

Dan FYI

Thelen, Mary Beth (DEQ)

From: Dillon, Andy (Treasury)
 Sent: Tuesday, March 26, 2013 2:33 PM
 To: Wyant, Dan (DEQ)
 Subject: Fwd: Root Cause Committee Report Final Form 3/13

FYI.

Sent from my iPad

Begin forwarded message:

From: "Doak, James" <james.doak@millerbuckfire.com>
 Date: March 26, 2013 1:08:15 PM EDT
 To: "Dillon, Andy (Treasury)" <DillonA2@michigan.gov>, "Headen, Frederick (Treasury)" <HeadenF@michigan.gov>
 Cc: "Buckfire, Ken" <ken.buckfire@millerbuckfire.com>, "Saxton, Thomas (Treasury)" <SaxtonT@michigan.gov>, "Stibitz, Brom (Treasury)" <StibitzB@michigan.gov>, "Orr, Kevyn (GOV)" <OrrK2@michigan.gov>, "Rustem, William (GOV)" <rustcmw@michigan.gov>
 Subject: RE: Root Cause Committee Report Final Form 3/13

We would be happy to do so.

It is our (MB) understanding that on Thursday, at and around the status conference, Judge Cox was asking all the parties in interest to clarify their position on the RCC report. The Judge may have also expressed his views on the RCC report, the process and associated required judicial authority.

MB was also informed last night and this morning by Jack Martin and Ed Keelean that the City is not inclined to pursue the RCC recommendation at this time, including any work to create a stipulated order for dismissal laying out the process/transaction/structure in the RCC recommendation.

I am in the office today and happy to discuss further. We will get our summary off to Fred this afternoon.

James Doak
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-----Original Message-----

From: Dillon, Andy (Treasury) [mailto:DillonA2@michigan.gov]

Sent: Tuesday, March 26, 2013 12:55 PM

To: Doak, James; Headen, Frederick (Treasury)

Cc: Buckfire, Ken; Saxton, Thomas (Treasury); Stibitz, Brom (Treasury); Orr, Kevyn (GOV); Rustem, William (GOV)

Subject: Re: Root Cause Committee Report Final Form 3/13

Fred and Jim,

I need to brief the Governor on why Judge Cox wants the root cause report on the DWSD case and why he wants to understand the Governor's position on this issue.

Fred, if you could call the Judge's Special Master David Ottenwess and confirm that the judge is in fact looking for the Governor's position on this issue and why I would appreciate it. I don't believe there is a legal need for the G's sign off and if not we should advise the G of this. I do believe the DEQ is a party to the litigation and will ultimately have to sign off on the order which will dismiss the case and I believe include the recommendation of the root cause committee.

Jim, if you could provide Fred with a summary of why you signed off on the report we will include that in our briefing to the G.

Unless, there is some aspect to this I don't understand, I think this should be a one-pager.

Thanks.

Andy

Sent from my iPad

On Mar 13, 2013, at 10:14 AM, "Doak, James"

<james.doak@millerbuckfire.com<mailto:james.doak@millerbuckfire.com>> wrote:

Jack and Gary,

As we just discussed, attached please find a revision of the Report, re-dating the document and removing a sentence in "Interim Relief".

I have discussed the change with Matthew Schenk. He is okay with the change.

As we discussed, this version is ready for execution.

The MB team will be working on talking/briefing/Q&A points for you this morning and will start to coordinate with Warfield (who will also coordinate with the DWSD communications team).

Thanks and we look forward to continued progress on this transaction and value-creation opportunity for the City of Detroit.

Jim