

August 2, 2024

Ron Vachris  
Chief Executive Officer  
Costco Wholesale Corp.  
999 Lake Drive  
Issaquah, WA 98027

Dear Mr. Vachris,

We are investors, investment advisors, fiduciaries, proxy voting and corporate engagement consultants to investors who hold over \$100 billion in assets under management and \$56 million in Costco stock. We write to urge Costco, for its own sake and the sake of its shareholders and customers, to continue its current practice of not dispensing the abortion drug mifepristone.

The New York City Comptroller recently urged you to “immediately take the necessary steps” to begin dispensing mifepristone and warned that failing to do so “raises significant investor concerns,” including “the company’s responsiveness to a growing market opportunity, its mitigation of reputational risks, and its commitment to maximizing sales and long-term shareholder value.”

Not true. Maximizing shareholder value requires Costco to avoid politicizing its services and to continue to do what it has always done best, provide excellent grocery and retail goods to families. The “growing market opportunity” of abortion drugs is legally and politically fraught, raises significant reputational issues, and reduces the company’s customer base, both literally and because it would drive away many existing customers.

The legality of dispensing and distributing the abortion drug is in flux. The Supreme Court’s recent ruling in *FDA v. Alliance for Hippocratic Medicine* has temporarily allowed pharmacies to continue to dispense the drug. But the Court decided the case on procedural grounds and left unresolved whether the current system of dispensing and distributing the drug is legal.

Costco would also likely be prohibited from dispensing the drug through mail. Last year, 20 attorneys general wrote letters advising pharmacies that receiving and dispensing the drug by mail is expressly prohibited by the Comstock Act and many state laws.<sup>1</sup> Violating the Comstock Act alone carries a prison sentence of up to ten years. And the statute of limitations is five years, so the current political leadership

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<sup>1</sup> Tierney Sneed, [Republican AGs warn pharmacies against mailing abortion pills within their states](#), CNN (Feb. 1, 2023).

at the U.S. Department of Justice cannot provide you cover if the administration changes parties.

It also bears repeating that the drug cannot be dispensed at all in 14 states that have laws protecting unborn life and dispensing would be restricted in 4 other states that protect unborn life after 6 weeks of gestation.<sup>2</sup> Louisiana also recently classified the drug as a controlled substance.<sup>3</sup> Continuing to promote this widespread form of abortion is only likely to generate even more political backlash that reduces market opportunity and increases legal risk.

Costco also needs to carefully consider the cost of alienating its diverse customers and potential customers just to boost one product in its pharmacy, which is one of its ancillary lines of business. Over 7,500 concerned citizens, including 6,000 members, have already signed a petition asking you not to sell mifepristone.<sup>4</sup>

Shrinking your customer base is also bad for business. The Brookings Institution recently estimated that the average American family will spend \$310,000 to raise a child born in 2015.<sup>5</sup> This includes over \$50,000 in food and \$15,000 on clothes, not to mention furniture, other household and healthcare items, toys and games, or diapers and formula, all things your stores sell. Dispensing the abortion drug will reduce demand for all of these and only make worse the crisis of record low birth rates.<sup>6</sup>

The Comptroller's fiduciary arguments also rely on comparing mifepristone to ibuprofen. But ibuprofen doesn't send roughly 4% of the people who take it to the emergency room or require surgery for 7% of people who take it "to stop bleeding."<sup>7</sup> The FDA's own label for the drug warns that mifepristone poses these serious health risks. Indeed, the FDA's own (underinclusive) reporting has documented 32 deaths, 4,218 adverse events, 1,049 hospitalizations, 604 blood loss incidents requiring transfusions, 418 infections, and 75 severe infections from the drug from 2000 to 2022.<sup>8</sup>

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<sup>2</sup> *State Bans on Abortion Throughout Pregnancy*, Guttmacher Institute; Aria Bendix, *Iowa's ban on abortions after 6 weeks will go into effect next week*, NBC News (July 23, 2024).

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The Comptroller also said the FDA “thoroughly reviewed the scientific evidence” for mifepristone and that, according to some of the leading medical organizations, “few drugs have been so extensively studied after their approval by FDA and can boast such a clear and compelling record of safe use.”

That’s simply not true. As the United States Fifth Circuit Court of Appeals noted, the FDA admitted that the studies that it relied on to authorize mail-order abortions and pharmacy dispensing were “not adequate on their own to establish the safety of the model of dispensing mifepristone by mail.” The Fifth Circuit thus concluded that “it was not reasonable for FDA to depend on the published literature to support its decision.”<sup>9</sup>

Mifepristone terminates life and does so in ways that the FDA acknowledges risk serious harm to the mother. Dispensing it is filled with legal and political risk and will inject Costco into the middle of an intense political battle at great expense to its reputation. It is also wholly unnecessary to your business. We urge you not to dispense mifepristone. You can contact us through Tim Schwarzenberger, Director of Corporate Engagement at Inspire Investing at [engagement@inspireinvesting.com](mailto:engagement@inspireinvesting.com). We look forward to your response.

Sincerely,

**Robert Netzly**  
CEO  
Inspire Investing

**Will Lofland**  
Managing Director  
Guidestone Financial  
Resources

**Jerry Bowyer**  
CEO  
Bowyer Research

**Darryl Lyons**  
Co-Founder, CEO  
Pax Financial Group

**William Flaig**  
Founder and CEO  
Ridgeline Research LLC

**Walker Wildmon**  
Vice President  
American Family  
Association

**Barbara Mull**  
Owner  
Barbara Mull Invest.  
Solutions

**Brendan Hawks**  
Financial Advisor/RIA  
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Transform Retirement

**Peter Mustian**  
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and Over 6,000 Costco  
Members**

**James Vanderbilt**  
Financial Advisor/RIA

**Thaddeus Allen**  
Financial Advisor/RIA

CC: Hamilton E. James, Chairman of the Board of Directors  
John Sullivan, Executive Vice President, General Counsel, and Secretary  
Brad Lander, New York City Comptroller

August 2, 2024

Vivek Sankaran  
Chief Executive Officer and Director  
Albertsons Companies, Inc.  
250 Parkcenter Blvd.  
Boise, Idaho 83706

Dear Mr. Sankaran,

We are investors, investment advisors, fiduciaries, proxy voting and corporate engagement consultants to investors who hold over \$100 billion in assets under management and \$1.14 million in Albertsons stock. We write to urge Albertsons, for its own sake and the sake of its shareholders and customers, to continue its current practice of not dispensing the abortion drug mifepristone.

The New York City Comptroller recently urged you to “immediately take the necessary steps” to begin dispensing mifepristone and warned that failing to do so “raises significant investor concerns,” including “the company’s responsiveness to a growing market opportunity, its mitigation of reputational risks, and its commitment to maximizing sales and long-term shareholder value.”

Not true. Maximizing shareholder value requires Albertsons to avoid politicizing its services and to continue to do what it has always done best, provide excellent groceries to families. The “growing market opportunity” of abortion drugs is legally and politically fraught, raises significant reputational issues, and reduces the company’s customer base, both literally and because it would drive away many existing customers.

The legality of dispensing and distributing the abortion drug is in flux. The Supreme Court’s recent ruling in *FDA v. Alliance for Hippocratic Medicine* has temporarily allowed pharmacies to continue to dispense the drug. But the Court decided the case on procedural grounds and left unresolved whether the current system of dispensing and distributing the drug is legal.

Albertsons would also likely be prohibited from dispensing the drug through mail. Last year, 20 attorneys general wrote letters advising pharmacies that receiving and dispensing the drug by mail is expressly prohibited by the Comstock Act and many state laws.<sup>1</sup> Violating the Comstock Act alone carries a prison sentence of up to ten years. And the statute of limitations is five years, so the current political

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leadership at the U.S. Department of Justice cannot provide you cover if the administration changes parties.

It also bears repeating that the drug cannot be dispensed at all in 14 states that have laws protecting unborn life and dispensing would be restricted in 4 other states that protect unborn life after 6 weeks of gestation.<sup>2</sup> Louisiana also recently classified the drug as a controlled substance.<sup>3</sup> Continuing to promote this widespread form of abortion is only likely to generate even more political backlash that reduces market opportunity and increases legal risk.

Albertsons also needs to carefully consider the cost of alienating its diverse customers and potential customers just to boost one product in its pharmacy, which is one of its ancillary lines of business. Recently, over 7,500 concerned citizens, including 6,000 members, signed a petition at Costco asking it not to sell mifepristone.<sup>4</sup>

Shrinking your customer base is also bad for business. The Brookings Institution recently estimated that the average American family will spend \$310,000 to raise a child born in 2015.<sup>5</sup> This includes over \$50,000 in food, not to mention diapers and formula, toys and games, and other household and healthcare items, all things your stores sell. Dispensing the abortion drug will reduce demand for all of these and only make worse the crisis of record low birth rates.<sup>6</sup>

The Comptroller's fiduciary arguments also rely on comparing mifepristone to ibuprofen. But ibuprofen doesn't send roughly 4% of the people who take it to the emergency room or require surgery for 7% of people who take it "to stop bleeding."<sup>7</sup> The FDA's own label for the drug warns that mifepristone poses these serious health risks. Indeed, the FDA's own (underinclusive) reporting has documented 32 deaths, 4,218 adverse events, 1,049 hospitalizations, 604 blood loss incidents requiring transfusions, 418 infections, and 75 severe infections from the drug from 2000 to 2022.<sup>8</sup>

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That’s simply not true. As the United States Fifth Circuit Court of Appeals noted, the FDA admitted that the studies that it relied on to authorize mail-order abortions and pharmacy dispensing were “not adequate on their own to establish the safety of the model of dispensing mifepristone by mail.” The Fifth Circuit thus concluded that “it was not reasonable for FDA to depend on the published literature to support its decision.”<sup>9</sup>

Mifepristone terminates life and does so in ways that the FDA acknowledges risk serious harm to the mother. Dispensing it is filled with legal and political risk and will inject Albertsons into the middle of an intense political battle at great expense to its reputation. It is also wholly unnecessary to your business. We urge you not to dispense mifepristone. You can contact us through Tim Schwarzenberger, Director of Corporate Engagement at Inspire Investing at [engagement@inspireinvesting.com](mailto:engagement@inspireinvesting.com). We look forward to your response.

Sincerely,

**Robert Netzly**  
CEO  
Inspire Investing

**Will Lofland**  
Managing Director  
Guidestone Financial  
Resources

**Jerry Bowyer**  
CEO  
Bowyer Research

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CC: James Donald, Co-Chairman of the Board  
Chan Galbato, Co-Chairman of the Board  
Tom Moriarty, EVP, General Counsel and Chief Policy Officer  
Brad Lander, New York City Comptroller



August 2, 2024

W. Rodney McMullen  
Chairman & CEO  
The Kroger Co.  
1014 Vine Street  
Cincinnati, OH 45202

Dear Mr. McMullen,

We are investors, investment advisors, fiduciaries, proxy voting and corporate engagement consultants to investors who hold over \$100 billion in assets under management and \$4.3 million in Kroger stock. We write to urge Kroger, for its own sake and the sake of its shareholders and customers, to continue its current practice of not dispensing the abortion drug mifepristone.

The New York City Comptroller recently urged you to “immediately take the necessary steps” to begin dispensing mifepristone and warned that failing to do so “raises significant investor concerns,” including “the company’s responsiveness to a growing market opportunity, its mitigation of reputational risks, and its commitment to maximizing sales and long-term shareholder value.”

Not true. Maximizing shareholder value requires Kroger to avoid politicizing its services and to continue to do what it has always done best, provide excellent groceries to families. The “growing market opportunity” of abortion drugs is legally and politically fraught, raises significant reputational issues, and reduces the company’s customer base, both literally and because it would drive away many existing customers.

The legality of dispensing and distributing the abortion drug is in flux. The Supreme Court’s recent ruling in *FDA v. Alliance for Hippocratic Medicine* has temporarily allowed pharmacies to continue to dispense the drug. But the Court decided the case on procedural grounds and left unresolved whether the current system of dispensing and distributing the drug is legal.

Kroger would also likely be prohibited from dispensing the drug through mail. Last year, 20 attorneys general wrote letters advising pharmacies that receiving and dispensing the drug by mail is expressly prohibited by the Comstock Act and many state laws.<sup>1</sup> Violating the Comstock Act alone carries a prison sentence of up to ten years. And the statute of limitations is five years, so the current political leadership

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at the U.S. Department of Justice cannot provide you cover if the administration changes parties.

It also bears repeating that the drug cannot be dispensed at all in 14 states that have laws protecting unborn life and dispensing would be restricted in 4 other states that protect unborn life after 6 weeks of gestation.<sup>2</sup> Louisiana also recently classified the drug as a controlled substance.<sup>3</sup> Continuing to promote this widespread form of abortion is only likely to generate even more political backlash that reduces market opportunity and increases legal risk.

Kroger also needs to carefully consider the cost of alienating its diverse customers and potential customers just to boost one product in its pharmacy, which is one of its ancillary lines of business. Recently, over 7,500 concerned citizens, including 6,000 members, signed a petition at Costco asking it not to sell mifepristone.<sup>4</sup>

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The Comptroller's fiduciary arguments also rely on comparing mifepristone to ibuprofen. But ibuprofen doesn't send roughly 4% of the people who take it to the emergency room or require surgery for 7% of people who take it "to stop bleeding."<sup>7</sup> The FDA's own label for the drug warns that mifepristone poses these serious health risks. Indeed, the FDA's own (underinclusive) reporting has documented 32 deaths, 4,218 adverse events, 1,049 hospitalizations, 604 blood loss incidents requiring transfusions, 418 infections, and 75 severe infections from the drug from 2000 to 2022.<sup>8</sup>

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That’s simply not true. As the United States Fifth Circuit Court of Appeals noted, the FDA admitted that the studies that it relied on to authorize mail-order abortions and pharmacy dispensing were “not adequate on their own to establish the safety of the model of dispensing mifepristone by mail.” The Fifth Circuit thus concluded that “it was not reasonable for FDA to depend on the published literature to support its decision.”<sup>9</sup>

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Sincerely,

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CC: Ronald L. Sargent, Lead Director  
Christine S. Wheatley, Secretary  
Brad Lander, New York City Comptroller

August 2, 2024

Brian S. Tyler  
Chief Executive Officer  
McKesson Corporation  
6555 State Highway 161  
Irving, Texas 75039

Dear Mr. Tyler,

We are investors, investment advisors, fiduciaries, proxy voting and corporate engagement consultants to investors who hold over \$100 billion in assets under management and \$23 million in McKesson stock. We write to urge McKesson, for its own sake and the sake of its shareholders and customers, to continue its current practice of not dispensing the abortion drug mifepristone through Health Mart.

The New York City Comptroller recently urged you to “immediately take the necessary steps” to begin dispensing mifepristone and warned that failing to do so “raises significant investor concerns,” including “the company’s responsiveness to a growing market opportunity, its mitigation of reputational risks, and its commitment to maximizing sales and long-term shareholder value.”

Not true. Maximizing shareholder value requires McKesson to avoid politicizing its services and to continue to do what it has always done best, provide excellent pharmaceutical goods to families. The “growing market opportunity” of abortion drugs is legally and politically fraught, raises significant reputational issues, and reduces the company’s customer base, both literally and because it would drive away many existing customers.

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It also bears repeating that the drug cannot be dispensed at all in 14 states that have laws protecting unborn life and dispensing would be restricted in 4 other states that protect unborn life after 6 weeks of gestation.<sup>2</sup> Louisiana also recently classified the drug as a controlled substance.<sup>3</sup> Continuing to promote this widespread form of abortion is only likely to generate even more political backlash that reduces market opportunity and increases legal risk.

McKesson also needs to carefully consider the cost of alienating its diverse customers and potential customers just to boost one of its products. For example, over 7,500 concerned citizens, including 6,000 members, have already signed a petition asking Costco not to sell mifepristone.<sup>4</sup>

Shrinking your customer base is also bad for business. The Brookings Institution recently estimated that the average American family will spend \$310,000 to raise a child born in 2015.<sup>5</sup> This includes over \$27,000 in health care expenses, of which pharmaceutical goods would be a substantial part. Dispensing the abortion drug will reduce long-term demand for your goods and only make worse the crisis of record low birth rates.<sup>6</sup>

The Comptroller's fiduciary arguments also rely on comparing mifepristone to ibuprofen. But ibuprofen doesn't send roughly 4% of the people who take it to the emergency room or require surgery for 7% of people who take it "to stop bleeding."<sup>7</sup> The FDA's own label for the drug warns that mifepristone poses these serious health risks. Indeed, the FDA's own (underinclusive) reporting has documented 32 deaths, 4,218 adverse events, 1,049 hospitalizations, 604 blood loss incidents requiring transfusions, 418 infections, and 75 severe infections from the drug from 2000 to 2022.<sup>8</sup>

The Comptroller also said the FDA "thoroughly reviewed the scientific evidence" for mifepristone and that, according to some of the leading medical organizations, "few

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drugs have been so extensively studied after their approval by FDA and can boast such a clear and compelling record of safe use.”

That’s simply not true. As the United States Fifth Circuit Court of Appeals noted, the FDA admitted that the studies that it relied on to authorize mail-order abortions and pharmacy dispensing were “not adequate on their own to establish the safety of the model of dispensing mifepristone by mail.” The Fifth Circuit thus concluded that “it was not reasonable for FDA to depend on the published literature to support its decision.”<sup>9</sup>

Mifepristone terminates life and does so in ways that the FDA acknowledges risk serious harm to the mother. Dispensing it is filled with legal and political risk and will inject McKesson into the middle of an intense political battle at great expense to its reputation. It is also wholly unnecessary to your business. We urge you not to dispense mifepristone. You can contact us through Tim Schwarzenberger, Director of Corporate Engagement at Inspire Investing at [engagement@inspireinvesting.com](mailto:engagement@inspireinvesting.com). We look forward to your response.

Sincerely,

**Robert Netzly**  
CEO  
Inspire Investing

**Will Lofland**  
Managing Director  
Guidestone Financial  
Resources

**Jerry Bowyer**  
CEO  
Bowyer Research

**Darryl Lyons**  
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**Thaddeus Allen**  
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CC: Donald R. Knauss, Independent Chairman  
Saralisa C. Brau, Corporate Secretary & Assistant General Counsel  
Brad Lander, New York City Comptroller



August 2, 2024

C. Douglas McMillon  
President and Chief Executive Officer  
Walmart Inc.  
702 Southwest 8th Street  
Bentonville, Arkansas 72716-0215

Dear Mr. McMillon,

We are investors, investment advisors, fiduciaries, proxy voting and corporate engagement consultants to investors who hold over \$100 billion in assets under management and \$88 million in Walmart stock. We write to urge Walmart, for its own sake and the sake of its shareholders and customers, to continue its current practice of not dispensing the abortion drug mifepristone.

The New York City Comptroller recently urged you to “immediately take the necessary steps” to begin dispensing mifepristone and warned that failing to do so “raises significant investor concerns,” including “the company’s responsiveness to a growing market opportunity, its mitigation of reputational risks, and its commitment to maximizing sales and long-term shareholder value.”

Not true. Maximizing shareholder value requires Walmart to avoid politicizing its services and to continue to do what it has always done best, provide excellent grocery and retail goods to families. The “growing market opportunity” of abortion drugs is legally and politically fraught, raises significant reputational issues, and reduces the company’s customer base, both literally and because it would drive away many existing customers.

The legality of dispensing and distributing the abortion drug is in flux. The Supreme Court’s recent ruling in *FDA v. Alliance for Hippocratic Medicine* has temporarily allowed pharmacies to continue to dispense the drug. But the Court decided the case on procedural grounds and left unresolved whether the current system of dispensing and distributing the drug is legal.

Walmart would also likely be prohibited from dispensing the drug through mail. Last year, 20 attorneys general wrote letters advising pharmacies that receiving and dispensing the drug by mail is expressly prohibited by the Comstock Act and many state laws.<sup>1</sup> Violating the Comstock Act alone carries a prison sentence of up to ten years. And the statute of limitations is five years, so the current political

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It also bears repeating that the drug cannot be dispensed at all in 14 states that have laws protecting unborn life and dispensing would be restricted in 4 other states that protect unborn life after 6 weeks of gestation.<sup>2</sup> Louisiana also recently classified the drug as a controlled substance.<sup>3</sup> Continuing to promote this widespread form of abortion is only likely to generate even more political backlash that reduces market opportunity and increases legal risk.

Walmart also needs to carefully consider the cost of alienating its diverse customers and potential customers just to boost one product in its pharmacy, which is one of its ancillary lines of business. For example, over 7,500 concerned citizens, including 6,000 members, recently signed a petition asking Costco not to sell mifepristone.<sup>4</sup>

Shrinking your customer base is also bad for business. The Brookings Institution recently estimated that the average American family will spend \$310,000 to raise a child born in 2015.<sup>5</sup> This includes over \$50,000 in food and \$15,000 on clothes, not to mention furniture, other household and healthcare items, toys and games, or diapers and formula, all things your stores sell. Dispensing the abortion drug will reduce demand for all of these and only make worse the crisis of record low birth rates.<sup>6</sup>

The Comptroller's fiduciary arguments also rely on comparing mifepristone to ibuprofen. But ibuprofen doesn't send roughly 4% of the people who take it to the emergency room or require surgery for 7% of people who take it "to stop bleeding."<sup>7</sup> The FDA's own label for the drug warns that mifepristone poses these serious health risks. Indeed, the FDA's own (underinclusive) reporting has documented 32 deaths, 4,218 adverse events, 1,049 hospitalizations, 604 blood loss incidents requiring transfusions, 418 infections, and 75 severe infections from the drug from 2000 to 2022.<sup>8</sup>

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Sincerely,

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