
From: Scott Maloni [mailto:SMaloni@poseidon1.com]
Sent: Monday, August 05, 2013 9:58 AM
To: Kennedy, John;Fick, Randy
Cc: Andrew Kingman;Brice Soucy;Brian Dugan
Subject: FW: OCWD - Confidential Communication

John and Randy - See below. This email contains confidential information protected under the Confidentiality Agreement between Poseidon and the Orange County Water District.

Please see the attached Excel file. Following the methodology used by OCWD in its July 24th staff report to the board, we have taken a shot at translating the seven cost-saving partnership scenarios we shared with you on the 25th into 2017 ratepayer impacts. We put this data together to provide District staff with information it can share with the Board that is consistent with its original project analysis, and to provide rate impact data the general public can comprehend.

Please review the analysis and let us know if the estimated rate impacts are on target or if you have any other questions.

From: Jungreis, Jeremy [mailto:JJungreis@rutan.com]
Sent: Monday, August 05, 2013 7:44 AM
To: Scott Maloni
Cc: Andrew Kingman; Kelly Huffman; Kuperberg, Joel
Subject: RE: OCWD - Confidential Communication

CONFIDENTIAL COMMUNICATION REGARDING TRADE SECRETS: NOT FOR RELEASE OUTSIDE OF POSEIDON AND OCWD

Gentlemen:

I have reviewed the information provided below and in the attachment. It is my view that the information communicated therein constitutes the communication of trade secrets, as that term is defined in of Govt Code Section 6254.15 and Civil Code 3426.1(d), that are protected from disclosure under the authority of the CA Public Records Act (CPRA), Government Code Sections 6254 (k) and 6255, and from disclosure in litigation pursuant to Evidence Code Sections 1040 and 1060.

Accordingly, OCWD will retain the information provided below for as long as required to perform due diligence with Poseidon, and will withhold such information from public disclosure in accordance with the Confidentiality Agreement approved by OCWD on July 24, 2013.

Feel free to forward on to OCWD personnel with a need to review the confidential information.

Best Regards,
Jeremy Jungreis

Jeremy N. Jungreis
Rutan & Tucker, LLP
611 Anton Boulevard, 14th Floor
Costa Mesa, CA 92626
714-XXX-XXXX Direct
714-XXX-XXXX Fax
jjungreis@rutan.com
www.rutan.com

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From: Scott Maloni [<mailto:SMaloni@poseidon1.com>]
Sent: Friday, August 02, 2013 9:45 AM
To: Jungreis, Jeremy
Cc: Andrew Kingman; Kelly Huffman; Kuperberg, Joel
Subject: OCWD - Confidential Communication

Jeremy - Attached is a document entitled "2017 Impacts on HB Scenarios on OCWD Ratepayers."

The financial information included with this email is "Confidential Information" under the Confidentiality Agreement between Poseidon and OCWD. OCWD should withhold it from public disclosure as a trade secret under California law. The information includes sensitive financial and pricing data that is not subject to any exceptions under the Confidentiality Agreement.

Please confirm the District accepts this information under the CA and then I'll forward on to OCWD staff.
Thanks.

Scott Maloni
Vice President
Poseidon Water
5780 Fleet Street, Suite 140 | Carlsbad, CA 92008
Direct: 760-XXX-xxxx
Mobile: 858-XXX-XXXX
Email: smaloni@poseidon1.com
Web: www.poseidonwater.com



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From: Scott Maloni
Sent: Wednesday, July 24, 2013 10:09 PM
To: Jungreis, Jeremy
Cc: Andrew Kingman; Kelly Huffman; Brice Soucy; Kuperberg, Joel
Subject: OCWD - Confidential Communication

Jeremy – Thank you for calling me tonight. Pursuant to our conversation and the Board’s approval tonight of the Confidential Agreement, attached are two documents that we request you forward directly to John Kennedy at the Orange County Water District in preparation for our meeting at 10am tomorrow morning, Thursday, July 25th.

The documents are entitled “Huntington Beach Base case Model” and “Summary Comparison of Scenarios for OCWD” and both marked “Confidential”.

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As we discussed tonight, I hope you can make a quick determination that this information is covered by the CA so that you can forward to OCWD staff. If you’re not in a position to review and sign off of the documents prior to our 10am meeting tomorrow then we will follow your counsel and only temporarily provide staff copies for our meeting and will not leave copies behind.

Talk soon. Thanks.

Scott Maloni
Vice President

Poseidon Water

5780 Fleet Street, Suite 140 | Carlsbad, CA 92008

Direct: 760-XXX-XXXX

Mobile: 858-XXX-XXXX

Email: smaloni@poseidon1.com

Web: www.poseidonwater.com



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