From: Dertke, Daniel (ENRD)
To: Smith, Rodney; Lyons, Ann
Cc: Anderson, Lea
Subject: RE: TNA v EPA, No. 14-73101 (9th Cir.)
Date: Monday, November 17, 2014 9:12:48 AM

Ok, how about we talk in a couple of minutes, at 12:15 eastern, 10:15 mountain, 9:15 pacific, using

[redacted] Redaction: not responsive and PII

From: Smith, Rodney [mailto:rodney.smith@sol.doi.gov]
Sent: Monday, November 17, 2014 12:10 PM
To: Lyons, Ann
Cc: Dertke, Daniel (ENRD); Anderson, Lea
Subject: Re: TNA v EPA, No. 14-73101 (9th Cir.)

I am free anytime except for 1:00-1:30 eastern (10:00-10:30 pacific). I can probably move this appointment if I need to.

Thanks,

---MRS

M. Rodney Smith Jr.
U.S. Department of the Interior
Office of the Solicitor
Division of Land & Water Resources
125 South State Street, Suite 6201
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Tel: (801) 524-5677 x237
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Email: Rodney.Smith@sol.doi.gov

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On Mon, Nov 17, 2014 at 10:00 AM, Lyons, Ann <Lyons.Ann@epa.gov> wrote:

> I am available from now until our 11:00/2:00 call.
>
> Ann Lyons
> Office of Regional Counsel
> U.S.E.P.A.
> 75 Hawthorne Steet
> San Francisco, CA 94107

415-972-3883
lyons.ann@epa.gov

From: Dertke, Daniel (ENRD) [mailto:Daniel.Dertke@usdoj.gov]
Sent: Monday, November 17, 2014 8:52 AM
To: Smith, Rodney; Anderson, Lea
Cc: Lyons, Ann
Subject: RE: TNA v EPA, No. 14-73101 (9th Cir.)

Did I miss an internal call? Sorry, my email has been down and is just now back up. I am free the rest of the morning…

I think for the call at 2 eastern with the mediator we have the same call-in number as last time but let me look that up.

From: Smith, Rodney [mailto:rodney.smith@sol.doi.gov]
Sent: Monday, November 17, 2014 10:21 AM
To: Anderson, Lea
Cc: Dertke, Daniel (ENRD); Lyons, Ann
Subject: Re: TNA v EPA, No. 14-73101 (9th Cir.)

Hi Folks,

I am either free or can move things around today, so please let me know where we land.

Thanks,

-MRS

On Monday, November 17, 2014, Anderson, Lea <anderson.lea@epa.gov> wrote:

> I have another call with Janet McCabe from 11-11:45, but you talk without me if this is the best time to discuss issues before the 2 Eastern time call with Black Mesa. If we reschedule, I'm free from 11:45-1:00. I don't have the details for the 2:00. Is there a call in number?
>
> ---
>
> **From:** Dertke, Daniel (ENRD) <Daniel.Dertke@usdoj.gov>
> **Sent:** Monday, November 17, 2014 10:10 AM
> **To:** Dertke, Daniel (ENRD)
> **Cc:** Smith, Rodney; Lyons, Ann; Anderson, Lea
> **Subject:** Re: TNA v EPA, No. 14-73101 (9th Cir.)
>
> Ok. Did we set a time to talk this morning? I don't have anything on my calendar. What works for folks?

On Nov 14, 2014, at 8:34 PM, Dertke, Daniel (ENRD) <DDertke@ENRD.USDOJ.GOV> wrote:

Thanks. How about we all talk Monday at 9 mountain, 11 Eastern. Ann I know that is 8 your time but I'd like to build in time to talk with petitioners before the call with the mediator if we can. We can use my call in number again.

On Nov 14, 2014, at 7:35 PM, Smith, Rodney <rodney.smith@sol.doi.gov> wrote:

Redaction: Attorney Work Product

Hi Dan,

[redacted]

[redacted]

[redacted] I'm free Monday except from 11-11:30 mountain.

Thanks,

---MRS

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On Fri, Nov 14, 2014 at 1:51 PM, Dertke, Daniel (ENRD) <Daniel.Dertke@usdoj.gov> wrote:

Redaction: attorney work product

[redacted]

[redacted]

[redacted].

- Dan

From: Smith, Rodney [mailto:rodney.smith@sol.doi.gov]
Sent: Friday, November 14, 2014 2:20 PM

To: Lyons, Ann
Cc: Dertke, Daniel (ENRD); Anderson, Lea
Subject: Re: TNA v EPA, No. 14-73101 (9th Cir.)

Hi Folks,

[redacted]

Thanks,

Redaction: Attorney work product

---MRS

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On Fri, Nov 14, 2014 at 12:02 PM, Lyons, Ann <Lyons.Ann@epa.gov> wrote:

Redaction: PII

> I would be interested in listening to your discussion. I am working at home today: [redacted] or I can call into your conference line. I am on a call now that should be

ending soon.

From: Dertke, Daniel (ENRD) [Daniel.Dertke@usdoj.gov]
Sent: Friday, November 14, 2014 10:54 AM
To: Anderson, Lea; Lyons, Ann; Smith, Rodney
Subject: FW: TNA v EPA, No. 14-73101 (9th Cir.)

Redaction: attorney work product

[redacted]

From: Bartlett, Brad [mailto:bbartlett@law.du.edu]
Sent: Friday, November 14, 2014 1:33 PM
To: Dertke, Daniel (ENRD)
Subject: Re: TNA v EPA, No. 14-73101 (9th Cir.)

Redaction: Non-responsive per FOIA Appeal Footnote 3

FYI. Take a look at Section II.

On Nov 14, 2014, at 11:12 AM, Dertke, Daniel (ENRD) <Daniel.Dertke@usdoj.gov<mailto:Daniel.Dertke@usdoj.gov>> wrote:

[redacted]

- Dan

From: Bartlett, Brad [mailto:bbartlett@law.du.edu]
Sent: Friday, November 14, 2014 12:47 PM
To: Dertke, Daniel (ENRD)

Cc: Lyons, Ann; Smith, Rodney; Lea Anderson;
barthlawoffice@gmail.com<mailto:barthlawoffice@gmail.com>

Subject: Re: TNA v EPA, No. 14-73101 (9th Cir.)

Hello Dan,

[redacted]

Let us know your thoughts on this.

best,
brad

Brad A. Bartlett, Assistant Professor
University of Denver
Environmental Law Clinic
2225 E. Evans Ave., Suite 335
Denver, CO 80208
Phone: (303) 871-7870
Email: bbartlett@law.du.edu<mailto:bbartlett@law.du.edu>

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On Nov 7, 2014, at 3:07 PM, Bartlett, Brad
<bbartlett@law.du.edu<mailto:bbartlett@law.du.edu>>
wrote:

Thanks Dan. This is helpful. Let me talk with John and the clients and get back with you.

On Nov 7, 2014, at 3:00 PM, Dertke, Daniel (ENRD)
<Daniel.Dertke@usdoj.gov<mailto:Daniel.Dertke@usdoj.gov>>
wrote:

[redacted]

[redacted]

All redactions in Email exchange between EPA and Brad Bartlett - not responsive to FOIA appeal per April 30, 2015 letter, footnote 3

- Dan

From: Bartlett, Brad [mailto:bbartlett@law.du.edu]
Sent: Friday, November 07, 2014 4:27 PM
To: Dertke, Daniel (ENRD)
Cc: Lyons, Ann; Smith, Rodney; Lea Anderson;
barthlawoffice@gmail.com<mailto:barthlawoffice@gmail.com>

Subject: Re: TNA v EPA, No. 14-73101 (9th Cir.)

[redacted]

[redacted]

All redactions in Email exchange between EPA and Brad Bartlett - not responsive to FOIA appeal per April 30, 2015 letter, footnote 3

best,
brad

On Nov 7, 2014, at 2:16 PM, Dertke, Daniel (ENRD)
<Daniel.Dertke@usdoj.gov<mailto:Daniel.Dertke@usdoj.gov>>
wrote:

All redactions in Email exchange between EPA and Brad Bartlett - not responsive to FOIA appeal per April 30, 2015 letter, footnote 3

[redacted]

- Dan

From: Bartlett, Brad [mailto:bbartlett@law.du.edu]
Sent: Friday, November 07, 2014 3:30 PM
To: Dertke, Daniel (ENRD)
Cc: Lyons, Ann; Smith, Rodney; Lea Anderson;
barthlawoffice@gmail.com<mailto:barthlawoffice@gmail.com>

Subject: Re: TNA v EPA, No. 14-73101 (9th Cir.)

[redacted]

best,
brad

On Nov 7, 2014, at 11:42 AM, Dertke, Daniel (ENRD)
<Daniel.Dertke@usdoj.gov<mailto:Daniel.Dertke@usdoj.gov>>
wrote:

All redactions in Email exchange between EPA and Brad Bartlett - not responsive to FOIA appeal per April 30, 2015 letter, footnote 3

[redacted]

[redacted]

All redactions in Email exchange between EPA and Brad Bartlett - not responsive to FOIA appeal per April 30, 2015 letter, footnote 3

--

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