To: Fajardo, Juan[Fajardo.Juan@epa.gov]
Cc: lsilver@lssh-law.com[lsilver@lssh-law.com]
From: Frank_Parigi@oxy.com
Sent: Wed 7/13/2016 1:35:08 PM
Subject: RE: Diamond Alkali; http://www.lssh-law.com/services/larry-silver/

Privileged Settlement Communication

Great question, and one of the many issues we are dealing with. Yes, Ben is still working on the RD negotiations, but in a joint representation capacity for Oxy and Maxus/Tierra. Because of the bankruptcy and positions Maxus/Tierra are taking, we are navigating "client" issues and trying to figure out what the Maxus/Tierra involvement will be and what positions they will take on Ben's representation going forward. Out of an abundance of caution and fearing that somehow we lose access to Ben, we have retained Larry Silver of Langsam Stevens who has represented OCC on other sites for years. Attached is a link to Larry's bio and you will note I have CC:-ed Larry on this e-mail.

For the long run, our access to Ben will depend on positions Maxus/Tierra take. My goal is to keep Ben and VE part of the team. I would point out that, because of the complexities of the bankruptcy and the VE joint representation, there may be certain communications with just Larry and me.

From: Fajardo, Juan [mailto:Fajardo.Juan@epa.gov]
Sent: Wednesday, July 13, 2016 7:45 AM
To: Parigi, Frank <Frank_Parigi@oxy.com>
Subject: Diamond Alkali

Frank –

I understand that Ben Lippard is still working on the 8.3 miles RD negotiations. Is that right? Did I misunderstand you to say that V&E was no longer working for Oxy with respect to the Diamond Alkali Site? What is Ben role going forward, not just for the lower 8.3 miles, but for the Site in general.

Thanks,

Juan M. Fajardo

Assistant Regional Counsel

212 637-3132