

May 20, 2022

**VIA E-MAIL ONLY (LUCIAN.PERA@ARLAW.COM)**

Lucian T. Pera, Esq.  
Adams and Reese LLP  
Crescent Center  
6075 Poplar Avenue, Suite 700  
Memphis, Tennessee 38119

**Re: Request for Records under the Tennessee Public Records Act**

Dear Mr. Pera:

I am sending you this letter as Counsel for LexisNexis, in response to your correspondence of May 16, 2022. After considering your recent request, LexisNexis maintains the previously stated position in response to you and another of your clients that the Tennessee Public Records Act, Tenn. Code Ann § 10-7-503(a), does not apply to LexisNexis. Pursuant to the factors set forth in *Memphis Publishing Co. v. Cherokee Children & Family Services*, 87 S.W.3d 67, 70-71 (Tenn. 2002), and the Tennessee Supreme Court's subsequent decision in *Gatreaux v. Internal Medicine Education Foundation*, 336 S.W.3d 526, 529-31 (Tenn. 2011), LexisNexis is not the functional equivalent of a government entity.

As the Tennessee Supreme Court unambiguously stated in *Cherokee*:

We caution that our holding clearly is not intended to allow public access to the records of every private entity which provides any specific, contracted for services to government agencies. A private business does not open to its records to public scrutiny merely by doing business with or performing services on behalf of, state, or municipal government.

87 S.W.3d. at 79. Because LexisNexis is not the functional equivalent of a government agency, LexisNexis is not subject to the Tennessee Public Records Act and is therefore not in a position to fulfill your May 16, 2022 request for records.

Best regards,



Matthew Lung  
Deputy Head of Legal – North America  
LexisNexis  
Legal and Professional