

Linda Kelly

*Senior Vice President, General Counsel
and Corporate Secretary*

January 31, 2018

Ms. Pamela Christian
City Clerk's Office
450 Civic Center Plaza
Richmond, CA 94804

Via email:

Pamela_Christian@ci.richmond.ca.us

Ursula_Deloa@ci.richmond.ca.us

Sabrina_Lundy@ci.richmond.ca.us

CityClerkDept@ci.richmond.ca.us

Dear Ms. Christian:

For more than a decade, plaintiff lawyers and allied activists have been devising new ways to target companies and even entire industries with litigation based on political or ideological objections more appropriately addressed through the political process. These private parties have put pressure on state and local government entities to exercise their governmental power to bring lawsuits against these companies that align with the political and financial objectives of these private parties.

Manufacturers and other employers in California who are the current or future targets of these efforts face major legal fees to defend themselves, potential legal penalties if the plaintiff's efforts are successful, reputational damage, and an uncertain business environment in this locality. These taxpayers have the right and obligation to more fully understand the objectives of the litigation, policy considerations, and factual analysis used by this locality in allying with the plaintiffs' lawyers and activists who have worked with the city to bring the litigation.

To help the members of the National Association of Manufacturers better understand the locality's work with these outside groups and the role they have played in bringing the litigation, I am requesting access to the following information:

- All records of communication, including but not limited to memos, contracts, retainers, payments, requests, reports, messages, written correspondence, telephone records, and electronic communication, between your agency (including all departments and agencies under your authority) and other involved or relevant agencies, and Sher Edling LLP, or offices, individuals or entities acting on the firm's behalf, that mention, or refer to, Chevron, ConocoPhillips, Exxon Mobil, BP, Royal Dutch Shell, energy, or manufacturers.

- I also request access to all prior Freedom of Information requests filed with your agency, including all departments and entities falling under your authority, mentioning Sher Edling LLP.
- Copies of all other contingency-fee legal contracts between Richmond, California and outside law firms.
- All records of communication, including but not limited to memos, contracts, retainers, payments, requests, reports, messages, written correspondence, telephone records, and electronic communication, between your agency (including all departments and agencies under your authority) and other involved or relevant agencies, and Thomas F. Steyer, or offices, individuals or entities acting on the individual's behalf, that mention, or refer to, Chevron, ConocoPhillips, Exxon Mobil, BP, Royal Dutch Shell, energy, or manufacturers.

I request a waiver of any fees because the National Association of Manufacturers is a not-for-profit organization. If that request is denied, please inform me of the estimated cost before making copies of the material; I authorize and agree to pay any fees not in excess of \$500.

I would also request that the information produced, including but not limited to indexes of records and copies of documents, be furnished in electronic, searchable format where possible. Any hard copies that cannot be provided in electronic format may be mailed to my attention at National Association of Manufacturers, 733 10th Street NW, Suite 700, Washington, DC 20001.

If all or part of this request is denied, please cite each reason you believe justifies refusal and notify me of appeal procedures available under the law. Please contact me with any questions about this request at LKelly@nam.org or by phone at 202-637-3000.

Manufacturers and the general public will be well served by transparency on this matter. If plaintiffs are seeking to make public policy by litigation, it is a matter of public concern and not merely a private legal dispute.

Thank you for your consideration of this request.

Sincerely,



Linda Kelly
Senior Vice President, General Counsel
& Corporate Secretary

CC: Ms. Sabrina Lundy, Assistant City Clerk; Ms. Ursula DeLoa, Assistant City Clerk