



**NEW JERSEY GOVERNMENT RECORDS COUNCIL**  
**Administrative Complaint Disposition – Request Made to a Non-Public Agency**

**Eric Deleon**  
**Complainant**

**GRC Complaint No. 2018-169**

v.

**Bio-Reference Laboratories, Inc.**  
**Custodial Agency**

**Custodian of Record:** N/A  
**Request Received by Custodian:** N/A  
**GRC Complaint Received:** August 3, 2018

**Complaint Disposition:** The Complainant submitted an OPRA request to an agency that is not a public agency as defined in OPRA. Bio-Reference Laboratories, Inc. is a “wholly owned subsidiary of Opko Health, Inc.,”<sup>1</sup> a publicly-traded diversified healthcare company (NYSE:OPK).<sup>2</sup> See Samgalski v. PSE&G, GRC Complaint No. 2010-251 (December 2010).

**Applicable OPRA Provision:** “‘Public agency’ or ‘agency’ means any of the principal departments in the Executive Branch of State Government, and any division, board, bureau, office, commission or other instrumentality within or created by such department; the Legislature of the State and any office, board, bureau or commission within or created by the Legislative Branch; and any independent State authority, commission, instrumentality or agency. The terms also mean any political subdivision of the State or combination of political subdivisions, and any division, board, bureau, office, commission or other instrumentality within or created by a political subdivision of the State or combination of political subdivisions, and any independent authority, commission, instrumentality or agency created by a political subdivision or combination of political subdivisions.” N.J.S.A. 47:1A-1.1 (emphasis added).

**This is the final administrative determination in this matter. Any further review should be pursued in the Appellate Division of the Superior Court of New Jersey within forty-five (45) days. Information about the appeals process can be obtained from the Appellate Division Clerk’s Office, Hughes Justice Complex, 25 W. Market St. PO Box 006, Trenton, NJ 08625-0006.**

**Effective Date of Disposition:** September 25, 2018

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<sup>1</sup> <https://www.bioreference.com/about/about-opko-health/> (accessed August 23, 2018).

<sup>2</sup> <http://investor.opko.com/investor-relations> (accessed August 24, 2018).