Message

From: Kupchan, Simma [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=784E0AEA94A7485FA0435CC0CF5A62A5-SASHER]
Sent: 5/30/2018 6:59:11 PM
To: 'Dertke, Daniel (ENRD)' [Daniel.Dertke@usdoj.gov]
Subject: FW: Aquila's Draft Reply in Support of Motion to Dismiss
Attachments: 17193781_5 Reply in Support of Motion to Dismiss (Aquila)-c.DOCX; ATT00001.htm

Attorney Client / Ex. 5

I'd point out the assumption vs delegation difference, but this is not the place to educate Aquila on that point. - Kathy

Sent from my iPhone

Begin forwarded message:

From: "Dertke, Daniel (ENRD)" <Daniel.Dertke@usdoj.gov>
Date: May 30, 2018 at 2:31:20 PM EDT
To: "Dao, Thuy B CIV USARMY CELRE (US)" <Thuy.B.Dao@usace.army.mil>, "Hurld, Kathy" <Hurld.Kathy@epa.gov>, "Kupchan, Simma" <Kupchan.Simma@epa.gov>, "Carter, Michael A.(USAWIE) 2" <Michael.A.Carter@usdoj.gov>, "Pallesen, Reginald A." <pallesen.reginald@epa.gov>, "Boyd, Milton W CIV USARMY CEHQ (US)" <milt.boyd@usace.army.mil>, "Shaw, Kyle T CIV USARMY CELRD (US)" <Kyle.T.Shaw@usace.army.mil>
Subject: FW: Aquila's Draft Reply in Support of Motion to Dismiss

Attorney Client / Ex. 5

From: Ettinger, Daniel <DEttinger@wnj.com>
Sent: Wednesday, May 30, 2018 2:26 PM
To: Dertke, Daniel (ENRD) <DDertke@ENRD.USDOJ.GOV>
Cc: Donohue, Dennis <DDonohue@wnj.com>; Chrysler, Ashley <achrysler@wnj.com>; Ronald R. Ragatz (rrr@dewittross.com) <rrr@dewittross.com>
Subject: Aquila's Draft Reply in Support of Motion to Dismiss

Dan:

Per our discussion last week, attached is a draft of Aquila's Reply in Support of its Motion to Dismiss the Menominee Tribe's Complaint. Any comments you have on the brief are appreciated. I also wanted to confirm that the Federal Defendants are in fact including a declaration from the Corps attaching a complete copy of the 1984 MOA.

Thanks.

Dan

Daniel P. Ettinger
Partner
Profile | **VCard**

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