

**akerman**

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June 1, 2020

VIA EMAIL

Christopher M. Garrett ([garrettc@coj.net](mailto:garrettc@coj.net))  
Assistant General Counsel  
City Hall, St. James Building  
117 West Duval Street, Suite 480  
Jacksonville, Florida 32202

Re: Subpoena Duces Tecum directed to JEA Public Power Partners

Dear Chris:

First, thank you for approving JEA Public Power Partners' ("JEA PPP") request for a two-week extension of time to respond to the above referenced subpoena ("Subpoena").

JEA PPP responds to the Subpoena's two requests as follows:

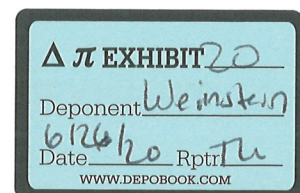
**(1) A list of all lobbyists, attorneys, and consultants employed by you in connection with the JEA ITN.**

Enclosed in this production is an excerpt, at pages 23-24, of JEA PPP's Revised Reply to the ITN, dated November 26, 2019 which provides an Advisor/Contact List, containing the following attorneys and consultants:

Legal Advisors

Kirkland & Ellis LLP  
Gardner, Bist, Bosden, Bush, Dee, Lavia & Wright, P.A.  
Brunini Firm  
Kutak Rock  
Orrick Herrington & Sutcliffe  
Fishman Haygood LLP  
Osler, Hoskin & Harcourt LLP  
Jones Day

53305027;2



Consultants

Rocklyn Capital  
Emergent Method  
Michael B. Weinstein

Although not responsive to the Subpoena, but in an effort of full disclosure, and without waiving any rights, the below list includes lobbyists and consultants which were engaged by an affiliate of a JEA PPP consortium member in connection with the JEA ITN, but prior to JEA's issuance of the "Cone of Silence" under Addendum 3 to the JEA ITN. Upon issuance of the Cone of Silence, these persons and entities were instructed by JEA PPP to refrain from ex parte communications with the Jacksonville Mayor, the Jacksonville City Council Members or JEA Board members or other representatives as such communications were strictly prohibited by the Cone of Silence.

Lobbyists

Gilmore Hagan Partners

Legal Advisors

Akerman LLP - not engaged, but inquiries made  
Jones Walker LLP  
Windels Marx Lane & Mittendorf, LLP

Consultants

Jody Brooks  
Erin Isaac, Isaac Communications  
JACE Advisors, LLC

Please note that an affiliate of a JEA PPP consortium member performed due diligence on potentially retaining Husein Cumber as a consultant but did not do so as there was a perceived or actual conflict.

**(2) Any document showing that you were or were not given an opportunity to physically inspect JEA Assets at any time after January 1, 2018.**

Enclosed are Updated Revised Reply Instructions for the JEA ITN dated December 17, 2019, which states at page 5:

"Ongoing due diligence: 1. For those Respondents with whom JEA elects to continue negotiations after submission of updated Revised Replies, site visits will be made available during the week of January 20, 2020."

We believe this may be the first mention to JEA PPP of when "site visits" (physical inspection, facility inspection, asset inspection) might occur. It should be noted that the JEA ITN process was

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stopped December 24, 2019, approximately a week after these Revised Reply Instructions were issued and well before the potential site visit time frame.

Also enclosed are JEA PPP's internal "Call Notes" from a "Negotiation Session" teleconference organized by JEA with JEA PPP and held on December 4, 2019, which notes were prepared by JEA PPP's consultant, Emergent Method, and which notes reflect "Confirmatory due diligence to occur during the month of January" and a "Signed transaction document by end of January." These references could be interpreted to include time frames for potential site visits. JEA should have a transcript of that call. In this regard, I refer you to the Public Records Document Repository on JEA's website (<https://www.jea.com/microsite/promise/promise.html>) which hosts, among other things, transcripts and recordings of negotiation sessions and presentations involving all respondents, including JEA PPP.

JEA PPP does not believe it is in possession of any emails or calendar entries referencing potential site visits.

Please do not hesitate to contact me if you would like to discuss these matters further. My cellphone number is (786) 564-9075.

Sincerely,

  
Jacqueline M. Arango

Enclosures (Bate Stamp #JEA-PPP 000238-000247)