From: Shalley, Nicolle M.
To: Bielarski, Edward J
Subject: RE: GREC - GRU MOU 3-21.pdf
Date: Wednesday, March 22, 2017 8:56:17 AM

I'm in the office all morning, ext. 8747.

Nicolle M. Shalley
City Attorney
City of Gainesville
352-393-8747 (phone)

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From: Bielarski, Edward J
Sent: Tuesday, March 21, 2017 9:33 PM
To: Shalley, Nicolle M.
Subject: Fwd: GREC - GRU MOU 3-21.pdf

Let me know what you think. It looks like the stay issue is resolved and the withholding are restricted to claims or pending claims in the dispute and the retention cap is $ 7.4 mm but not a credit. Let's talk in morning.

Sent from my iPad

Begin forwarded message:

> **From:** Jim Gordon <jgordon@emienergy.com>
> **Date:** March 21, 2017 at 8:44:24 PM EDT
> **To:** "Bielarski, Edward J" <BielarskiEJ@gru.com>, "Brown, Thomas R" <BrownTR@gru.com>, Al Morales <AMorales@emienergy.com>, Dennis Duffy <dduffy@emienergy.com>, "shalleynm@cityofgainesville.com" <shalleynm@cityofgainesville.com>, "Locke, Justin M" <LockeJM@gru.com>
> **Subject: GREC - GRU MOU 3-21.pdf**
>
> Ed,
> Attached is a revised version of the MOU, marked against GRU rev 11.
> The first change is that we have reverted the language in Section 7(b) regarding future withholdings, to the language which had been previously suggested by GRU and included by GRU in prior drafts. We have also made two other minor

changes to clarify the intent that the Retention Cap credit would be realized through retention of those previously withheld funds under the PPA.

We believe that these changes are in keeping with our mutual understanding.

Regards,

Jim