From:	Mccarty, Rich
To:	Bielarski, Edward J; Cottle, Lisa A.; Shalley, Nicolle M.; Hinton, Paula W.
Cc:	Mccarty, Rich
Subject:	RE: Draft MOU - v2
Date:	Friday, March 03, 2017 4:03:38 PM
Attachments:	mou re purchase of biomass facility - v2.docx

Ed,

I'm with you now. Please see the attached revision re section 7--I discussed it with Lisa and she is fine with it.

Rich

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-----Original Message-----
From: Bielarski, Edward J [mailto:BielarskiEJ@gru.com]
Sent: Friday, March 03, 2017 2:43 PM
To: McCarty, Rich <RMcCarty@winston.com>; Cottle, Lisa A. <LCottle@winston.com>; Shalley, Nicolle M. <shalleynm@cityofgainesville.org>; Hinton, Paula W. <PHinton@winston.com>
Subject: RE: Draft MOU - v2

Sorry I was talking about the final changes to Section 7 concerning Disputes.

Edward Bielarski Jr
General Manager
Gainesville Regional Utilities

-----Original Message-----
From: McCarty, Rich [mailto:RMcCarty@winston.com]
Sent: Friday, March 03, 2017 3:25 PM
To: Bielarski, Edward J; Cottle, Lisa A.; Shalley, Nicolle M.; Hinton, Paula W.
Cc: McCarty, Rich
Subject: RE: Draft MOU - v2

Ed,

There has been no agreement on confidentiality regarding the documents produced in the litigation -- we have raised that issue with GREC (see attached), but have not yet heard a response. However, the language that we offered is based upon the language that Nicolle had included in the MOU, which we understand to be the traditional standard for GRU and the City.

Rich

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-----Original Message-----
From: Bielarski, Edward J [mailto:BielarskiEJ@gru.com]
Sent: Friday, March 03, 2017 2:14 PM
To: Cottle, Lisa A. <LCottle@winston.com>; McCarty, Rich <RMcCarty@winston.com>; Shalley, Nicolle M. <shalleynm@cityofgainesville.org>; Hinton, Paula W. <PHinton@winston.com>
Subject: RE: Draft MOU - v2

Is there agreement from the lawyers on the wording of the Confidentiality issue yet?

Edward Bielarski Jr
General Manager
Gainesville Regional Utilities

-----Original Message-----
From: Cottle, Lisa A. [mailto:LCottle@winston.com]
Sent: Friday, March 03, 2017 11:21 AM
To: McCarty, Rich; Shalley, Nicolle M.; Hinton, Paula W.
Cc: Bielarski, Edward J
Subject: RE: Draft MOU - v2

I don't have the newest version, but my understanding was the same as Nicolle describes below. The stay we agreed to so far is just to get to an MOU. I don't think you need to address that short stay in the MOU at all. I'm happy to review the MOU if someone sends it to me. I only have the version that we worked on last week. For some reason it did not come through with Paula's email earlier today.

Lisa

-----Original Message-----
From: McCarty, Rich
Sent: Friday, March 03, 2017 8:08 AM
To: Shalley, Nicolle M. <shalleynm@cityofgainesville.org>; Hinton, Paula W. <PHinton@winston.com>
Cc: Bielarski, Edward J <BielarskiEJ@gru.com>; Cottle, Lisa A. <LCottle@winston.com>; McCarty, Rich <RMcCarty@winston.com>
Subject: RE: Draft MOU - v2

Nicolle,

I tried giving you a call in regards to your email. I am available to discuss what was agreed to if I can help dispel any confusion. My direct line is 713.651.2640.

Rich

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-----Original Message-----
From: Shalley, Nicolle M. [mailto:shalleynm@cityofgainesville.org]
Sent: Friday, March 03, 2017 9:28 AM
To: Hinton, Paula W. <PHinton@winston.com>
Cc: Bielarski, Edward J <BielarskiEJ@gru.com>; McCarty, Rich <RMcCarty@winston.com>; Cottle, Lisa A. <LCottle@winston.com>
Subject: Re: Draft MOU - v2

Hello all - I think there is some confusion (which may be solely on my end?) - but my understanding is that what Paula worked on is a brief, very limited scope stay to allow the parties to get to a signed MOU. In contrast, the language in the draft MOU (which won't become effective until CCOM approval) is intended to allow a longer, broader stay of non-SJ matters to allow the parties to get to a signed agreement.

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

On Mar 3, 2017, at 9:15 AM, Hinton, Paula W. <PHinton@winston.com<mailto:PHinton@winston.com>> wrote:

Okay, got it open. It should say that the only items stayed are the "conduct of depositions and the expert report deadlines if and when approval of the MOU is obtained from the Commission and the Advisory Board".

There are applications for subpoenas pending too that are not technically motions so we want to say what is stayed....thanks all..copying Rich here too who worked with me on the language with Phelan.

Paula W. Hinton

Partner

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<image003.jpg>

From: Shalley, Nicolle M. [mailto:shalleynm@cityofgainesville.org]
Sent: Thursday, March 02, 2017 6:31 PM
To: Bielarski, Edward J <BielarskiEJ@gru.com<mailto:BielarskiEJ@gru.com>>
Cc: Hinton, Paula W. <PHinton@winston.com<mailto:PHinton@winston.com>>
Subject: Draft MOU - v2

Hello Ed – Per our discussion. After Paula has reviewed Section 7, feel free to transmit. Remember to include the City Commission on your transmittal email to GREC, as that seemed to be their direction today.

Hello Paula – Please review Section 7 to confirm whether it is consistent with our earlier discussion, if not, please revise accordingly.

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

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