Message

From: McCoy, Lisa [LMcCoy@idem.IN.gov]
Sent: 5/14/2019 6:22:30 PM
To: Curt DeVoe [cdevoe@psrb.com]; Brad Gentry [bgentry@iwmconsult.com]; Bury, Carolyn [bury.carolyn@epa.gov]; Faulds, Haley [HFaulds@idem.IN.gov]
CC: Richard S. VanRheenen [RVanRheenen@lewis-kappes.com]; STILZ, DON [DSTILZ@idem.IN.gov]; Cress, Bryan [BCress@idem.IN.gov]; Asque, Gillian [asque.gillian@epa.gov]; jbian@amphenol-aao.com; Plinio Perez [PPerez@amphenol.com]; Andrea Townsend [atownsend@psrb.com]
Subject: RE: 400 N. Forsythe St. - Proposed Access Agreement for Amphenol and IWM, Revised
Attachments: ATT00001.txt

Thanks all for your cooperation!

Lisa McCoy
Office of Legal Counsel
IDEM

From: Curt DeVoe [mailto:cdevoe@psrb.com]
Sent: Tuesday, May 14, 2019 2:23 PM
To: Brad Gentry <bgentry@iwmconsult.com>; Bury, Carolyn <bury.carolyn@epa.gov>; Faulds, Haley <HFaulds@idem.IN.gov>
Cc: Richard S. VanRheenen <RVanRheenen@lewis-kappes.com>; STILZ, DON <DSTILZ@idem.IN.gov>; Cress, Bryan <BCress@idem.IN.gov>; McCoy, Lisa <LMcCoy@idem.IN.gov>; Asque, Gillian <asque.gillian@epa.gov>; jbian@amphenol-aao.com; Plinio Perez <PPerez@amphenol.com>; Andrea Townsend <atownsend@psrb.com>
Subject: RE: 400 N. Forsythe St. - Proposed Access Agreement for Amphenol and IWM, Revised

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Brad, thanks for your note. We received a revised draft from Amphenol's attorney, Plinio Perez (added to the cc list here), yesterday afternoon with some good revisions. We have just a few minor changes to that draft, which Andrea Townsend is emailing back to Mr. Perez this afternoon. We should be able to finalize the agreement and distribute it for signature in the next day or so. Then you can finally get to work!

Curt DeVoe
Partner
Plews Shadley Racher & Braun LLP
1346 N. Delaware Street
Indianapolis, IN 46202-2415
Phone (317) 637-0700 Ext. 215
Fax (317) 637-0710
Email cdevoe@psrb.com
Website www.psrb.com

From: Brad Gentry [mailto:bgentry@iwmconsult.com]
Sent: Tuesday, May 14, 2019 8:31 AM

To: Andrea Townsend; Bury, Carolyn; Faulds, Haley
Cc: Curt DeVoe; Richard S. VanRheenen; STILZ, DON; Cress, Bryan; McCoy, Lisa; Asque, Gillian; jbian@amphenol-aao.com
Subject: RE: 400 N. Forsythe St. - Proposed Access Agreement for Amphenol and IWM, Revised

Andrea

Sorry for the confusion regarding the word version of the document that I sent you. I thought you had everything you needed and was not aware that you were still missing anything.

Also, it sounds like you have already initiated communication with Amphenol's legal counsel and they have responded to you regarding the modified agreement. Thank you in advance for your client's willingness to grant access to the property and we look forward to finalizing the access agreement in the near future.

Please let me know if you need anything else at this time.

Sincerely,

Bradley E. Gentry, LPG
Vice President/Brownfield Coordinator
IWM Consulting Group, LLC
7428 Rockville Road
Indianapolis, IN 46214
Mobile: (317) 435-8877
Office: (317) 968-9256
Fax: (317) 347-9326

From: Andrea Townsend <atownsend@psrb.com>
Sent: Monday, May 06, 2019 11:08 AM
To: Brad Gentry <bgentry@iwmconsult.com>; Bury, Carolyn <bury.carolyn@epa.gov>; Faulds, Haley <HFaulds@idem.in.gov>
Cc: Curt DeVoe <cdevoe@psrb.com>; Richard S. VanRheenen <RVanRheenen@lewis-kappes.com>; STILZ, DON <DSTILZ@idem.in.gov>; Cress, Bryan <BCress@idem.in.gov>; McCoy, Lisa <LMcCoy@idem.in.gov>; Asque, Gillian <asque.gillian@epa.gov>; jbian@amphenol-aao.com
Subject: 400 N. Forsythe St. - Proposed Access Agreement for Amphenol and IWM, Revised

Brad,

Please find attached a clean and "compare" copy of Curt's and my markup of the proposed IWM access agreement for the 400 Forsythe St. property (the "Site"). Our work was delayed in part because we ultimately had to create a Word version of the PDF document shared by IWM. (The Word attachment you shared, attached, is missing Attachment C.) We tried to get the formatting as close as possible and keep your style of naming of parties, etc.

The revised draft includes the substance of all the original provisions, although the provisions may have been moved or combined. Other changes include quoting the description of work in your February 12, 2019 access request letter and bringing the proposed access agreement in line with the other access agreement for the Site.

Curt's and my clients have approved this draft. If you agree, please have IWM and Amphenol sign.

I'm happy to discuss.

Andrea

p.s. Is Amphenol represented by legal counsel? If so, please provide name and contact information so we can copy that person on our correspondence.

Andrea Kochert Townsend
Associate
Plews Shadley Racher & Braun LLP
1346 N. Delaware St.
Indianapolis, IN 46202-2415
Phone: (317) 637-0700 Ext. 210
Fax: (317) 637-0710
Email: atownsend@psrb.com
Website: www.psrb.com

Plews Shadley
Racher & Braun
Attorneys at Law