

EXHIBIT B

Brown, Laura J.S. (ENRD)

From: Devlin, Neal <ndevlin@kmgslaw.com>
Sent: Monday, March 20, 2017 2:31 PM
To: Brown, Laura J.S. (ENRD)
Cc: lkogan@koganlawgroup.com; Uholik, Brian (ENRD); Kolman, Chloe (ENRD)
Subject: RE: US v Brace

Laura:

You filed your Motion to Strike on Friday, the Judge scheduled a status conference on the 7th, and we will be addressing the allegations contained in your Motion to Strike in our Amended Answer.

Regarding our Motion for Sanctions, we are not withdrawing it, because we fundamentally disagree with your comments about it. As we indicated in the footnote contained in our Motion for Sanctions, we anticipated that some of the confidential information discussed in connection with the mediation process (including the mediation session) may be relevant and needs to be filed under seal. Therefore, we are agreeable to a joint motion to file information related to this motion under seal. By doing so, both sides can include information in their filings which they deem is relevant without risking any public disclosure of confidential mediation information."

In light of the above, we're not sure what open issues remain to meet and confer about; but we are happy to speak with you.

Neal

From: Brown, Laura J.S. (ENRD) [mailto:Laura.J.S.Brown@usdoj.gov]
Sent: Friday, March 17, 2017 2:20 PM
To: Devlin, Neal
Cc: lkogan@koganlawgroup.com; Uholik, Brian (ENRD); Kolman, Chloe (ENRD)
Subject: RE: US v Brace

Hi Neal:

We are available to have a call on Tuesday anytime between 11-2. Please let me know what works for you.

Because Defendants haven't identified a date-certain by which the motion for leave to amend the answer will be filed, we will be filing our motion to strike today to reserve our rights. We can discuss access to the 1990 record on our call.

Also, in advance of the call next week, I would appreciate a response to my questions regarding whether you will agree to withdraw the sanctions motion, or if not, whether you agree to waive confidentiality over our communications regarding authority.

Thanks,
Laura

From: Devlin, Neal [mailto:ndevlin@kmgslaw.com]
Sent: Thursday, March 16, 2017 2:09 PM
To: Brown, Laura J.S. (ENRD) <LBrown@ENRD.USDOJ.GOV>