Message

From: Martinez, Brittany [Martinez.Brittany@epa.gov]
Sent: 7/28/2017 7:38:20 PM
To: Paul Achitoff [achitoff@earthjustice.org]
CC: Dorka, Lilian [Dorka.Lilian@epa.gov]; Covington, Jeryl [Covington.Jeryl@epa.gov]; Kylie Wager [kwager@earthjustice.org]
Subject: FW: Title VI Complaint File nos. 44RNO-16-R9 and 45RNO-16-R9

Hi Paul,

I wanted to send you a note just to follow up and let you know that I will be out of the office starting Wednesday, 8/2 for a couple of weeks. I have cc'd Lilian Dorka, the ECRCO Director and Jeryl Covington, who is the technical lead for this complaint. If there is a chance that you may have additional clients and/or the individual mentioned by Ex. 6 Personal Privacy (PP) available to speak to us, please let us know as those interviews can be conducted during my absence.

Thank you,

From: Martinez, Brittany
Sent: Tuesday, July 18, 2017 10:53 AM
To: 'Paul Achitoff'
Cc: Kylie Wager
Subject: RE: Title VI Complaint File nos. 44RNO-16-R9 and 45RNO-16-R9

Hi Paul,

Thank you for this information. We will review and let you know whether we have any questions relating to the lawsuits. In regards to any additional materials, I note that both interviewees mentioned that they have taken video or have access to video that show activities and/or storm water run-off from the fields. If possible, can you share or direct us to those videos?

In addition, I received clarification regarding the confidentiality related question that was posed during the last interview. In regards to the potential interview with the individual who once worked on the agricultural fields, we will need to know the identity of the witness. But we will keep their identity private and per the Privacy Act, we never reveal "personal privacy information." So, we would not use their names in any documents we would issue to the recipient or make public.

Please let me know if you have any questions.

From: Paul Achitoff [mailto:achitoff@earthjustice.org]
Sent: Monday, July 17, 2017 6:49 PM
To: Martinez, Brittany <Martinez.Brittany@epa.gov>
Cc: Kylie Wager <kwager@earthjustice.org>
Subject: Title VI Complaint File nos. 44RNO-16-R9 and 45RNO-16-R9

Hi Brittany,

During your interview with Ex. 6 Personal Privacy (PP) mentioned the lawsuits that the agrochemical companies had filed challenging Kaua'i County's ordinance requiring pesticide buffer zones and disclosure. You'd asked whether I could provide more information about that. I'm

attaching a copy of the complaint. However, there were three separate lawsuits, filed by the companies or their proxies, challenging ordinances passed by Kaua'i, Hawai'i, and Maui counties. There are briefs on motions for summary judgment, as well as appeals from each case to the Ninth Circuit Court of Appeals. Please let me know what material you'd like to have and I'll forward it.

Also, please let me know if there are any other materials you'd like me to try to obtain as a result of your interviews **Ex. 6 Personal Privacy (PP)** Thank you.

Paul

Paul H. Achitoff
Managing Attorney
Earthjustice Mid-Pacific Office
850 Richards Street, Suite 400
Honolulu, HI 96813
T: 808.599.2436
F: 808.521.6841
earthjustice.org

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