time, so I can't say truthfully. But it would probably  
2 be a third for a test.

3 Q A third, you said?

4 A Yes.

5 Q And then roughly how many of those 550 hours  
6 were for drafting the computer script used to make the  
7 changes?

8 A I don't have that breakdown with me, so I  
9 can't speak to that one.

10 Q Can you give me any sort of rough estimate on  
11 that?

12 A Probably I would say another third of that for  
13 updating the templates.

14 Q And then how many of the 550 hours were  
15 attributed to defining the requirements?

16 A That would factor in with that third in  
17 defining the requirements and actually making the  
18 changes.

19 Q So each of those things that we just talked  
20 about, about a third?

21 A Yes.

22 Q And last week, we also talked about some  
23 future changes that are planned for the fair hearing  
24 paragraph?

25 A Yes.



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**1 Q What are those changes?**

**2 A** We are adding -- we are expanding the text  
**3** that's in the fair hearing language.

**4 Q What will the new text say?**

**5 A** I can't give it to you verbatim because I  
**6** don't have it written.

**7 Q Can you give me a description what kind of**  
**8 content is being added?**

**9 A** We're adding additional information as to how  
**10** the customer can request a hearing where they can go and  
**11** request that. You know, we have a couple of links that  
**12** they can get additional phone number as to where they  
**13** can go.

**14 Q So it's fair to say that you are adding a link**  
**15 to the online fair hearing request form?**

**16 A** Yes.

**17 Q Are you including an email address where**  
**18 people can email a fair hearing request?**

**19 A** Yes.

**20 Q And you said you're updating a phone number?**

**21 A** Yes.

**22 Q And is that change expected to take another**  
**23 550 hours?**

**24 A** Yes.

**25 Q So the same, none of the hours are attributed**

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1 to drafting the new language; right?

2 A Again, we don't draft.

3 Q And so it would break down about the same as  
4 before, a third to testing, a third to drafting the  
5 computer script, and a third to define the requirements  
6 and implementing the change?

7 A Yes.

8 Q Why does the computer script need to be wholly  
9 recreated again when there was already a script  
10 generated to update that paragraph of the fair hearing  
11 test?

12 A Because when you go in to change that script,  
13 you're going to have to remove what's there and add  
14 additional -- you're adding. So when you're doing that,  
15 what you're doing is you're changing that whole layout.

16 And so we have to make sure that the layout  
17 and everything is as defined as it was before, but with  
18 the additional text.

19 Q And then you have to redo the testing to see  
20 that the new language actually goes into the fair  
21 hearing paragraph again; right?

22 A Yes, and to make sure we didn't break anything  
23 while we were implementing the change.

24 Q Would it have been more efficient to implement  
25 this text change at the same time as the change from

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1 will to may?

2 A We did not have that text at the time.

3 Q I understand.

4 A We didn't have it.

5 Q But the answer is it would have been more  
6 efficient?

7 A Yes.

8 Q Because you can double up on at least the  
9 testing hours; right?

10 A All of the hours, really.

11 Q And then do you have any expectation about  
12 when those changes will be implemented?

13 A It should be implemented in April.

14 Q Beginning, end?

15 A Around April 21st.

16 MS. GRUSIN: I think I'm nearly done. I just  
17 need to look through my notes.

18 (Recess 10:10 a.m. until 10:12 a.m.)

19 CROSS EXAMINATION

20 BY MS. LUKIS:

21 Q Ms. Anderson, you and Ms. Grusin talked about  
22 this review that Cambria did of the Department's NOCAs  
23 back in 2021. Do you recall that testimony?

24 A Yes.

25 Q Do you recall drafting and executing a

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1     **declaration in this case?**

2           A     Yes.

3                   MS. GRUSIN:   Should we mark our declaration as  
4     Exhibit 36?

5                   MS. LUKIS:   Sure.

6                   (Plaintiffs' Exhibit 36 was marked.)

7     BY MS. LUKIS:

8           Q     Is this the declaration that you executed in  
9     this case, Ms. Anderson?

10          A     Yes.

11          Q     That's your signature, electronic signature?

12          A     Yes.

13          Q     When you prepared this declaration, did you  
14     have the 2021 Cambria review in mind?

15          A     No.

16          Q     Could you take a minute to read paragraph 9 of  
17     your declaration.

18          A     Okay.

19          Q     In paragraph 9 of your declaration, are you  
20     referring to Cambria's work?

21          A     No.

22          Q     Early on in your testimony, you discussed that  
23     some other types of notices for non-Medicaid programs or  
24     other programs have case-specific information like  
25     income or household size. Do you recall that testimony?

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1           A     Yes.

2                   MS. GRUSIN: Object to form.

3   BY MS. LUKIS:

4           Q     If the DCF program office asked you to include  
5   placeholders for income or household size on Medicaid  
6   NOCAs that we've been talking about today, would you be  
7   able to do it?

8           A     No, not without some additional programming to  
9   assist.

10          Q     And you were designated to talk about the  
11   non-technical aspects of the topics for which you were  
12   designated; correct?

13          A     Correct.

14          Q     Who was designated to talk about the technical  
15   aspects of the topics for which you were designated?

16          A     It would be Harry Holomco (phonetic).

17          Q     Where does he work?

18          A     He works for Deloitte in their IT section.

19                   MS. LUKIS: All right. That's all.

20                               REDIRECT EXAMINATION

21   BY MS. GRUSIN:

22          Q     I have a few follow-ups from that. Ms. Lukis  
23   just showed you paragraph 9 of your declaration where  
24   you were referring to a modernization project; correct?

25          A     Correct.

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1           **Q     How long has modernization been under**  
2     **discussion at DCF?**

3           A     The current effort that we were talking about  
4     when we made this discussion has been underway for about  
5     a year.

6           **Q     Do you know how long modernization has been**  
7     **under discussion within the program office of DCF?**

8                     MS. LUKIS: Objection. Outside the scope.  
9     You can answer.

10                    THE WITNESS: We go through modernization  
11     discussions almost in yearly or annual discussions,  
12     so it's something that comes up and goes away  
13     because of funding.

14     BY MS. GRUSIN:

15           **Q     And so it has been under discussion and gone**  
16     **away prior to 2022; correct?**

17           A     Correct.

18           **Q     Do you know what changes the policy program**  
19     **plans to request as part of the modernization?**

20           A     No, I don't.

21           **Q     Ms. Lukis asked you if you would be able to**  
22     **add case-specific income and household information to**  
23     **the notice just now. And I believe you responded not**  
24     **without additional programming to the system; is that**  
25     **correct?**

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1           A     Correct.

2           Q     You would be able to submit a request to  
3     Deloitte to make enhancements to the system to implement  
4     those changes; correct?

5           A     Would submit a request for an estimate to have  
6     those changes.

7                     MS. GRUSIN: Okay. That's it.

8                     (Thereupon, the taking of the deposition  
9     concluded at 2:10 p.m)

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1 CERTIFICATE OF OATH

2

3 STATE OF FLORIDA

4 COUNTY OF LEON

5

6 I, I. Iris Cooper, Notary Public, State of  
7 Florida, certify that LAQUETTA ANDERSON remotely  
8 appeared before me on March 19, 2024 and was duly  
9 sworn.

10

11 Signed this 21st day of March, 2024.

12

13

14



15 I. Iris Cooper, Stenographic Reporter  
16 Notary Public, State of Florida  
17 Commission No. 1366674  
Expires: February 7, 2028

18

19

20

21

22

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24

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1 CERTIFICATE OF REPORTER

2

3 STATE OF FLORIDA

4 COUNTY OF MIAMI-DADE

5 I, I. IRIS COOPER, do hereby certify that I  
6 was authorized to and did stenographically report  
7 the foregoing remote deposition of LAQUETTA  
8 ANDERSON; that a review of the transcript was  
9 requested; and that the transcript is a true record  
10 of my stenographic notes.

11 I FURTHER CERTIFY that I am not a relative,  
12 employee, attorney, or counsel of any of the  
13 parties, nor am I a relative or employee of any of  
14 the parties' attorney or counsel connected with the  
15 action, nor am I financially interested in the  
16 action.

17 Dated this 21st day of March, 2024.

18

19



20

21 I. Iris Cooper  
22 Stenographic Reporter  
23 Notary Public, State of Florida  
24 My Commission No. 1366674  
25 Expires: February 7, 2028

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1 ERRATA SHEET  
DO NOT WRITE ON TRANSCRIPT - ENTER CHANGES ON THIS PAGE

2  
Deponent: LAQUETTA ANDERSON  
3 Date: March 19, 2024  
CASE NO.: 3:23-cv-985-MMH-LLL  
4 CASE: Chianne D. vs. Jason Weida (OAG)

5 PAGE LINE REMARKS

6 \_\_\_\_\_  
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15 \_\_\_\_\_  
16 \_\_\_\_\_  
17 \_\_\_\_\_  
18 \_\_\_\_\_

19  
20 Under penalties of perjury, I declare that I have read  
the foregoing document and that the facts stated in it  
21 are true.

22 Signature of Witness \_\_\_\_\_

23 Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

24 Job No. 354345

25

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1 March 21, 2024

2 Ashley Hoffman Lukis, Esq.  
3 GrayRobinson  
4 Phone: 850-577-9090  
5 Email: ashley.lukis@gray-robinson.com

6 WITNESS: LAQUETTA ANDERSON  
7 CASE NO.: 3:23-cv-985-MMH-LLL  
8 Date: March 19, 2024  
9 CASE: Chianne D. vs. Jason Weida (OAG)


10 The transcript of the above proceeding is now available  
11 and requires signature by the witness. Please e-mail  
12 fl.production@lexitaslegal.com for access to a read-only  
13 PDF transcript and PDF-fillable errata sheet via  
14 computer or use the errata sheet that is located at the  
15 back of the transcript.

16 Once completed, please print, sign, and return to the  
17 email address listed below for distribution to all  
18 parties. If you are in need of assistance, please  
19 contact Lexitas at 888-811-3408.

20 If the witness does not read and sign the transcript  
21 within a reasonable amount of time (30 days if Federal  
22 court), the original transcript may be filed with the  
23 Clerk of the court.

24 If the witness wishes to waive his/her signature now,  
25 please have the witness sign on the line at the bottom  
of this letter and return to the email address listed  
below.

Very truly yours,

26   
27 I. Iris Cooper, Stenographic Reporter  
28 Lexitas  
29 fl.production@lexitaslegal.com

30 I do hereby waive my right to read and sign.

31

32 LAQUETTA ANDERSON

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1

<hr/> <p><b>Exhibits</b></p> <hr/> <p><b>354345LAnderson</b> <b>031924 Ex 035</b> 87:14 89:25 90:4,6 91:2</p> <p><b>354345LAnderson</b> <b>031924 Ex 036</b> 87:15 110:4,6</p> <hr/> <p><b>1</b></p> <hr/> <p><b>10:10</b> 109:18</p> <p><b>10:12</b> 109:18</p> <hr/> <p><b>2</b></p> <hr/> <p><b>2021</b> 109:23 110:14</p> <p><b>2022</b> 112:16</p> <p><b>21st</b> 109:15</p> <p><b>2:10</b> 113:9</p> <hr/> <p><b>3</b></p> <hr/> <p><b>36</b> 110:4,6</p> <hr/> <p><b>5</b></p> <hr/> <p><b>550</b> 105:3,9,23 106:5,14 107:23</p> <p><b>550-hour</b></p>	<p>105:15</p> <p><b>555</b> 105:5</p> <p><b>560</b> 105:5</p> <hr/> <p><b>9</b></p> <hr/> <p><b>9</b> 110:16,19 111:23</p> <p><b>999</b> 103:4</p> <hr/> <p><b>A</b></p> <hr/> <p><b>a.m.</b> 109:18</p> <p><b>add</b> 103:7 108:13 112:22</p> <p><b>added</b> 103:14,17 107:8</p> <p><b>adding</b> 103:2,15 107:2,9,14 108:14</p> <p><b>additional</b> 107:9,12 108:14,18 111:8 112:24</p> <p><b>address</b> 107:17</p> <p><b>AEO-1</b> 104:1,5</p> <p><b>Anderson</b> 109:21 110:9</p> <p><b>annual</b></p>	<p>112:11</p> <p><b>April</b> 109:13,15</p> <p><b>aspects</b> 111:11,15</p> <p><b>assigned</b> 103:8</p> <p><b>assist</b> 111:9</p> <p><b>attributed</b> 106:15 107:25</p> <hr/> <p><b>B</b></p> <hr/> <p><b>back</b> 104:21,23 109:23</p> <p><b>Beginning</b> 109:14</p> <p><b>benefits</b> 104:9</p> <p><b>break</b> 108:3,22</p> <p><b>breakdown</b> 106:8</p> <hr/> <p><b>C</b></p> <hr/> <p><b>Cambria</b> 109:22 110:14</p> <p><b>Cambria's</b> 110:20</p> <p><b>capable</b> 103:1</p> <p><b>caretaker</b> 103:18</p> <p><b>case</b> 110:1,9</p>	<p><b>case-specific</b> 110:24 112:22</p> <p><b>change</b> 103:25 104:14,17,24 105:3,6,9,13 107:22 108:6, 12,23,25</p> <p><b>changed</b> 103:22 104:12 105:16</p> <p><b>changing</b> 108:15</p> <p><b>code</b> 103:12</p> <p><b>codes</b> 103:2,5,7,13, 15,19</p> <p><b>computer</b> 106:6 108:5,8</p> <p><b>concluded</b> 113:9</p> <p><b>contained</b> 104:4</p> <p><b>content</b> 107:8</p> <p><b>correct</b> 103:2,10 105:8,22 111:12,13,24, 25 112:16,17, 25 113:1,4</p> <p><b>counts</b> 105:20</p> <p><b>couple</b> 107:11</p> <p><b>CROSS</b> 109:19</p>
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2

<b>current</b> 103:6 112:3  <b>customer</b> 107:10  <hr/> <b>D</b> <hr/> <b>DCF</b> 103:1,4,22 111:4 112:2,7  <b>declaration</b> 110:1,3,8,13, 17,19 111:23  <b>define</b> 103:13 108:5  <b>defined</b> 108:17  <b>defining</b> 106:15,17  <b>Deloitte</b> 111:18 113:3  <b>Department's</b> 109:22  <b>deposition</b> 113:8  <b>description</b> 107:7  <b>designated</b> 111:10,12,14, 15  <b>disasters</b> 103:15  <b>discussed</b> 103:22 110:22  <b>discussion</b> 112:2,4,7,15  <b>discussions</b> 112:11	<b>double</b> 109:8  <b>draft</b> 105:19 108:2  <b>drafting</b> 105:16,20 106:6 108:1,4 109:25  <b>due</b> 105:16,23  <b>duplicate</b> 103:12  <hr/> <b>E</b> <hr/> <b>Early</b> 110:22  <b>efficient</b> 108:24 109:6  <b>effort</b> 112:3  <b>electronic</b> 110:11  <b>email</b> 107:17,18  <b>end</b> 109:14  <b>enhancements</b> 113:3  <b>environment</b> 103:6  <b>estimate</b> 105:15,25 106:10 113:5  <b>EXAMINATION</b> 109:19 111:20  <b>executed</b> 110:8	<b>executing</b> 109:25  <b>Exhibit</b> 110:4,6  <b>expanding</b> 107:2  <b>expectation</b> 109:11  <b>expected</b> 107:22  <hr/> <b>F</b> <hr/> <b>factor</b> 106:16  <b>fair</b> 103:1,23 106:23 107:3, 14,15,18 108:10,20  <b>follow-ups</b> 111:22  <b>footer</b> 104:4,10,13, 15,17 105:7, 11,17  <b>form</b> 107:15 111:2  <b>funding</b> 112:13  <b>future</b> 106:23  <hr/> <b>G</b> <hr/> <b>generated</b> 108:10  <b>give</b> 106:10 107:5,	7  <b>Grusin</b> 109:16,21 110:3 111:2, 21 112:14 113:7  <hr/> <b>H</b> <hr/> <b>Harry</b> 111:16  <b>hearing</b> 103:23 106:23 107:3,10,15, 18 108:10,21  <b>Holomco</b> 111:16  <b>hours</b> 105:3,9,10, 16,21,23 106:5,14 107:23,25 109:9,10  <b>household</b> 110:25 111:5 112:22  <hr/> <b>I</b> <hr/> <b>implement</b> 108:24 113:3  <b>implemented</b> 105:6 109:12, 13  <b>implementing</b> 108:6,23  <b>include</b> 104:5 105:10 111:4
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