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August 30, 2021

VIA E-MAIL

King of Prussia,

Re: Right-to-Know Request No. OR21-553

Dear M

On August 26, 2021, the open-records officer of Montgomery County received your written request for information. The County is responding to your request under the Pennsylvania Right-To-Know Law, 65 P.S. §§ 67.101, *et seq.* (RTKL). You asked for the following:

"...I am seeking any records that describe the isolation of a "COVID-19 virus" (aka "SARS-COV-2") from an unadulterated sample taken from a diseased human, where the patient sample was not first combined with any other source of genetic material. Isolate meaning a thing is separated from all other material surrounding it.

Note: I am NOT REQUESTING CDC website referral information or white papers where "isolation" of SARS-CoV-2 refers to:

- the culturing of something
- performance of an amplification test (PCR) or
- the sequencing of something.

To clarify, I am requesting via disclosure all white papers / solid scientific evidence proving that:

1. the SARS-CoV-2 virus causes the illness that matches the characteristics of all of the deaths attributed to COVID-19;
2. that said virus has been properly purified / isolated from human beings, reproduced and then shown to cause said Covid-19 / SARS-COV-2 in human beings..."

Under the RTKL, a written response to your request was due on or before September 2, 2021.

Please be advised that the County does not have any records responsive to your request in its possession, under its custody or its control.

Pursuant to the Office of Open Records Final Decision in *Jenkins vs. Pennsylvania Department of State*, OOR Dkt. AP 2009-065, it should be noted that: "It is not a denial of access when an agency does not possess records and [there is no] legal obligation to obtain them (see, e.g. Section 67.506 (d)(1))." Further, an agency is not required "to create a record which does not currently exist or to compile, maintain, format or organize a record in a manner in which the agency does not currently compile, maintain, format or organize the record." 65 P.S. § 67.705.

However, you have a right to appeal this response in writing to Elizabeth Wagenseller, Executive Director, Office of Open Records (OOR), 333 Market Street, 16th Floor, Harrisburg, PA 17101-2234. If you choose to file an appeal you must do so within 15 business days of the mailing date of this response and send to the OOR: 1) this response; 2) your request; and 3) the reason why you think the record exists under the custody or control of the agency.

Also, the OOR has an appeal form available on the OOR website at: <https://www.dced.state.pa.us/public/oor/appealformgeneral.pdf>.

Sincerely,



By: _____

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