

Melissa Wipf

From: William Taylor
Sent: Tuesday, April 21, 2015 10:55 AM
To: robin.martinez (robin.martinez@martinezlaw.net); belli4law@aol.com; Paul Blackburn (paul@paulblackburn.net); matthew rappold (matt.rappold01@gmail.com); Thomasina Real Bird (TRealBird@ndnlaw.com); Peter Capossela (pcapossela@nu-world.com); kristen.edwards@state.sd.us
Subject: Yesterday's conference call

We discussed the matters raised in yesterday's conference call with Keystone. Our response to the matters discussed follows.

1. The non-protected materials have been posted to a Hightail site, which is up and running. By separate email I'll send connecting information and passwords. The protected materials will be posted to another Hightail site today, which should be available by late afternoon. In the meantime, the FTP sites continue in operation.
2. We look forward to DRA and Standing Rock reviewing their interrogatory/document requests and narrowing the scope of the broader inquiries.
3. As you peruse the documents, please let us know of any specific documents you think should not be denominated confidential and the reasons why, and we will review and consider your requests.
4. Keystone agrees that experts may review the confidential documents, provided that each agrees to be bound by the terms of the extant order(s) to the extent they govern document management, confidentiality, security, use and return of the documents. Keystone requires that you identify the experts to whom the documents will be shown in advance, that experts make their commitment in writing, and Keystone receive a signed copy of the commitment.
5. Keystone believes it is appropriate for lawyers who have permission to see the confidential documents to show them to co-counsel within their firms, provided co-counsel agree to be bound by the terms of the order(s). Presumably they are ethically bound to the terms of the order(s) anyway.
6. Keystone will extend points four and five above to Ms. Spotted Eagle, with respect to the cultural surveys.
7. Keystone has separately addressed Standing Rock's request with respect to its HPO, through Mr. Caposella.
8. Ms. Edwards suggestion that the Commission enter an order memorializing our agreement to postpone witness/exhibit lists until the 28th is acceptable to Keystone, and I understand, acceptable to all other parties to yesterday's call.
9. Keystone will not agree to extend the date for hearing, or other milestone dates in the run-up to the hearing.

William Taylor

