

# EXHIBIT 6

**Brown, Laura J.S. (ENRD)**

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**From:** Brown, Laura J.S. (ENRD)  
**Sent:** Monday, March 27, 2017 11:03 AM  
**To:** 'Devlin, Neal'; lkogan@koganlawgroup.com  
**Cc:** Uholik, Brian (ENRD); Kolman, Chloe (ENRD)  
**Subject:** RE: US v Brace

Neal:

The fact that a "model" agreement is available on-line is irrelevant. The language we agreed to in the Mediation Process Agreement has been modified and is different from the model. In any event, the Agreement we executed explicitly states that it is confidential. If Defendants do not agree to include the relevant sections of the Mediation Process Agreement in the Motion for Leave to Seal, we will seek that relief independently. Again, we reiterate that the sections of your motion that reference the Agreement must be redacted from the public filing and removed from all places it has been published, including Mr. Kogan's website. If Defendants do not agree we may seek such relief from the Court.

We cannot agree to include the e-mails you added to the Motion for Leave to Seal that are from Mr. Cook until Mr. Cook consents (if you have obtained such consent please send it to me), otherwise please copy me on an email to Mr. Cook attaching the relevant emails and requesting his consent to share those with the Court under seal.

Laura

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**From:** Devlin, Neal [mailto:ndevlin@kmgslaw.com]  
**Sent:** Monday, March 27, 2017 8:53 AM  
**To:** Brown, Laura J.S. (ENRD) <LBrown@ENRD.USDOJ.GOV>; lkogan@koganlawgroup.com  
**Cc:** Uholik, Brian (ENRD) <BUholik@ENRD.USDOJ.GOV>; Kolman, Chloe (ENRD) <CKolman@ENRD.USDOJ.GOV>  
**Subject:** RE: US v Brace

Laura:

Attached are our revisions to the joint motion to seal. As you will see, we have added some additional email correspondence that is relevant to the motion and that we would like to include in this motion and removed the references to the mediation agreement (per our explanation below). A copy of those additional emails are also attached I suggest that we simply file an appendix with all sealed exhibits, that includes everything listed in the revised joint motion. With those revisions, we are fine with the joint motion and you can /s/ our names.

Regarding your previous email:

1. We fundamentally disagree that any part of our motion for sanctions filing violated the confidentiality rules or protective order. To the contrary, the only information we included was from the mediation agreement, which did not include any information relevant to this case or substantive settlement discussions. Like the mediator's report and the ADR stipulation, the information we included discussed the mediation structure, not the mediation itself. Further, the precise language to which you are referring is publically available on [www.justice.gov](https://www.justice.gov) in a January 2017 guideline publication (<https://www.justice.gov/file/928531/download>). If you continue to press this issue, please explain how the language to which you are referring is confidential when it is available on the government's website.