

From: sanjabib@gtlaw.com
To: [CPSC FOIA Requests](#)
Cc: CohenL@gtlaw.com; cox@gtlaw.com; Alexandra.Lagos@gtlaw.com; Ethel.Johnson@gtlaw.com
Subject: FOIA Request - CPSC Contracts with University of Arkansas regarding Inclined Sleep Product study
Date: Wednesday, August 23, 2023 2:16:01 PM
Attachments: [image001.png](#)
[2023.08.23 - B. Sanjabi FOIA Request to CPSC re Contracts with Univ. of Ark. re Inclined Sleep Products.pdf](#)

Good afternoon,

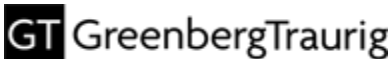
Please see attached request pursuant to the U.S. Freedom of Information Act (FOIA). A hard copy is also being sent via UPS overnight mail—tracking number 1Z0049R10194765906.

Should you have any questions or concerns, please do not hesitate to contact me.

Thanks,

Bardia Sanjabi
Associate

Greenberg Traurig, LLP
Terminus 200
3333 Piedmont Road NE | Suite 2500 | Atlanta, GA 30305
T +1 678.553.2274
sanjabib@gtlaw.com | www.gtlaw.com



If you are not an intended recipient of confidential and privileged information in this email, please delete it, notify us immediately at postmaster@gtlaw.com, and do not use or disseminate the information.

Registered with the DFSA as a DNFBP

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Bardia Sanjabi
Tel 678.553.2274
Fax 678.553.2212
sanjabib@gtlaw.com

August 23, 2023

VIA EMAIL

CPSCFOIARequests@cpsc.gov

VIA OVERNIGHT MAIL

Abioye Oyewole
Assistant General Counsel and Chief FOIA Officer
U.S. Consumer Product Safety Commission
4330 East West Highway
Bethesda, MD 20814

Re: *Freedom of Information Act (FOIA) Request – Agreements/Contracts with University of Arkansas regarding Dr. Erin M. Mannen’s “Biomechanical Analysis of Inclined Sleep Products”*

Dear Ms. Oyewole,

Pursuant to the provisions of the Freedom of Information Act, 5 U.S.C. § 552, Greenberg Traurig, LLP and the undersigned, acting both on behalf of Greenberg Traurig, LLP and individually, request all records and documents concerning or in any way relating to the following.

- (i) All contracts or agreements between the U.S. Consumer Product Safety Commission (“CPSC”) and the University of Arkansas relating to the study conducted between September 2018 through September 2019 at the University of Arkansas for Medical Sciences, Department of Orthopaedic Surgery, entitled “*Biomechanical Analysis of Inclined Sleep Products*” by Principal Investigator Dr. Erin M. Mannen, and funded by the CPSC, which may also be identified as IRB Protocol 228457 or Solicitation No. 61320618Q0200, Contract No. 61320618P0052. *See* Federal Procurement Data attached as Exhibit A to this Request for additional identifying information.

All documents responsive to this request are requested in their entirety, including all attachments, emails, enclosures and exhibits, and a copy of any reviewer’s memo(s). If it is determined that any portion of the requested information is exempt from disclosure, it is requested that, in accordance with 5 U.S.C. § 552(b), all reasonably segregable portions of such document be produced. It is further requested that all documents or portions thereof for which an exemption is claimed be identified with particularity and with the reasons supporting the exemption. In the event that it is determined that no document responsive to this request exist, written confirmation of such fact is requested.

August 23, 2023

Page 2

We expect the commission to respond to the above request within 20 days (excepting Saturdays, Sundays, and legal public holidays). We agree to pay search, reproduction and mailing fees.

Thank you for your attention to this request, and if you have any questions, please do not hesitate to contact me.

Very truly yours,



Bardia Sanjabi

cc: Lori G. Cohen, Esq. (via email)
Ethel J. Johnson, Esq. (via email)
Alexandra Bach Lagos, Esq. (via email)
Brandon D. Cox, Esq. (via email)

EXHIBIT A

Transaction Information

Award Type: Purchase Order **Prepared Date:** 08/27/2018 14:10:02 **Prepared User:** JOHNSON@CPSC.GOV
Award Status: Final **Last Modified Date:** 09/13/2018 15:47:58 **Last Modified User:** AGRAHAM@CPSC.GOV
Closed Status: No **Closed Status Date:** **Closed By:**
Approved Date: 09/13/2018 15:47:58 **Approved By:** AGRAHAM@CPSC.GOV

Document Information

	Agency	Procurement Identifier	Modification No	Trans No
Award ID:	6100	61320618P0052	0	0
Referenced IDV ID:				
Reason For Modification:				
Solicitation ID:	61320618Q0200			
Treasury Account Symbol:	Agency Identifier	Main Account	Sub Account	Initiative
				Select One

Dates

Date Signed (mm/dd/yyyy) : 09/13/2018
Period of Performance Start Date (mm/dd/yyyy) : 09/13/2018
Completion Date (mm/dd/yyyy) : 09/17/2019
Est. Ultimate Completion Date (mm/dd/yyyy) : 09/17/2019
Solicitation Date (mm/dd/yyyy) :

Amounts

Action Obligation:	\$248,432.00
Base And Exercised Options Value:	\$248,432.00
Base and All Options Value (Total Contract Value):	\$248,432.00
Fee Paid for Use of IDV:	\$0.00

Purchaser Information

Contracting Office Agency ID: 6100	Contracting Office Agency Name: CONSUMER PRODUCT SAFETY COMMISSION
Contracting Office ID: 613206	Contracting Office Name: CONSUMER PRODUCT SAFETY COMMISSION
Funding Agency ID: 6100	Funding Agency Name: CONSUMER PRODUCT SAFETY COMMISSION
Funding Office ID: 613207	Funding Office Name: CONSUMER PRODUCT SAFETY
Foreign Funding: Not Applicable	

Entity Information

FAR 4.1102 Exception:

Unique Entity ID: VDFYLZPJEA6	Street: 4301 W MARKHAM ST SLOT 812 BIO-MED I
Legal Business Name: UNIVERSITY OF ARKANSAS SYSTEM	Street2:
DBAN:	City: LITTLE ROCK
CAGE Code: 1QJY4	State: AR Zip: 722057101
	Country: UNITED STATES
	Phone: (501) 686-6305
	Fax No: (501) 686-8359
	Congressional District: ARKANSAS 02

Business Category

Organization Type: OTHER
State of Incorporation: AR
Country of Incorporation: USA

Line Of Business

- Educational Institution
- Hospital
- Relationship With Federal Government
- All Awards
- Organization Factors
- Other Not For Profit Organization
- Educational Entities
- State Controlled Institution of Higher Learning

Contract Data

Type of Contract: Firm Fixed Price
Inherently Governmental Functions: Other Functions
Multiyear Contract: Select One
Major Program:
National Interest Action: None

Cost Or Pricing Data:

Purchase Card Used As Payment Method:

Uninitialized Action:

Performance Based Service Acquisition:

* FY 2004 and prior; 80% or more specified as performance requirement

* FY 2005 and later; 50% or more specified as performance requirement

Emergency Acquisition:

Contract Financing:

Cost Accounting Standards Clause:

Consolidated Contract:

Number Of Actions:

Select One
No
No
No - Service where PBA is not used.

Not Applicable
Select One
Select One
Not Consolidated

1

Legislative Mandates

Clinger-Cohen Act: No

Labor Standards: No

Materials, Supplies, Articles, and Equip: No

Construction Wage Rate Requirements: No

Select One or More Options
Employment Eligibility Verification (52.222-54)
Service Contract Inventory (FAR 4.17)
None of the Above

Additional Reporting:

Interagency Contracting Authority: Not Applicable

Other Interagency Contracting Statutory Authority: (1000 characters)

Principal Place of Performance

Principal Place Of Performance Code: AR USA

Principal Place Of Performance County: PULASKI

Principal Place Of Performance City Name: LITTLE ROCK

Congressional District: ARKANSAS 02

Place Of Performance Zip Code(+4): 72205 - 7101 USPS ZIP Codes

Product Or Service Information

Product/Service Code: R424 Description: SUPPORT- PROFESSIONAL: EXPERT WITNESS

Principal NAICS Code: 541690 Description: OTHER SCIENTIFIC AND TECHNICAL CONSULTING SERV

Bundled Contract: Not Bundled

DOD Acquisition Program: Description:

Country of Product or Service Origin: USA UNITED STATES

Place of Manufacture: Not a manufactured end product

Domestic or Foreign Entity: U.S. Owned Business

Recovered Materials/Sustainability: No Clauses Included and No Sustainability Included OMB Policy on Sustainable Acquisition

Information Technology Commercial Category: Select One

Claimant Program Code: Description:

Sea Transportation: Select One

GFP Provided Under This Action: Transaction does not use GFP

Use Of EPA Designated Products: Not Required

Description Of Requirement: (Limit 250 characters) Consultant Expert Services

Competition Information

Extent Competed For Referenced IDV:

Extent Competed: Not Competed under SAP

Source Selection Process: Select One

Solicitation Procedures: Simplified Acquisition

IDV Type Of Set Aside:

Type Of Set Aside: No set aside used.

Type Of Set Aside Source: This Action

Evaluated Preference: No Preference used

SBIR/STTR: Select One

Fair Opportunity/Limited Sources: Select One

Other Than Full And Open Competition: Authorized by Statute (FAR 6.302-5(a)(2)(i))

Local Area Set Aside:	No	▼
Contract Opportunities Notice:	No	▼
A76 Action:	No	▼
Commercial Products and Services Acquisition Procedures:	Commercial Products/Services	▼
IDV Number of Offers:	<input type="text"/>	
Number Of Offers Received:	<input type="text" value="1"/>	Number of Offers Source: <input type="text" value="This Action"/>
Small Business Competitiveness Demonstration Program:		
Simplified Procedures for Certain Commercial Products and Commercial Services:	No	▼
Preference Programs / Other Data		
Contracting Officer's Business Size Selection:	Other than Small Business	▼
Subcontract Plan:	Plan Not Required	▼
Price Evaluation Percent Difference:	<input type="text"/> %	

From: sanjabib@gtlaw.com
To: [CPSC FOIA Requests](#)
Cc: CohenL@gtlaw.com; coxb@gtlaw.com; Alexandra.Lagos@gtlaw.com; Ethel.Johnson@gtlaw.com
Subject: FOIA Request - CPSC documents leading to Contracts with University of Arkansas regarding Inclined Sleep Product study
Date: Wednesday, August 23, 2023 2:18:47 PM
Attachments: [image001.png](#)
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Good afternoon,

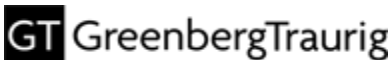
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Bardia Sanjani
Tel 678.553.2274
Fax 678.553.2212
sanjabib@gtlaw.com

August 23, 2023

VIA EMAIL

CPSCFOIARequests@cpsc.gov

VIA OVERNIGHT MAIL

Abioye Oyewole
Assistant General Counsel and Chief FOIA Officer
U.S. Consumer Product Safety Commission
4330 East West Highway
Bethesda, MD 20814

Re: *Freedom of Information Act (FOIA) Request – Proposals, Statements of Work, and Memoranda regarding Agreements/Contracts with University of Arkansas regarding Dr. Erin M. Mannen’s “Biomechanical Analysis of Inclined Sleep Products”*

Dear Ms. Oyewole,

Pursuant to the provisions of the Freedom of Information Act, 5 U.S.C. § 552, Greenberg Traurig, LLP and the undersigned, acting both on behalf of Greenberg Traurig, LLP and individually, request all records and documents concerning or in any way relating to the following.

- (i) All proposals, statements of work, and memoranda regarding the formation of any contracts or agreements between the U.S. Consumer Product Safety Commission (“CPSC”) and the University of Arkansas relating to the study conducted between September 2018 through September 2019 at the University of Arkansas for Medical Sciences, Department of Orthopaedic Surgery, entitled “*Biomechanical Analysis of Inclined Sleep Products*” by Principal Investigator Dr. Erin M. Mannen, and funded by the CPSC, which may also be identified as IRB Protocol 228457 or Solicitation No. 61320618Q0200, Contract No. 61320618P0052. *See* Federal Procurement Data attached as Exhibit A to this Request for additional identifying information.

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Very truly yours,



Bardia Sanjabi

cc: Lori G. Cohen, Esq. (via email)
Ethel J. Johnson, Esq. (via email)
Alexandra Bach Lagos, Esq. (via email)
Brandon D. Cox, Esq. (via email)

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Closed Status: No **Closed Status Date:** **Closed By:**
Approved Date: 09/13/2018 15:47:58 **Approved By:** AGRAHAM@CPSC.GOV

Document Information

	Agency	Procurement Identifier	Modification No	Trans No
Award ID:	6100	61320618P0052	0	0
Referenced IDV ID:				
Reason For Modification:				
Solicitation ID:	61320618Q0200			
Treasury Account Symbol:				

Agency Main Sub Identifier Account Account Initiative
 Select One

Dates

Date Signed (mm/dd/yyyy) : 09/13/2018
Period of Performance Start Date (mm/dd/yyyy) : 09/13/2018
Completion Date (mm/dd/yyyy) : 09/17/2019
Est. Ultimate Completion Date (mm/dd/yyyy) : 09/17/2019
Solicitation Date (mm/dd/yyyy) :

Amounts

Action Obligation: \$248,432.00
Base And Exercised Options Value: \$248,432.00
Base and All Options Value (Total Contract Value): \$248,432.00
Fee Paid for Use of IDV: \$0.00

Purchaser Information

Contracting Office Agency ID: 6100 **Contracting Office Agency Name:** CONSUMER PRODUCT SAFETY COMMISSION
Contracting Office ID: 613206 **Contracting Office Name:** CONSUMER PRODUCT SAFETY COMMISSION
Funding Agency ID: 6100 **Funding Agency Name:** CONSUMER PRODUCT SAFETY COMMISSION
Funding Office ID: 613207 **Funding Office Name:** CONSUMER PRODUCT SAFETY
Foreign Funding: Not Applicable

Entity Information

FAR 4.1102 Exception:

Unique Entity ID: VDFYLZPJEA66
Legal Business Name: UNIVERSITY OF ARKANSAS SYSTEM
DBAN:
CAGE Code: 1QJY4

Street: 4301 W MARKHAM ST SLOT 812 BIO-MED I
Street2:
City: LITTLE ROCK
State: AR **Zip:** 722057101
Country: UNITED STATES
Phone: (501) 686-6305
Fax No: (501) 686-8359
Congressional District: ARKANSAS 02

Business Category

Organization Type: OTHER
State of Incorporation: AR
Country of Incorporation: USA

Line Of Business

- Educational Institution
- Hospital
- Relationship With Federal Government
- All Awards
- Organization Factors
- Other Not For Profit Organization
- Educational Entities
- State Controlled Institution of Higher Learning

Contract Data

Type of Contract: Firm Fixed Price
Inherently Governmental Functions: Other Functions
Multiyear Contract: Select One
Major Program:
National Interest Action: None

Cost Or Pricing Data:
Purchase Card Used As Payment Method:
Undefinited Action:
Performance Based Service Acquisition:
 * FY 2004 and prior; 80% or more specified as performance requirement
 * FY 2005 and later; 50% or more specified as performance requirement

Select One
 No
 No
 No - Service where PBA is not used.

Emergency Acquisition:
Contract Financing:
Cost Accounting Standards Clause:
Consolidated Contract:
Number Of Actions:

Not Applicable
 Select One
 Select One
 Not Consolidated
 1

Legislative Mandates

Clinger-Cohen Act: No
Labor Standards: No
Materials, Supplies, Articles, and Equip: No
Construction Wage Rate Requirements: No
 Select One or More Options
Additional Reporting: Employment Eligibility Verification (52.222-54)
 Service Contract Inventory (FAR 4.17)
 None of the Above

Principal Place of Performance

Principal Place Of Performance Code: State Location Country
 AR [] USA
Principal Place Of Performance County Name: PULASKI
Principal Place Of Performance City Name: LITTLE ROCK
Congressional District Place Of Performance: ARKANSAS 02
Place Of Performance Zip Code(+4): 72205 - 7101 USPS ZIP Codes

Interagency Contracting Authority: Not Applicable
Other Interagency Contracting Statutory Authority:
 (1000 characters)

Product Or Service Information

Product/Service Code: R424 Description: SUPPORT- PROFESSIONAL: EXPERT WITNESS
Principal NAICS Code: 541690 Description: OTHER SCIENTIFIC AND TECHNICAL CONSULTING SERV
Bundled Contract: Not Bundled
DOD Acquisition Program: Description:
Country of Product or Service Origin: USA UNITED STATES
Place of Manufacture: Not a manufactured end product
Domestic or Foreign Entity: U.S. Owned Business
Recovered Materials/Sustainability: No Clauses Included and No Sustainability Included OMB Policy on Sustainable Acquisition
Information Technology Commercial Category: Select One
Claimant Program Code: Description:
Sea Transportation: Select One
GFP Provided Under This Action: Transaction does not use GFP
Use Of EPA Designated Products: Not Required
Description Of Requirement: (Limit 250 characters)
 Consultant Expert Services
 Current: 26

Competition Information

Extent Competed For Referenced IDV:
Extent Competed: Not Competed under SAP
Source Selection Process: Select One
Solicitation Procedures: Simplified Acquisition
IDV Type Of Set Aside:
Type Of Set Aside: No set aside used.
Type Of Set Aside Source: This Action
Evaluated Preference: No Preference used
SBIR/STTR: Select One
Fair Opportunity/Limited Sources: Select One
Other Than Full And Open Competition: Authorized by Statute (FAR 6.302-5(a)(2)(i))

Local Area Set Aside:	No	▼
Contract Opportunities Notice:	No	▼
A76 Action:	No	▼
Commercial Products and Services Acquisition Procedures:	Commercial Products/Services	▼
IDV Number of Offers:	<input type="text"/>	
Number Of Offers Received:	<input type="text" value="1"/>	Number of Offers Source: <input type="text" value="This Action"/>
Small Business Competitiveness Demonstration Program:		
Simplified Procedures for Certain Commercial Products and Commercial Services:	No	▼
Preference Programs / Other Data		
Contracting Officer's Business Size Selection:	Other than Small Business	▼
Subcontract Plan:	Plan Not Required	▼
Price Evaluation Percent Difference:	<input type="text"/> %	