

Kevin Karpinski

From: Heubert, Terrence E. <terrence.heubert@bipc.com>
Sent: Friday, July 24, 2015 1:43 PM
To: Todd Hoffman
Cc: Shuster, Robert L.; Wiltraut, James C.
Subject: Termination Letter
Attachments: ScannedFile.pdf

Todd-

Per our conversation, please find attached Buchanan's termination letter.

I sincerely enjoyed working with you.

Best-
Terry

Terrence Heubert Government Relations Professional

1700 K Street, NW, Suite 300
Washington, DC 20006-3807
202 452 6041 (o)
202 494 8761 (c)
terrence.heubert@bipc.com

[vCard](#) | [Bio](#) | [BIPC.com](#) | [Twitter](#) | [LinkedIn](#)

Buchanan Ingersoll & Rooney PC

KNOW GREATER PARTNERSHIP

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James C. Wiltraut
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202 452 7943
james.wiltraut@bipc.com

Terrence E. Heubert
Senior Advisor, Federal Government Relations
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terrence.heubert@bipc.com

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www.buchananingersoll.com

July 24, 2015

The Honorable Al Lang
Mayor, Town of Chevy Chase
4301 Willow Lane
Chevy Chase, MD 20815

Mayor Lang:

After careful consideration, we have decided to terminate our relationship as government relations counsel to the Town of Chevy Chase.

We feel strongly that over the course of our representation, we succeeded in reshaping the conversation around the proposed Purple Line rail project, and through an aggressive and strategic engagement campaign, made funding the project with federal taxpayer dollars more difficult and brought a higher degree of scrutiny to issues such as projected ridership.

Respectfully, despite a fractured Town Council and processes that made communication and collaboration nearly impossible, we kept a focused eye on the Council's stated goals and met each of our performance objectives. As of now, without a massive infusion of federal funds and a major redesign of the overall project, the Purple Line is at best, stalled.

With this in mind, we are extremely disappointed that the Town Council has decided to punt the issue of continued representation until September – when federal Fiscal Year 2016 funding will likely have been decided. Council's decision is at odds with the Town's Long-Term Planning Committee, which recommended a continuation of our services, and puts at risk the tangible successes we achieved on behalf of the people of Chevy Chase.

Throughout our engagement, we worked hard to bring the project's flaws to the attention of Congress and the U.S. Department of Transportation, specifically the Federal Transit Administration. Given Governor Hogan's recent conditional approval, which is contingent upon increased funding from Montgomery and Prince George's Counties and substantial federal dollars, engagement rather than retreat should be your chosen course of action. Unfortunately, because the Town is without representation there is currently no organized opposition advocating your position before the Federal Government.

Town of Chevy Chase
July 24, 2015

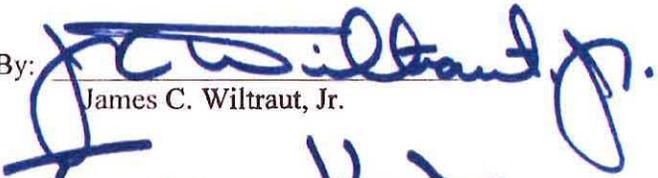
During our time working with the Town, legislative language was secured in the FY 2015 Transportation-HUD Appropriations bill that raises the bar for future FTA funding for transit projects with sub-par ratings, such as the Purple Line. This single achievement makes it harder for the Purple Line to receive full funding through the FTA unless various performance ratings improve.

We successfully blocked the inclusion of funding specifically for the Purple Line in the FY 2015 federal appropriations bill despite the strong support of then-Governor Martin O'Malley, Lieutenant Governor (and gubernatorial candidate), Anthony Brown; and the backing of the Obama Administration. The record shows that we were well on track to provide the same result for the FY 2016 budget cycle too. That work is now in jeopardy because there is no voice drawing attention to the project and the many reasons it should not receive federal funds.

While we are disappointed in the new Council's inability to coalesce around a strategy and move forward in the fight against the Purple Line, we sincerely wish the Town Council and the citizens of Chevy Chase the very best of luck.

Sincerely,

BUCHANAN INGERSOLL & ROONEY PC

By: 
James C. Wiltraut, Jr.

By: 
Terrence E. Heubert

Kevin Karpinski

From: Heubert, Terrence E. <terrence.heubert@bipc.com>
Sent: Monday, July 06, 2015 4:54 PM
To: Todd Hoffman
Cc: Wiltraut, James C.; Shuster, Robert L.
Subject: proposal
Attachments: July 2015 proposal.pdf

Todd-

Please find attached our proposal for moving forward. As always, we're happy to discuss with you or members of the Council.

Terry

Terrence Heubert
Buchanan Ingersoll & Rooney

202/452-6041

202/494-8761

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Town of Chevy Chase: Moving Forward

Record of Success

Since the start of our full engagement in early 2015, we have aggressively advocated on behalf of the Town of Chevy Chase in Washington, DC before the U.S. Congress and the Obama Administration. In the case of transit funding, Congress has broad funding authority over the Federal Transit Administration (FTA) and its New Starts program, which is the fund where the Purple Line is competing for dollars.

These lobbying activities have resulted in a track record of success in a relatively short period of time. Our congressional advocacy – in conjunction with ongoing educational efforts with the FTA – has resulted in a positive value proposition for the Town.

Our collaborative efforts have successfully blocked federal funding for the premature Purple Line despite the strong support from the State of Maryland during the O'Malley Administration, the strong support from Maryland's senior Senator and top Democrat on the Senate Appropriations Committee, and the strong support from the Obama Administration.

Our record of success includes, but is not limited, to the following:

- Despite President Obama's \$100 million budget request and Senator Barbara Mikulski's inclusion of \$100 million in the Senate Appropriations Committee's Transportation-HUD Appropriations bill, we successfully blocked the inclusion of specific funding for the Purple Line in the final FY 2015 budget.
- Given the lackluster technical rating of the Purple Line, we successfully worked to include legislative language in the House version of the FY 2015 Transportation-HUD Appropriations bill that raises the bar for project selection criteria for future FTA funding allotments for transit projects with sub-par ratings, such as the Purple Line. This makes it harder for the Purple Line to receive full funding under the FTA grant program unless ratings criteria are improved.
- In the current FY 2016 budget process, despite the President's proposed \$100 million funding allocation for the Purple Line and the senior Senator from Maryland's continuing support, we aggressively advocated with the House and Senate Appropriations Committees on the numerous issues plaguing the Purple Line. These advocacy efforts have successfully kept any specific Purple Line funding out of House or Senate Appropriations measures.

But the work is far from done.

Buchanan Ingersoll & Rooney, along with our partners, is pleased to provide the Town with the following proposed modified agenda. In light of Governor Hogan's announcement to move forward with the Purple Line if certain, unreachable goals are met, we believe now is the time to aggressively push our strategy to terminate the Purple Line.

As previously discussed, we have worked hard to bring the project's flaws to the attention of Congress and the U.S. Department of Transportation, specifically the Federal Transit Administration. As such, these entities understand that the Governor's decision was only one part of a multi-level process in a last-ditched effort to move the project forward. This is especially true given Governor Hogan's conditional approval, which is contingent upon a significant increase in dollars from two counties and the commitment of substantial federal dollars that are far from secured.

Significant questions remain:

- How will the proposed project concessionaires achieve cost reductions mandated by Governor Hogan?
- How will the route be altered to accommodate cheaper alternatives?
- How will the Montgomery and Prince George's Counties maintain their mitigation commitments given their need to commit additional dollars—which both counties acknowledge they do not have?

While Governor Hogan provided a preliminary approval for the Purple Line, his conditions -- even if fully met --will turn the Purple Line into a completely new project. If we advocate correctly, as we have done thus far, the project will face all of the requirements and hurdles that any new project would face. The reduction of service frequency and elimination of stations affectively voids all previous ridership speculations and environmental studies.

Given the current status of the project, we propose the following:

Appropriations

With Governor Hogan's new conditions in place and county executives from both Montgomery County and Prince George's County standing firm that they cannot commit more money to this project, advocates for the Purple Line have only one place to go for help... Congress.

We firmly believe that the governor's conditional approval of the Purple Line has turned the project into an orphan looking for funding, and only two elected officials seem poised to come to the project's rescue; Senator Mikulski and anyone looking to replace her.

Our efforts to put this ill-conceived, poorly managed, publically-funded debacle to rest will center on keeping funding from reaching the project.

Since our last discussion, our team has once again been successful in our ongoing effort to stop the Purple Line's federal funding. While Senator Mikulski continues to champion the project in the press, she did not include any dollars for the project in the Senate's recently approved FY16 transportation funding bill. As we previously reported, there is no Purple Line

provision in the FY16 House funding bill. Therefore, no FY16 funds will be directly available to the project without going through an intense funding competition.

Grant-type funding for the project will be incredibly difficult for the Purple Line because of the level of competition from other projects which are better developed and further along in the process. The amount of Federal dollars available for competition has been significantly reduced. While a final funding level has not been decided, the House has the higher number, which would be the maximum made available: \$250 Million, down from \$325 million in FY15.

Note: Senator Mikulski's panel actually reduced competitive fund even more, down to \$210 million.

Federal Appropriations for Purple Line					
FY 2015			FY 2016		
House	Senate	Final	President's Budget Request	House	Senate
\$0	\$100 million	\$0 (\$325m available to any project able to sign a full funding grant agreement in FY2015. PL could compete for these funds if an FFGA is signed before Sept. 30, 2015)	\$100 million	\$0 (\$250m available to all projects anticipated to sign a full funding grant agreement in FY2016, which PL could compete for if it signs FFGA before Sept. 30, 2016)	\$0 (\$210m available to all projects anticipated to sign a full funding grant agreement in FY2016, which PL could compete for if it signs FFGA before Sept. 30, 2016)

Senator Mikulski continues to tout that at least \$100 million has been committed to the project in FY15. We have detailed the fallacy of this claim, but even Mikulski's own flawed logic now shows that these dollars are off the table. It should be noted that Mikulski has said that her FY15 dollars would be available to projects with signed Full Funding Grant Agreements

(FFGA) in place by September 30, 2015. An FFGA cannot be signed for this project without project financing detailed and a concessionaire selected. Given that Governor Hogan has delayed concessionaire bids until mid-November, he has essentially taken Senator Mikulski's FY15 dollars off the table.

Authorization

The surface transportation bill is due for reauthorization at the end of July—a deadline that will likely slip to the end of the year. We have worked very hard over the last year to educate staff and help them understand the Town's position, and the position of many in the region, regarding the Purple Line.

As a result, we have successfully had principles included in the Committee's Public Private Partnership report, which will be translated into policy in this bill. These principles include adding significant scrutiny to the P3 process that would require MTA to be much more transparent about ridership estimates and funding proposals. We have also worked with committee staff to draft language that would further complicate the approval of a TIFIA loan that the Purple Line is depending on to fund roughly one-third of the project. It should be noted that these are loan funds (which must be repaid) on top of the \$900 million Federal grant the state is seeking, but is not currently available.

Given the Governor's tentative approval, we believe it is imperative to continue our efforts on these policy initiatives so as to make any future movement on the Purple Line that much more difficult for MTA.

Federal Transit Administration

Significant questions already existed within FTA about the Purple Line and the Governor's ambiguous approval will only add to their concerns. The need to save dollars means that trains must run less frequently and stops will be removed. As such, we would work to convince FTA to invalidate existing ridership studies.

Further, because the project would now be very different from what has been previously proposed, we would also seek to have the existing Environmental Impact Statement thrown out.

Finally, we would seek to diffuse political pressure on FTA. They have been under enormous pressure from Senator Mikulski. With her time in the Senate running out, we can help provide

a buffer for FTA from the pressure she will continue to provide. We will also help better articulate Governor Hogan's opinions of the project to FTA and help clear up many of the misconceptions surrounding the project details, especially the false aspects being promoted by the press and others.

State and Local

Given the Governor's decision, there is no further need to contest the Purple Line in Annapolis. We therefore propose to cease efforts at the state level and pivot to a strategy focused on Montgomery & Prince George's Counties. These counties have promised a lot to their residents in terms of amenities, concessions and mitigation related to the Purple Line. They are now being asked to provide an additional \$50 million each for the project. Both counties have indicated that they do not have the funds to add to the project.

It is very important that we put intense pressure on both counties to ensure that public commitments to amenities, concessions and mitigation are not compromised as a means to find additional funding. All commitments must be honored and included in addition to the increase funds required by Governor Hogan.

Cost

The fee for our continued professional services is \$20,000 per month. This represents a 31% discount from our previous fee.

Kevin Karpinski

From: Wiltraut, James C. <james.wiltraut@bipc.com>
Sent: Thursday, June 25, 2015 11:03 AM
To: Heubert, Terrence E.; Todd Hoffman
Cc: Rob Garagiola
Subject: RE: Purple Line

Would advise no interview until after decision is announced and Town can create responses to anticipated questions. Earliest timeframe for potential response late tonight (for morning news cycle)...or tomorrow morning.

Jim Wiltraut

Director of Federal Government Relations

1700 K Street, N.W., Suite 300
Washington, DC 20006-3807
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202 821 3678 (c)
james.wiltraut@bipc.com

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Buchanan Ingersoll & Rooney PC

KNOW GREATER PARTNERSHIP

From: Heubert, Terrence E.
Sent: Thursday, June 25, 2015 10:49 AM
To: Todd Hoffman
Cc: Rob Garagiola; Wiltraut, James C.
Subject: Re: Purple Line

Town's position is well known. I don't know that an interview does a lot for us.

I'm out of the office with a client right now. Cc'ing Jim Wiltraut as he's a pr guy and is in the office.

Terrence Heubert
Government Relations Professional

1700 K Street, NW, Suite 300
Washington, DC 20006-3807
202 452 6041 (o)
202 494 8761 (c)
terrence.heubert@bipc.com

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Buchanan Ingersoll & Rooney PC

KNOW GREATER PARTNERSHIP

On Jun 25, 2015, at 10:32 AM, Todd Hoffman <thoffman@townofchevy Chase.org> wrote:

See below. Any thoughts?

Todd Hoffman
Town Manager
Town of Chevy Chase, Maryland
4301 Willow Lane
Chevy Chase, MD 20815
301-654-7144 (P)
301-718-9631 (F)
thoffman@townofchevy Chase.org

-----Original Message-----

From: Albert Lang [<mailto:albert.lang@verizon.net>]
Sent: Thursday, June 25, 2015 10:25 AM
To: Todd Hoffman
Subject: FW: Purple Line

Please send this to Rob and the right BIR guy and let's have them give us their opinion.

For now, I really think no interview is better than an interview.

Thanks, Al

Al Lang, CEO
Coteva, Inc.

202 320 6202
al.lang@coteva.com
www.coteva.com

"Connecting Technology and Value"

-----Original Message-----

From: Tom Fitzgerald [<mailto:Tom.Fitzgerald@FOXTV.COM>]
Sent: Thursday, June 25, 2015 8:12 AM
To: al.lang@townofchevy Chase.org
Subject: Purple Line

Good morning,

This is Tom Fitzgerald from FOX 5. I will be going to Governor Hogan's press conference later this afternoon. We expect there is going to be an announcement about the purple line.

With someone from the Town of Chevy Chase be available for a brief interview this morning about the town's position on the purple line?

Thanks!
Tom

Tom Fitzgerald
WTTG Fox Television Reporter
tom.fitzgerald@foxtv.com
202-359-1143
@FitzFox5DC

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Kevin Karpinski

From: Wiltraut, James C. <james.wiltraut@bipc.com>
Sent: Wednesday, June 24, 2015 4:55 PM
To: Todd Hoffman
Cc: Shuster, Robert L.; Heubert, Terrence E.; DeFiglia, Eva; McNelis, Darice
Subject: Second Addendum Chevy Chase & BIPC
Attachments: Second Addendum_Town of Chevy Chase.pdf

Todd:

Thanks for your consideration. Attached is a signed copy of the addendum.

Kindest Regards,

Jim

Jim Wiltraut

Director of Federal Government Relations

1700 K Street, N.W., Suite 300
Washington, DC 20006-3807
202 452 7943 (o)
202 821 3678 (c)
james.wiltraut@bipc.com

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Buchanan Ingersoll & Rooney PC

KNOW GREATER PARTNERSHIP

From: Todd Hoffman [mailto:thoffman@townofchevy Chase.org]
Sent: Wednesday, June 24, 2015 4:38 PM
To: Wiltraut, James C.
Cc: Shuster, Robert L.; Heubert, Terrence E.
Subject: RE: PGH1_GENERAL-11840291-v2-Second Addendum Chevy ChaseBIPC.docx

Jim,

See attached. Please sign and return to me by noon tomorrow. Once received, I will rescind termination letter and issue suspension letter. Thanks.

Todd Hoffman
Town Manager
Town of Chevy Chase, Maryland
4301 Willow Lane
Chevy Chase, MD 20815
301-654-7144 (P)
301-718-9631 (F)
thoffman@townofchevy Chase.org

From: Wiltraut, James C. [mailto:james.wiltraut@bipc.com]
Sent: Wednesday, June 24, 2015 12:22 PM
To: Todd Hoffman
Cc: Shuster, Robert L.; Heubert, Terrence E.
Subject: PGH1_GENERAL-11840291-v2-Second Addendum Chevy ChaseBIPC.docx
Importance: High

Todd:

Attached is the addendum as reviewed and "tweaked" by our inside counsel. It is essentially what you send me with minor change to the length of the agreement ("and may be reinstated by the Town at any time during the current or subsequent legislative session upon written notice").

If this addendum passes muster with you and Town Council, we're happy to sign it.

Thanks again for your consideration.

Jim

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SECOND ADDENDUM TO PROFESSIONAL SERVICES CONTRACT
BETWEEN THE TOWN OF CHEVY CHASE AND
BUCHANAN INGERSOLL & ROONEY PC

This Second Addendum (the "Second Addendum") is to amend the Professional Services Contract between the Town of Chevy Chase (the "Town") and Buchanan Ingersoll & Rooney PC (the "Firm") dated March 14, 2014, as amended in May of 2015 (the "Agreement"). This Second Addendum will be effective as of June 24, 2015.

The Agreement is amended by replacing the first paragraph of the Billing Matters section of the Agreement with the following language:

Billing Matters:

The monthly retainer for our services is \$29,000 a month, beginning February 24, 2014. While this engagement commences February 24, 2014, we will begin billing the Town on a monthly basis beginning March 1, 2014. This monthly retainer encompasses the fee for Government Relations services to be provided by the Subcontractors for this project.

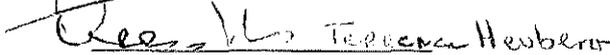
This Agreement may be suspended indefinitely by the Town for any reason upon 5 days written notice and may be reinstated by the Town at any time during the current or subsequent legislative session upon written notice. Upon suspension of the contract, the Firm will not incur any costs for services during the suspension period, and the Town will not be liable for any costs during the suspension period. If suspension occurs during the course of a month, compensation will be paid on a pro-rata basis. The Town will determine the pro-rata portion of the monthly retainer due to be paid to the Firm by dividing the number of days the contract was in effect during the month (including the 5-day notice period) by the monthly retainer fee.

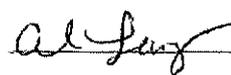
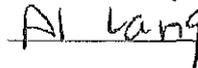
This Agreement may be terminated by either party upon 7 days written notice. If termination occurs during the course of a month, compensation will be paid on a pro-rata basis (unless the Agreement is terminated during a suspension). The Town will determine the pro-rata portion of the monthly retainer due to be paid to the Firm by dividing the number of days the contract was in effect during the month (including the 7-day notice period) by the monthly retainer fee.

Except as modified in this Second Addendum, the terms of the Agreement remain in full force and effect.

BUCHANAN INGERSOLL & ROONEY PC

TOWN OF CHEVY CHASE

By:  James Wiltraut
 Rebecca Heuber

By: 


Date: 6/24/2015

Date: 6/24/2015

Kevin Karpinski

From: Wiltraut, James C. <james.wiltraut@bipc.com>
Sent: Wednesday, June 24, 2015 12:22 PM
To: Todd Hoffman
Cc: Shuster, Robert L.; Heubert, Terrence E.
Subject: PGH1_GENERAL-11840291-v2-Second Addendum Chevy ChaseBIPC.docx
Attachments: PGH1_GENERAL-11840291-v2-Second Addendum Chevy ChaseBIPC.docx

Importance: High

Todd:

Attached is the addendum as reviewed and "tweaked" by our inside counsel. It is essentially what you send me with minor change to the length of the agreement ("and may be reinstated by the Town at any time during the current or subsequent legislative session upon written notice").

If this addendum passes muster with you and Town Council, we're happy to sign it.

Thanks again for your consideration.

Jim

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Billing Matters:

The monthly retainer for our services is \$29,000 a month, beginning February 24, 2014. While this engagement commences February 24, 2014, we will begin billing the Town on a monthly basis beginning March 1, 2014. This monthly retainer encompasses the fee for Government Relations services to be provided by the Subcontractors for this project.

This Agreement may be suspended indefinitely by the Town for any reason upon 5 days written notice and may be reinstated by the Town at any time during the current or subsequent legislative session upon written notice. Upon suspension of the contract, the Firm will not incur any costs for services during the suspension period, and the Town will not be liable for any costs during the suspension period. If suspension occurs during the course of a month, compensation will be paid on a pro-rata basis. The Town will determine the pro-rata portion of the monthly retainer due to be paid to the Firm by dividing the number of days the contract was in effect during the month (including the 5-day notice period) by the monthly retainer fee.

This Agreement may be terminated by either party upon 7 days written notice. If termination occurs during the course of a month, compensation will be paid on a pro-rata basis (unless the Agreement is terminated during a suspension). The Town will determine the pro-rata portion of the monthly retainer due to be paid to the Firm by dividing the number of days the contract was in effect during the month (including the 7-day notice period) by the monthly retainer fee.

Except as modified in this Second Addendum, the terms of the Agreement remain in full force and effect.

BUCHANAN INGERSOLL & ROONEY PC

TOWN OF CHEVY CHASE

By: _____

By: _____

Date: _____

Date: _____

Kevin Karpinski

From: Heubert, Terrence E. <terrence.heubert@bipc.com>
Sent: Wednesday, June 17, 2015 12:22 PM
To: Todd Hoffman
Subject: Funding information for Fred
Attachments: FY15 funding overview.pdf

Terrence Heubert Government Relations Professional

1700 K Street, NW, Suite 300
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Kevin Karpinski

From: Heubert, Terrence E. <terrence.heubert@bipc.com>
Sent: Friday, June 05, 2015 11:49 AM
To: albert.lang@verizon.net
Cc: Todd Hoffman; Shuster, Robert L.; Wiltraut, James C.
Subject: FW: Morning Transportation, presented by the General Aviation Manufacturers Association (GAMA) : There's a new sheriff in town at TSA, for now — House kicks THUD work to next week

Al & Todd-

In case you haven't been following Governor Hogan's trip... Even after a decision is made, these kind of false statements are the sort of thing that can cause problems going forward.

I know we weren't able get a call together this week. Please know that we're happy to adjust call days/times or work with you to get updates to you in a manner/time that works for you.

Best-
Terry

Terrence Heubert Government Relations Professional

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Buchanan Ingersoll & Rooney PC

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Kevin Karpinski

From: Heubert, Terrence E. <terrence.heubert@bipc.com>
Sent: Thursday, May 28, 2015 1:14 PM
To: Todd Hoffman
Subject: work plan
Attachments: June 2015 work plan.pdf

Todd-

Please find attached the proposed work plan options for consideration by the Council.

Best-

Terry

Terrence Heubert Government Relations Professional

1700 K Street, NW, Suite 300
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terrence.heubert@bipc.com

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Town of Chevy Chase: Moving Forward

Buchanan Ingersoll & Rooney, along with our partners, Chambers, Conlon & Hartwell, and Alexander and Cleaver are pleased to provide the Town with the following menu of options in order to shape the conversation among State and Federal elected officials as we await Gov. Hogan's decision on the fate of the Purple Line. We expect a decision in early-June, upon the Governor's return from an Asian trade mission.

We wish to convey up front that we understand the concerns expressed about the cost of this endeavor, and we recognize that the availability of resources will influence your decision to move forward. Collectively, we have invested time, money and reputations on the success of this campaign and want to work with the Council to ensure that we complete our mission. While we include fees in this proposal, we will do our best to remain flexible as to compensation for the services as outlined below. To that end, you will see a reduction in fees at the outset of the proposal and a more significant reduction in the event that our role is to monitor both State and Federal activity and react as necessary.

When we were brought on, the Purple Line project was receiving significant Federal support, a Record of Decision was imminent, and it was positioned to get a full funding grant agreement. Since that time, the Administration has recognized the many problems with the project and has delayed issuing a full funding grant agreement. This administrative delay has allowed us to zero out funding that was specifically appropriated to the Purple Line. The effect of these successes was to create an atmosphere where the newly-elected Maryland Governor can cancel the Purple Line without having to walk away from committed Federal dollars.

Over the course of our representation, we executed a synchronized Federal-State government relations strategy in order to effectively influence a complex environment of conflicting interests and converging funding sources. Our combined team works very well together and we strongly suggest the Council keep the teams linked. It is imperative that as we continue to shape how citizens and elected officials view the Purple Line, we ensure that the State and Federal agendas remain intertwined—something that can best happen when the contractors are working together. In addition, a coordinated and linked State-Federal team not only coordinates activities, but also provides an added layer of accountability for the execution and success of the overall campaign.

We have realized significant accomplishments in our endeavors thus far and are well positioned for further success even if the Governor's decision, which we feel strongly will be influenced in part by our outreach campaign, might simply stall the final decision on the Purple Line.

We have divided our proposed work plan according to the possible decisions that may be announced. We are happy to discuss the plan in greater detail and to tailor these approaches to the Town's liking and to fit the final decision, once announced.

Governor's Decision: Cancel the Purple Line

If the Governor chooses not to commit State funds to the Purple Line, we will need to continue to be vigilant both in the State and in DC to ensure that the project does not move forward with a significant infusion of Federal money or an effort in Annapolis to over-ride Gov. Hogan's decision. Under this scenario, we propose a modified agenda with the goal of validating the Governor's decision to walk away from the project, while illustrating to the citizens of Maryland that Federal funds were not "left on the table", but in fact, never available for this project. We would undertake the strategies discussed below to ensure that funds are not made available for the Purple Line.

Because of the Governor's decision, we could move forward with these initiatives in a "light touch" manner that would significantly reduce the direct lobbying effort and therefore reduce the amount of Town resources needed to complete the mission.

Appropriations

As part of our strategy, we would continue our, thus far successful, effort with congressional appropriators to prevent dollars from being directed to the Purple Line.

The Maryland Delegation (with the exception of Republican Andy Harris) has been united in pressing for Purple Line support at all levels. We have prevented funds from being directed to the project in the House's FY15 and FY16 Transportation Appropriations bills. As with last year, we have not contested this fight in the Senate given Sen. Mikulski's position as Ranking Member on the committee but instead, influenced the criteria for funding, which prevented the Purple Line from ultimately receiving money.

Should Governor Hogan cancel the project, we would work quickly to educate the Senate committee's Republican majority staff of developments and explain that any Purple Line funding would be a waste of already-sc

arce resources.

We would propose to continue these efforts throughout the appropriations process.

It is important to note that while Sen. Mikulski now has a slightly-reduced stature on the Appropriations Committee, she remains the Ranking Member and always influential. Thus, it is imperative for the Town to maintain a Federal presence while she is in office to ensure that she does not find a creative way to direct dollars to the project.

Authorization

The surface transportation bill is due for reauthorization at the end of July—a deadline that may slip to the end of the year. We have worked very hard over the last year to educate staff and help them understand the Town's position, and the position of many in the region, regarding the Purple Line.

We have been successful in getting principles included in the Committee's Public Private Partnership report, which will be translated into policy in this bill. These principles include adding significant sunshine to the P3 process that would require MTA to be much more transparent about ridership estimates and funding proposals.

Under this scenario, we could continue our efforts on these policy initiatives so as to make any future movement on the Purple Line that much more difficult for MTA.

Federal Transit Administration

We would continue our efforts to engage with FTA staff regarding developments in Maryland and ensure that there is no internal push to breathe new life into the project. Further, we would seek to diffuse political pressure on FTA.

Annapolis Follow Up

While the Governor's decision would put a halt to the project at MTA, there is a need to be vigilant on the funding issues in the next legislative session.

As you know, State legislators inserted language in the 2016 budget to prevent the Governor from using Purple Line funding for other projects. As a result, the legislature can, during the 2016 session, seek to force the Governor's hand to fund the Purple Line. To prevent this, we must continue to lobby the Maryland General Assembly to ensure that the Legislative leadership does not take such action.

To this end, we would work with relevant decision-makers to build support for the use of these State dollars on projects other than the Purple Line. This effort would also be aimed to help diffuse political backlash to the decision.

Cost: \$10,000 per month

Note: Depending on circumstances, it may be necessary to ramp up efforts in Annapolis during the 2016 General Assembly. In that case, for the period of time leading up to and through the Session, we would propose an increased retainer to reflect additional scope of work. Depending on the identified needs, we anticipate that short-term increase to be \$12,500 to \$15,000 per month.

Governor's Decision: Approve the Purple Line

Under this scenario, we would essentially be back to the point in this project that we were when initially engaged, except that we prevented Federal funds from being allocated to the project, forcing the Governor and legislature to fund the estimated \$2.4 billion project through scarce State revenue and incorporation of a sketchy P3 scheme. If faced with this scenario, we would revert to the strategy employed prior to Larry Hogan's election as Governor. This would entail a very hard press on the Appropriations, Authorization and FTA efforts outlined above with a few modifications, discussed below. Further, we would need to change the current Annapolis strategy to attack the project in new ways that were not previously available.

Federal

In addition to stopping Federal funding, we would be very aggressive in the surface transportation bill. We would work to include obstacles to make securing the necessary Transportation Infrastructure Finance and Innovation Act (TIFIA) loans very difficult for MTA and/or their chosen concessionaire(s).

With the Administration, we would seek to exploit the endangered species lawsuit or the fact that key constituencies (Walter Reed/Bethesda Medical Center for example) remain unserved by the current alignment and convince FTA that a new Environmental Impact Study (EIS) and new engineering assessments are necessary. It is also very important to completely discredit MTA's ridership estimates in an effort to get FTA to require a new estimate with publicly available models that could be independently verified.

State

In Annapolis, we would need to focus attention on the Board of Public Works (BPW), which will need to approve various aspects of the project (e.g., contracts with P3 party to construct the project). In addition, there are various junctures at which we could affect State funding for the project, including highlighting other mass transit and road projects throughout the State.

Under this scenario, we would recommend that we seek to add a Republican credentialed team to the State effort. Upon Hogan's election, we went through a process with Alexander & Cleaver to determine their ability to work with a Republican governor. At the end of those conversations, we were convinced that A&C had the right relationships to be effective in Annapolis. That said, if the Governor needs a real push from his long established friends, we would be open to a short-term engagement with specific individuals who could supplement A&C's efforts.

Cost: \$20,000 per month

Governor's Decision: Contingent Support of the Purple Line

Designing a strategy for this scenario is quite difficult as we can imagine numerous possibilities of what a "yellow light" from Hogan may look like. A lot depends on what kind of contingencies may be placed on the project. Depending on what is announced, our strategy may look very much like the full court press discussed above in the "Governor Approves The Purple Line" section of this document or may be significantly dialed back in an effort to allow the proposed concessionaires enough rope to hang themselves as they approach a final decision from Hogan. Further, the decision to supplement the State team would be evaluated.

Cost: \$10,000-20,000 per month

We would be better able to provide a specific funding level for this scenario when more is known about the political environment or circumstances that would cause the Governor to arrive at this decision. Upon announcement of the Governor's decision, we would respectfully ask Town Council to allow us to alter our proposal to better define the strategy, scope of work and pricing in the event this particular scenario comes to pass.

Kevin Karpinski

From: Moira Moynihan <mmoynihan@alexander-cleaver.com>
Sent: Wednesday, April 15, 2015 5:03 PM
To: Town of Chevy Chase
Subject: Maryland budget update
Attachments: Sec Rahn letter re_ Purple Line legal challenges.PDF

Hi all,

Please see attached for the cover letter and one pager that went out from us. The final state appropriation for the Purple Line was \$127,732,000 and \$46,416,000 was set aside for the Red Line. Just as an FYI, MDOT's budget is through special funds, so I am double checking the amounts with them.

The language restricting use of the above amounts to only their specific budgeted purposes passed both houses.

Please let me or Rob know if you have any questions.

Thanks!
Moira

Kevin Karpinski

From: Heubert, Terrence E. <terrence.heubert@bipc.com>
Sent: Wednesday, April 08, 2015 1:04 PM
To: Todd Hoffman
Attachments: Chevy Chase Memo (5).docx

Terrence Heubert Government Relations Professional

1700 K Street, NW, Suite 300
Washington, DC 20006-3807
202 452 6041 (o)
202 494 8761 (c)
terrence.heubert@bipc.com

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Buchanan Ingersoll & Rooney PC

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MEMORANDUM

To: Terrence Heubert
Buchanan Ingersoll & Rooney

From: Xenophon Strategies

Date: March 27, 2014

Re: Proposed Public Relations Strategy

Terry,

We are pleased to share our thoughts concerning an education campaign to inform the public on the current configuration of the proposed Purple Line.

The primary goals of this effort will be to:

- Highlight the impact the Purple Line will have on the quality-of-life for home owners and businesses along the proposed route;
- Allow all voices to be heard in conversations about the project;
- Respond to misinformation;
- Gather support for appropriate alternatives, such as the BRT

Strategically, all of the above would be designed to create awareness, but also help motivate action on the part of individuals and organizations who would be most affected by the Purple Line. In effect, it would support the development of a grassroots coalition.

Considering timing and budget, we would prioritize the following elements to quickly achieve impact:

1. Message & Campaign Development

The Xenophon team will help craft messages which will serve as the foundation for all future communications materials, including collaterals such as press releases, websites, advertising, or others. These messages will act as talking points for spokespersons which might include local elected officials or municipal staff, local HOA board members, commuters, members of the business community, and other individuals and families directly impacted by the Purple Line.

While messages are being solidified, we would work to develop a campaign that would include a more specific timeline and plan for activities over the short, medium and longer terms. The goal of the campaign would be to show, not tell, and provide the public with a visual representation of how the Purple Line, in its current configuration, will affect resident, commuters, business people locally and, potentially, the wider region.

Timing: 1 to 2 weeks

2. Media Relations

Xenophon would not only help respond to media inquiries and stories that appear in mainstream and local media, but also, we would help develop opportunities to create news about the Purple Line. For instance:

- Announcement of the launch of a branded advocacy campaign (and potentially a website, etc.)
- Press release and spot news stories with commentary on FEIS study or other data released by the project developer
- Provide reporters access to third-party, expert sources who can discuss estimates of ridership on the Purple Line
- Feature story pitch to mainstream and local print and electronic media, focusing on a local homeowner or business who will be affected by the Purple Line
- Encourage local HOAs and community groups to report news on the Purple Line in their newsletters, websites and social media channels.

Timing: Immediately and ongoing

3. Video

Develop a video or series of videos with “man on the street”-style interviews of Crescent Trail users and home and small-business owners who will be directly impacted by the proposed Purple Line. The videos would be featured on a website, in social media, in online advertising, sent directly to key audiences via email distribution, as well as to media.

Timing: 3 weeks to 3 months, depending on style and format

In addition to the above, there are an array of other tactics we can implement, depending on time and resources. Listed in order of priority, these include:

4. Email newsletters

An important aspect of a sustainable grassroots campaign would be gathering of email addresses of supporters. A lot of the activities, including the website and social media, would be geared toward email list sign-ups. The newsletter would be distributed periodically, or as necessary, to provide information directly to those who are most interested in this topic.

Timing: 2 to 6 weeks, depending on availability of existing lists

5. Website

While not essential, the hub of the campaign could be a website, which would host statements from local municipalities, fact sheets, infographics, photos and video about the Purple Line, links to news media coverage of the Purple Line, etc. Moreover, it would be a central location to gather key contact information of supporters—such as

email addresses and phone numbers—so that they can be reached again in the future with additional information.

Timing: 2 to 4 weeks and ongoing

6. Infographics

Create graphical representations of data (Cost of Purple Line, Ridership, Environmental Data, Noise, Safety, etc.) that helps to highlight and focus audience attention on main message points.

Timing: 1 to 2 weeks, and ongoing

7. Photo Essay

Hire professional photographer to tour the areas that will be directly impacted by the Purple Line including the Capital Crescent Trail and backyards of homeowners. A photo of a retaining wall 10 feet from a home tells the story better than words can.

Timing: 4 weeks, or longer

8. Social Media Program

Social media can be a natural complement to gather audiences around a shared interest and to drive audience to the website. The use of social media will largely depend on the kind of campaign developed during the planning phase. We would select social media methods that allow the message to be effectively delivered. If a grassroots component is involved, social media may be integral to the campaign's success. A social media program would include the following components:

- Audit and analyze the current social media environment, and provide recommendations.
- Develop strategies and a tactical plan for each digital platform (Twitter, Facebook, or other key social media channels) and create message materials.
- Provide training and assistance with implementation of the social media strategy to prepare local elected officials or municipal staff—and others—to manage their digital strategy moving forward.

Timing: In coordination with the website launch, and ongoing

9. Paid advertisements

For this purpose, we'd recommend political-style campaign ads such as:

- **Audience-directed online advertising** which can be highly targeted to specific audiences such as local residents, commuters and business people. This tactic can also be used to provide information to FTA staff or State and Federal legislators. In the best case, online ads are among the most cost-effective advertising methods.

Timing: 2 weeks to create a campaign; 30-days of ads, not necessarily consecutively

- **Outdoor Ads** such as door-hangers and/ or campaign signs might also be effective in this case, in retail shop windows or on homeowner lawns, as appropriate.

Timing: This would be rolled out at an appropriate time, perhaps in conjunction with a major announcement or just in advance of a public meeting or decision on the Purple Line

-more-

Budget Outline

COST SUMMARY					
<u>Professional Services</u>	<u>Monthly Base Services</u>	<u>Recommendations</u>	<u>Units</u>	<u>Annual Project Cost</u>	
Account Services	\$ 9,977.00	\$ 9,977.00	12.00	\$	119,724.00
Message & Campaign Development					
Media Relations					
Social Media					
Graphic/ Web Design	\$ -	\$ 1,900.00	12.00	\$	22,800.00
Website maintenance					
Infographics					
Professional Services Subtotal	\$ 9,977.00	\$ 11,877.00		\$	142,524.00
Estimated Expenses					
Routine Expense Fee (6%)	\$ 598.62	\$ 598.62	12.00	\$	7,183.44
Travel	\$ -	\$ -		\$	-
Website creation	\$ -	\$ 5,000.00	1.00	\$	5,000.00
Video	\$ -	\$ 10,000.00	1.00	\$	10,000.00
Photo Essay	\$ -	\$ 5,000.00	1.00	\$	5,000.00
Audience Directed Ads	\$ -	\$ 15,000.00	1.00	\$	15,000.00
Outdoor Ads	\$ -	\$ 10,000.00	1.00	\$	10,000.00
Expenses Subtotal	\$ 598.62	\$ 45,598.62		\$	52,183.44
Grand Total	\$ 10,575.62			\$	194,707.44

###

Kevin Karpinski

From: Moira Moynihan <mymoynihan@alexander-cleaver.com>
Sent: Sunday, February 08, 2015 9:36 PM
To: Town of Chevy Chase
Subject: Fw: MDOT briefing summary for Chevy Chase

On Friday, the Department of Legislative Services (DLS) made recommendations to the House Appropriations Committee about Governor Hogan's proposed MDOT budget.

DLS made three main budget language recommendations to the committee for adoption. The first two are pretty standard, are recommended every year, and MDOT concurred with the language. They were pretty basic requests for information - keeping the General Assembly and public apprised on transportation project updates and providing updates on their hiring and vacancy rates. The third recommendation was a little more controversial.

DLS recommended new language aimed at preventing the Executive Branch from using budgeted funds for projects other than what the funding is designated for without the explicit consent of the General Assembly. Under this recommendation, if Governor Hogan decides not to move forward on a transit project, those funds couldn't be re-appropriated through a budget amendment for another use outside of session. They'd just have to remain in the MDOT budget until the following session. According to the DLS analyst "funding that's in the budget now can only be used for those purposes, not any other."

Secretary Rahn's response to DLS' third recommendation: "I stress that the CTP (Consolidated Transit Plan) is a 6-year process and it's not possible to change direction over night. When policy changes are made, they need to be incorporated in the CTP process. This language is probably intended to lock in certain projects, and I'd point out that the current budget contains funding for the Purple Line and Red Line. If the Governor decides to make any changes, we will go through the process required by the CTP, a long public process, that we have to use to make big changes to the program.

Because this process is so open, flexibility for the department is important. So, if one project is delayed, flexibility is needed to move funding to another project moving ahead. The department urges the Maryland General Assembly to trust the CTP process and give the agency the flexibility they need."

Many of the questions from the Appropriations Committee were about the transfer of funds to MDOT to oversee Watershed Implementation Plan projects for the state. The general consensus is that there's concern that if MDOT is paying for WIP, that could affect the department's bottom line and slow down funding for state transportation priorities.

According to Secretary Rahn, there are a number of factors that impact the number and nature of projects MDOT can undertake. As more projects are included in the Transportation Trust Fund, agency capacity decreases. The WIP projects were moved to the MDOT budget in part to relieve pressure on the general obligation bonds.

Rahn also took the opportunity to discuss the difficulty with relying on federal funding and the impacts of not having a long term federal funding bill.

Delegate Marc Korman asked if MDOT was going to permit public input on the department's assessment and recommendation process for the Purple Line.

Secretary Rahn clarified that they were undertaking an internal process to bring the Governor up to speed, review the consequences of actions taken on these projects either way, and that it is more of a management review process, and not a public review process of these projects. "We've simply not reached the point where a public process is appropriate."

Delegate Ana Sol Gutierrez followed up with a question about the March payments.

Secretary Rahn said he was setting aside 4 hours to begin evaluation for Purple Line and Red Line on Saturday to start putting together information for the Governor. He mentioned that he knew the teams putting together Purple Line proposals are nervous, and said that MDOT is very careful in not taking any steps that would do anything to derail the process, because if decision is to proceed, they wouldn't want to have slowed it down. He also mentioned that if they do make the March payments and decide not to proceed, the state would then own the plans, so either way, they do not see it as a bad investment.

Secretary Rahn said he can guarantee that they will have an answer on the Purple Line and will try to decide before the end of session, but with 35 years of availability payments and looking at all of the decision points for the Purple and Red lines, it's worth them spending some time to make sure they understand and make the best decision for the state - even if it takes longer than some folks hope.

Best,
Moirá

Sent using OWA for iPad

Kevin Karpinski

From: Moira Moynihan <mmoynihan@alexander-cleaver.com>
Sent: Thursday, January 22, 2015 4:51 PM
To: Town of Chevy Chase
Subject: CCT support letter
Attachments: Montgomery County CCT support letter to Gov Hogan.pdf

Hi all,

Please see attached for a letter of support to the Governor for the CCT from legislators in Districts 15, 17, and 39 in Montgomery County.

Thanks!

Moira R. Moynihan
Government Relations Consultant
Cell: [\(301\) 318-4220](tel:3013184220)
Alexander & Cleaver, P.A.
Attorneys at Law

Rockville Office
51 Monroe Street
Suite 408
Rockville, MD 20850
p. [301-545-0100](tel:3015450100)
f. [301-424-3418](tel:3014243418)

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Kevin Karpinski

From: Heubert, Terrence E. <terrence.heubert@bipc.com>
Sent: Thursday, January 22, 2015 2:07 PM
To: Todd Hoffman
Subject: RE: Letter
Attachments: Hogan Letter 2.docx

Hum... try again... Let me know if you get it.

Terrence Heubert
Government Relations Professional

1700 K Street, NW, Suite 300
Washington, DC 20006-3807
202 452 6041 (o)
202 494 8761 (c)
terrence.heubert@bipc.com

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Buchanan Ingersoll & Rooney PC

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From: Todd Hoffman [mailto:thoffman@townofchevy Chase.org]
Sent: Thursday, January 22, 2015 1:40 PM
To: Heubert, Terrence E.
Subject: RE: Letter

Terry, where is the letter?

Todd Hoffman
Town Manager
Town of Chevy Chase, Maryland
4301 Willow Lane
Chevy Chase, MD 20815
301-654-7144 (P)
301-718-9631 (F)
thoffman@townofchevy Chase.org

From: Heubert, Terrence E. [mailto:terrence.heubert@bipc.com]
Sent: Thursday, January 22, 2015 12:06 PM
To: Todd Hoffman
Cc: Pat Burda; Kathy Strom; Wiltraut, James C.
Subject: Letter

Todd-

As discussed on the call this morning, Kathy and Pat agreed to get this letter sent out today. Please feel free to make minor changes, but let's not change the content if at all possible. In our opinion, it's ready for signature.

We should attach to the letter a copy of the DVDs and all other information provided to the Town from MTA in response to our request for information in the past. I don't think that there's much other than the DVDs. If there's a lot, then we should discuss how to deliver.

We'll want to release this to the press as well.

One note, on the A&C folks suggested that we attach a news clip explaining the anthropoid issue that is referenced. I don't know that this is necessary... but if you think that's useful, feel free to include one of the numerous stories.

Please call if we need to discuss.

Terry

Terrence Heubert
Government Relations Professional

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Buchanan Ingersoll & Rooney PC

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Kevin Karpinski

From: Rob Garagiola <rgaragiola@alexander-cleaver.com>
Sent: Monday, December 22, 2014 11:50 AM
To: Todd Hoffman
Subject: RE: Letters to Hogan

Todd,

I have sent the letters to the following:

Bobby Neall, Budget Transition for Hogan Administration
Senator David Brinkley, Budget Transition for Hogan Administration
Craig Williams, Chief of Staff for the Governor

I will also be sending to Senator Joe Getty who will be the Policy and Legislative Director.

Do you have a signed letter for the Sligo Branview Citizens Association? You sent me a word document without signature.

Finally, we send out periodic e-mails to clients re: Hogan Administration formation, new legislators, etc...not Purple Line specific. Would you like me to send to this address or another address?

Thanks,

Robert J. Garagiola

President, Government Relations Division
Managing Attorney, Rockville Office
Cell: [301-801-9678](tel:301-801-9678)
Alexander & Cleaver, P.A.
Attorneys at Law

Annapolis Address:

54 State Circle
Annapolis, MD 21401
p. [410-974-9000](tel:410-974-9000)
f. [410-974-9002](tel:410-974-9002)

Rockville Address:

51 Monroe Street
Suite 408
Rockville, MD 20850
p. [301-545-0100](tel:301-545-0100)
f. [301-424-3418](tel:301-424-3418)

www.alexander-cleaver.com

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From: Todd Hoffman [mailto:thoffman@townofchevy Chase.org]
Sent: Thursday, December 18, 2014 3:29 PM

To: Rob Garagiola
Subject: Letters to Hogan

Rob,
Attached is the Town's letter to Hogan as well as letters from other municipalities. Thanks.

Todd Hoffman
Town Manager
Town of Chevy Chase, Maryland
4301 Willow Lane
Chevy Chase, MD 20815
301-654-7144 (P)
301-718-9631 (F)
thoffman@townofchevychase.org

Kevin Karpinski

From: Wiltraut, James C. <james.wiltraut@bipc.com>
Sent: Thursday, May 21, 2015 6:55 PM
To: Christopher Quintyne
Cc: Todd Hoffman
Subject: Re: Addendum to the Contract Between The Town of Chevy Chase and Buchanan Ingersoll & Rooney
Attachments: image001.jpg

Thank you very much!

Jim

Sent from my iPhone

On May 21, 2015, at 5:41 PM, Christopher Quintyne
<cquintyne@townofchevyCHASE.org<mailto:cquintyne@townofchevyCHASE.org>> wrote:

Good Evening Jim – Please find attached the signed addendum. Thanks.

Best,

Chris

<image001.jpg>
Christopher R. Quintyne
Management Assistant
Town of Chevy Chase, Maryland
4301 Willow Lane
Chevy Chase, MD 20815
Tel. (301) 654-7144
Fax (301) 718-9631
cquintyne@townofchevyCHASE.org<mailto:eglidden@townofchevyCHASE.org>
[www.townofchevyCHASE.org<http://www.townofchevyCHASE.org>](http://www.townofchevyCHASE.org)

<Buchanan Ingersoll and Rooney Addendum.pdf>

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Kevin Karpinski

From: Heubert, Terrence E. <terrence.heubert@bipc.com>
Sent: Thursday, January 22, 2015 12:06 PM
To: Todd Hoffman
Cc: Pat Burda; Kathy Strom; Wiltraut, James C.
Subject: Letter

Todd-

As discussed on the call this morning, Kathy and Pat agreed to get this letter sent out today. Please feel free to make minor changes, but let's not change the content if at all possible. In our opinion, it's ready for signature.

We should attach to the letter a copy of the DVDs and all other information provided to the Town from MTA in response to our request for information in the past. I don't think that there's much other than the DVDs. If there's a lot, then we should discuss how to deliver.

We'll want to release this to the press as well.

One note, on the A&C folks suggested that we attach a news clip explaining the anthropoid issue that is referenced. I don't know that this is necessary... but if you think that's useful, feel free to include one of the numerous stories.

Please call if we need to discuss.

Terry

Terrence Heubert Government Relations Professional

1700 K Street, NW, Suite 300
Washington, DC 20006-3807
202 452 6041 (o)
202 494 8761 (c)
terrence.heubert@bipc.com

[vCard](#) | [Bio](#) | [BIPC.com](#) | [Twitter](#) | [LinkedIn](#)

Buchanan Ingersoll & Rooney PC

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Kevin Karpinski

From: Robin Shaivitz <rshaivitz@alexander-cleaver.com>
Sent: Tuesday, January 20, 2015 9:11 AM
To: Town of Chevy Chase
Cc: Susan Bernard; Rob Garagiola
Subject: Red Line Advocate Flyer

Hi All,
We were told that the Red Line advocates were spending about \$20,000 on local advertising.
Robin

View "null" article at
<http://eeditionmobile.baltimoresun.com/Olive/Tablet/BaltimoreSun/SharedArticle.aspx?href=TBS%2F2015%2F01%2F20&id=Ad00500>

Robin Shaivitz
Vice President and Senior Government Relations Advisor
Alexander & Cleaver
Attorneys at Law
54 State Circle
Annapolis, MD. 21401
410-974-9000
410-913-8727 (mobile)
410-974-9002 (fax)
www.alexander-cleaver.com
Like us on Facebook at Alexander & Cleaver

Kevin Karpinski

From: Alexander & Cleaver <profiles@alexander-cleaver.com>
Sent: Friday, January 16, 2015 9:53 AM
To: terrence.heubert@bipc.com; james.wiltraut@bipc.com; Todd Hoffman;
rshaivitz@alexander-cleaver.com; sbernard@alexander-cleaver.com;
lbellamy@alexander-cleaver.com; rgaragiola@alexander-cleaver.com;
mmoynihan@alexander-cleaver.com; dbowman@alexander-cleaver.com;
galexander@alexander-cleaver.com
Cc: Susan Bernard
Subject: Chevy Chase, Town of Profile 1/16
Attachments: ATT00001.txt; Chevy ChaseClientReport.xls

Greetings All,

Today marks the first Friday of the 2015 Maryland General Assembly session and attached is your first profile.

We have started the identification process for bills that may be of interest to you. Throughout session, you will see the bills that we are tracking, budget hearings, committee briefings and meetings that may also be of interest to you. You will receive your profile as an Excel spreadsheet attachment. Please note that the first portion of your profile will list the upcoming meetings and bill hearings. The second portion of the profile will list each bill that we have identified for you. If for some reason you are unable to open an Excel file, please let us know. On the spreadsheet, hyperlinks take you to the MD General Assembly website so that you can retrieve additional information, if you wish. Also, we have added a feature this year that allows us to upload any notes and documents that we formulate as the bills wind their way through the Senate and House, so please keep an eye out for that as well. Please make myself or your government relations consultant aware of any bill that that is a priority and/or any bills that you want removed from your profile so that we can ensure your profile relevant and accurate.

As a reminder, we will be able to send out the client profiles at a scheduled time. To do this, we have created a separate email, profiles@alexander-cleaver.com. **Please make sure that you white list this email address.** You will receive your profiles from this address in the next week or two.

Finally, **please look over your organization's distribution list.** If you notice that there are people that need to be added or removed, please let me know and I will make sure the lists are up-to-date!

If you have any questions or concerns, please feel free to contact me or anyone else in the firm.

Thank you and here's to a fantastic session ahead~

Susan

Susan E. Bernard
Legislative Aide

Attorneys at Law
54 State Circle
Annapolis MD 21401
p. 410-974-9000

f. 410-974-9002

www.alexander-cleaver.com

Legal * Lobbying * Business Solutions

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UPCOMING MEETINGS LIST						
Time	Item	Positio	Description	Sponsors	Committee	iCal File
BILL STATUS LIST						
Bill	Crossfile	F&PN	Sponsors	Title & Synopsis	Status	Notes
<u>SB 9</u>			Sen. Nathaniel McFadden	Gas and Electricity - Smart Meters - Customer Rights and Required Reports Requiring a utility company to give specified written notice to specified customers prior to deploying smart meters throughout all or a portion of the utility company's service territory; prohibiting a utility company from imposing any additional fee or charge on a specified customer who refuses installation of a smart meter or requests removal of a smart meter; requiring the Public Service Commission and the Department of Health and Mental Hygiene to make specified reports regarding	Committees: Finance House Status: No Actions Senate Status: First Reading Finance (1/14) Status: In the Senate - First Reading Finance (1/14)	
<u>SB 10</u>			Sen. James Brochin	Motor Fuel Tax Rates - Consumer Price Index Adjustment - Repeal Repealing a requirement that specified motor fuel tax rates be adjusted in future years based on growth in the Consumer Price Index for all urban consumers.	Committees: Budget and Taxation House Status: No Actions Senate Status: First Reading Budget and Taxation (1/14) Status: In the Senate - First Reading Budget and Taxation (1/14)	

Kevin Karpinski

From: Heubert, Terrence E. <terrence.heubert@bipc.com>
Sent: Monday, March 10, 2014 10:37 AM
To: Todd Hoffman
Subject: RE: Participant List

Here you go. I would anticipate that the participants will be the same from week to week with some people joining or dropping off as needed/schedules permit. For example, Bob will be in Africa for business this week and will not participate.

Buchanan Ingersoll & Rooney
Bob Shuster
Jim Wiltraut
Terry Heubert

Chambers, Conlon & Hartwell
Keith Hartwell
Jason Tai
Matt Ginsberg

Alexander Cleaver
Robin Shaivitz
Rob Garagiola
Lorenzo Bellamy

(Hannah Garagiola participated last week, but I don't anticipate her participating on a regular basis.)

Terrence Heubert
Government Relations Professional

1700 K Street, NW, Suite 300
Washington, DC 20006-3807
202 452 6041 (o)
202 494 8761 (c)
terrence.heubert@bipc.com

vCard | Bio | BIPC.com | Twitter | LinkedIn

Buchanan Ingersoll & Rooney PC
KNOW GREATER PARTNERSHIP

-----Original Message-----

From: Todd Hoffman [mailto:thoffman@townofchevy Chase.org]
Sent: Monday, March 10, 2014 10:28 AM
To: Heubert, Terrence E.

Subject: RE: Participant List

Hey Terry,
Could you get me this list when you have a chance? Thanks.

Todd Hoffman
Town Manager
Town of Chevy Chase, Maryland
4301 Willow Lane
Chevy Chase, MD 20815
301-654-7144 (P)
301-718-9631 (F)
thoffman@townofchevychase.org

-----Original Message-----

From: Heubert, Terrence E. [mailto:terrence.heubert@bipc.com]
Sent: Thursday, March 06, 2014 11:56 AM
To: Todd Hoffman
Subject: Re: Participant List

Traveling today, I can get you a list tomorrow. If you need something immediately, it's all the same people who have been on past calls. They're all on the calendar invite.

Terrence Heubert
Buchanan Ingersoll & Rooney

202/452-6041
202/494-8761, cell

On Mar 5, 2014, at 10:41 AM, "Todd Hoffman"
<thoffman@townofchevychase.org<mailto:thoffman@townofchevychase.org>> wrote:

Terry,
Could you provide me with a list of participants in this morning's conference call? Also, do you have a list of participants in last week's call? Thanks.

Todd Hoffman
Town Manager
Town of Chevy Chase, Maryland
4301 Willow Lane
Chevy Chase, MD 20815
301-654-7144 (P)
301-718-9631 (F)
thoffman@townofchevychase.org<mailto:thoffman@townofchevychase.org>

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Kevin Karpinski

From: Heubert, Terrence E. <terrence.heubert@bipc.com>
Sent: Sunday, February 16, 2014 2:59 PM
To: Todd Hoffman; Pat Burda
Subject: FYI

purple line now is holding a Governor candidate forum to discuss the wonders of the Purple Line on Tuesday. If you're able, it may make sense to reach out to the participating campaigns on Monday/Tuesday to let them know that the Town would appreciate their reserving judgement on this issue until they hear both sides.

Terrence Heubert
Buchanan Ingersoll & Rooney

202/452-6041
202/494-8761, cell

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Kevin Karpinski

From: Heubert, Terrence E. <terrence.heubert@bipc.com>
Sent: Wednesday, February 12, 2014 3:07 PM
To: Todd Hoffman; Pat Burda
Subject: FW: Article in E&E News

In case you didn't see this. It's actually pretty good, in my opinion. If anything, it shows that ACT is pretty desperate.

Terrence Heubert Government Relations Professional

1700 K Street, NW, Suite 300
Washington, DC 20006-3807
202 452 6041 (o)
202 494 8761 (c)
terrence.heubert@bipc.com

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Buchanan Ingersoll & Rooney PC

KNOW GREATER PARTNERSHIP

Kevin Karpinski

From: Graham, Kara E. <kara.graham@bipc.com>
Sent: Tuesday, February 11, 2014 12:24 PM
To: Todd Hoffman
Cc: Shuster, Robert L.; Wiltraut, James C.; Heubert, Terrence E.
Subject: Revised Proposal
Attachments: Buchanan Proposal for General Transportation Counseling and Government Relations - Federal and State.pdf

Importance: High

Hi Todd,

Please see the attached per our call.

Thank you!

Kara Graham
Manager-Business Development

1700 K Street, N.W., Suite 300
Washington, DC 20006-3807
202 452 7902 (o)
202 617 1288 (c)
kara.graham@bipc.com

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Buchanan Ingersoll & Rooney PC

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Kevin Karpinski

From: Graham, Kara E. <kara.graham@bipc.com>
Sent: Tuesday, February 11, 2014 11:21 AM
To: Todd Hoffman
Cc: Shuster, Robert L.; Wiltraut, James C.; Heubert, Terrence E.
Subject: Buchanan Proposals - Federal Only and Federal and State
Attachments: Buchanan Proposal for Government Relations - Federal and State.pdf; Buchanan Proposal for Government Relations - Federal Only.pdf

Todd,

Please see the attached proposals. If you have any questions, please let us know. Bob is in and out of meetings today but his cell is: 717-315-5170.

Thank you!

Kara Graham
Manager-Business Development

1700 K Street, N.W., Suite 300
Washington, DC 20006-3807
202 452 7902 (o)
202 617 1288 (c)
kara.graham@bipc.com

BIPC.com | [Twitter](#) | [LinkedIn](#)

Buchanan Ingersoll & Rooney PC

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Kevin Karpinski

From: Heubert, Terrence E. <terrence.heubert@bipc.com>
Sent: Friday, May 09, 2014 3:00 PM
To: Todd Hoffman
Subject: Maryland Lobby Registration
Attachments: Tyler. Chevy Chase.pdf; Robin.Chevy Chase.pdf; Hannah. Chevy Chase.pdf; Camille. Chevy Chase.pdf; Lorenzo. Chevy Chase.pdf

Hey Todd-

Just like the one for Rob... Didn't realize that we needed signatures for each individual. Please sign and scan back to me so that we can get this squared away.

THANKS!

Terry

Terrence Heubert Government Relations Professional

1700 K Street, NW, Suite 300
Washington, DC 20006-3807
202 452 6041 (o)
202 494 8761 (c)
terrence.heubert@bipc.com

[vCard](#) | [Bio](#) | [BIPC.com](#) | [Twitter](#) | [LinkedIn](#)

Buchanan Ingersoll & Rooney PC

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Kevin Karpinski

From: Heubert, Terrence E. <terrence.heubert@bipc.com>
Sent: Tuesday, April 15, 2014 12:05 PM
To: Todd Hoffman
Subject: letter
Attachments: MPTA letter.docx

See attached.

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DATE

Hon. Robert L. Smith
Administrator
Maryland Transit Administration
William Donald Schaefer Tower
6 Saint Paul Street
Baltimore, MD 21202-1614

Dear Administrator Smith:

Under the Maryland Public Information Act § 10-611 et seq., I am requesting copies of all public records, including electronic communications, between the Maryland Transit Administration (MTA) and the Action Committee for Transit (ACT) and MTA and Purple Line Now (PLN).

Action Committee for Transit

We hereby request all public records, including electronic communications, between the MTA and ACT from October 1, 2013 through April 15, 2014. This request should be understood to include all records and communications with ACT including, but not limited to, the named staff and officers listed below. For the named individuals, we request all communications regardless of if it was intended to be in their official ACT capacity or in some other capacity.

- Nick Brand, ACT President
- Ronit Dancis, ACT Vice President, campaigns
- Tina Slater, ACT Vice President, Purple Line
- Jim Clarke, Vice President, legislative
- Tracey Johnstone, ACT Secretary
- John Fay, ACT Treasurer
- Dan Reed, ACT Board Member
- Cavan Wilk, ACT Board member
- Miriam Schoenbaum, ACT Ex Officio Board member
- Ben Ross, ACT Ex Officio Board member
- Kurt Raschke, ACT Ex Officio Board member
- Wendy Leibowitz, ACT Ex Officio Board member.
- Cindy Snow, ACT Staff
- Quon Kwan, ACT Staff
- Jeri Roth Lande, ACT Staff

Purple Line Now

We hereby request all public records, including electronic communications, between the MTA and PLN from October 1, 2013 through April 15, 2014. This request should be understood to including all records and communications with PLN including, but not limited, the named staff and officers listed below. For the named individuals, we request all communications regardless of if it was intended to be in their official ACT capacity or in some other capacity.

- PLN Executive Director Christine Scott
- Ralph Bennett, PLN Board President
- Nancy Soreng, PLN Board Vice President
- Wayne Phyllaier, , PLN Board Treasurer
- Greg Sanders, PLN Board Secretary
- Miti Figueredo, PLN Board Member
- Ilaya Hopkins, PLN Board Member
- Bryan Arias, PLN Board Member
- Jim Clarke, PLN Board Member
- Mark Coles, PLN Board Member
- Andy Fellows, PLN Board Member
- John Gallagher, PLN Board Member
- G. Keith Haller, PLN Board Member
- Tony Hausner, PLN Board Member
- Ginanne Italiano, PLN Board Member
- Jackie Jeter, PLN Board Member
- Erwin Mack, PLN Board Member
- Eddie Pounds, PLN Board Member
- Jane Redicker, PLN Board Member
- Brad Stewart, PLN Board Member
- Victor Weissberg, PLN Board Member
- Jeremy Crandall, Ex Officio PLN Board Member
- Chris Gillis, Ex Officio PLN Board Member
- Tom Hucker, Ex Officio PLN Board Member
- George Leventhal, Ex Officio PLN Board Member
- Heather Mizeur, Ex Officio PLN Board Member
- Eric Olson, Ex Officio PLN Board Member
- Barbara Sanders, Ex Officio PLN Board Member

If there are any fees for searching or copying these records, please inform me if the cost will exceed \$250. However, I request a waiver of all fees in that the disclosure of the requested information is in the public interest and will contribute significantly to the public's understanding of MTA's relationship with ACT and PLN. This information is not being sought for commercial purposes.

The Maryland Public Information Act requires a response to this request within 30 days. If access to the records I am requesting will take longer than this amount of time, please contact me with information about when I might expect copies or the ability to inspect the requested records.

If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law.

Should you have any questions about this request, please contact Todd Hoffman at: 301/654-7144.

Thank you for consideration.

Sincerely,

Pat Burda

Mayor

Kevin Karpinski

From: PatBurda <pat.burda@gmail.com>
Sent: Monday, April 14, 2014 9:13 PM
To: Heubert, Terrence E.
Cc: Shuster, Robert L.; O'Toole, James; Wiltraut, James C.; Todd Hoffman
Subject: Interesting article

<http://www.theatlanticcities.com/commute/2014/04/have-us-light-rail-systems-been-worth-investment/8838/>

Sent from my iPad

On Apr 14, 2014, at 6:36 PM, "Heubert, Terrence E." <terrence.heubert@bipc.com> wrote:

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<mime-attachment.ics>

Kevin Karpinski

From: Heubert, Terrence E. <terrence.heubert@bipc.com>
Sent: Tuesday, September 09, 2014 4:37 PM
To: Kathy Strom; Pat Burda
Cc: Todd Hoffman
Subject: 6 month update
Attachments: 6 month update.pdf

Mayor Strom & Vice Mayor Burda-

Please find attached the mid-year update that you requested. As always, please feel free to contact anyone on the team with questions.

Best-
Terry

Terrence Heubert Government Relations Professional

1700 K Street, NW, Suite 300
Washington, DC 20006-3807
202 452 6041 (o)
202 494 8761 (c)
terrence.heubert@bipc.com

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Buchanan Ingersoll & Rooney PC

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Town of Chevy Chase: Six Month Report

Buchanan Ingersoll & Rooney, along with our partners, Chambers, Conlon & Hartwell, Alexander and Cleaver, and Xenophon Strategies, are pleased to continue representing the Town's interests on the proposed Purple Line issue. We have enjoyed significant success in our endeavors thus far and believe that we are well positioned for further success. To date, we have provided a variety of services to the town. Below is an overview of the most significant activities to date.

- Successfully worked to prevent funding for the Maryland Purple Line from the U.S. House Transportation Appropriations bill.
- Provided the Town with strategic political counsel.
- Provided the Town with analysis and strategic counsel regarding various proposed and current lawsuits.
- Provided counsel and support to Town spokespeople on media-related issues.
- Held discussions with staff and Members of all relevant U.S. House and Senate Committees, including the House Transportation & Infrastructure Committee's Public-Private-Partnerships (P3s) special panel to educate them on Purple Line flaws.
- Discussed with senior U.S. Department of Transportation and Federal Transit Administration officials, various aspects of the proposed Maryland Purple Line.
- Developed messaging and materials to educate community and public and elected officials on flaws in the plan for the proposed Purple Line.
- Assisted in the development of the Town's media response to public attacks from private activists and interested real estate development groups.
- Monitored media to shape government relations / education activities.
- Worked with local interest groups on key issues facing the proposed Purple Line, including:
 1. Endangered Species
 2. Environmental and Safety Hazards
 3. Ridership
 4. Cost
- Held discussions with numerous public-interest groups, concerned with the obvious waste of state and federal taxpayer funds.
- Generated significant public support for Baltimore's Red Line and the Corridor Cities Transitway and created pressure for Maryland officials to prioritize these projects above the flawed Purple Line project.
- Placed two op-ed pieces from Greater Baltimore Committee in the media.
- Worked to support Baltimore City Council legislation to grant Red Line franchise rights to Maryland Transit Administration (MTA).

Town of Chevy Chase: Six Month Report

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- Placed two op-ed pieces from Greater Baltimore Committee in the media.
- Worked to support Baltimore City Council legislation to grant Red Line franchise rights to Maryland Transit Administration (MTA).

**Town of Chevy Chase
Strategy Meeting**

February 24, 2014

- 1. Introductions**
 - a. Buchanan Ingersoll & Rooney
 - b. Chambers Colon & Hartwell
 - c. Alexander & Cleaver
- 2. Federal**
 - a. Congress
 - b. FTA
- 3. State**
 - a. Governor
 - b. Legislature
 - c. MTA

Kevin Karpinski

From: Heubert, Terrence E. <terrence.heubert@bipc.com>
Sent: Wednesday, February 05, 2014 1:02 PM
To: Pat
Cc: Todd Hoffman
Subject: RE: Meeting with Brigid Houton (Mikulski)
Attachments: bullets.docx

Terrence Heubert
Government Relations Professional

1700 K Street, NW, Suite 300
Washington, DC 20006-3807
202 452 6041 (o)
202 494 8761 (c)
terrence.heubert@bipc.com

vCard | Bio | BIPC.com | Twitter | LinkedIn

Buchanan Ingersoll & Rooney PC
KNOW GREATER PARTNERSHIP

-----Original Message-----

From: Pat [mailto:pat.burda@gmail.com]
Sent: Wednesday, February 05, 2014 12:58 PM
To: Heubert, Terrence E.
Cc: Todd Hoffman
Subject: Re: Meeting with Brigid Houton (Mikulski)

Terry, I think we don't have the most recent bullet version. Ours still says 10-75 feet for house distance. Please send us the most recent. Thanks.

Sent from my iPhone

On Feb 5, 2014, at 12:24 PM, "Heubert, Terrence E." <terrence.heubert@bipc.com> wrote:

> Brigid_houton@appro.senate.gov

>

> TAX ADVICE DISCLAIMER: Any federal tax advice contained in this communication (including attachments) was not intended or written to be used, and it cannot be used, by you for the purpose of (1) avoiding any penalty that may be imposed by the Internal Revenue Service or (2) promoting, marketing or recommending to another party any transaction or matter addressed herein. If you would like such advice, please contact us.

>

> Above email is for intended recipient only and may be confidential and protected by attorney/client privilege.

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- > Unauthorized use or distribution is prohibited and may be unlawful.
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- > <mime-attachment.ics>

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**Proposed Purple Line
Montgomery County Maryland**

1. Impacts to Town of Chevy Chase
 - a. Direct Impact on Adjacent Homes
 - i. 278 trains per day going through back yards
 1. Traveling at 45 miles per hour
 2. Proximity to existing homes
 - ii. Noise & Vibration
 1. 26 feet tall retaining/sound walls immediately adjacent to homes
 - iii. Significant decrease in home values
 - b. 230+ pedestrian daily track crossings
 - i. Common walking route for school children
2. Primarily Economic Development Project
 - a. Maryland Transportation Administration FEIS acknowledges that Purple Line:
 - i. Will not reduce congestion
 - ii. Will not increase access to transit
 - iii. Will not decrease energy consumption
3. Orphan Transit Mode
 - a. BRT promoted for all other transit projects in County
 - b. Purple Line BRT vs Rail: +/- \$1 Billion less expensive
 - c. Competing against two other Maryland projects
 - i. Red Line light rail in Baltimore
 - ii. Corridor City Transitway in Gaithersburg
4. Financial Implications
 - a. Sky Rocking Costs
 - i. Projections have already risen by more than \$1 billion
 - b. Moderate to low cost-effective ratings with FTA
 - c. Promises made prior to DEIS broken to cut costs
 - i. Trail was to be housed in tunnel to minimize impact: Canceled
 - ii. Chevy Chase Lake Open Construction: Canceled
 - d. Public Private Partnership (P3)
 - i. Dollars needed to build in addition to operate & maintenance
 - ii. Given high dollar level, costs to fall back on state, locals or feds?
 - e. Acquisition/Demolition/Redevelopment of APEX building
 - i. Necessary to properly house transit tunnel
 - ii. Owner willingness questionable
 - iii. Could add \$20 million or more to project
5. Impact on Veterans
 - a. Purple Line bypasses new Walter Reed
 - b. Would require an extra & unnecessary transfer to access Walter Reed
6. Environmental concerns
 - a. Endangered Species

- i. Hay Springs Amphipod in Rock Creek Park
 - ii. Kenk's Amphipod in Coquelin Run
- b. Environmental degradation
 - i. 100% trees removal within ROW to accommodate catenary wires
 - 1. Erosion
 - 2. Heat
 - 3. Groundwater
- c. Loss of Capital Crescent Trail as linear park
 - i. 10,000+ walkers, joggers & bikers use weekly
 - ii. Will become "high speed" bike path

Kevin Karpinski

From: Shuster, Robert L. <robert.shuster@bipc.com>
Sent: Monday, May 05, 2014 12:17 PM
To: Todd Hoffman
Cc: Heubert, Terrence E.
Subject: FW: Additional Lobby Registration - Town of Chevy Chase
Attachments: Robert. Chevy Chase.pdf

Todd,

After reading this form which was provided by Alexander & Cleaver, I believe that the Town needs to sign it. Please execute and return to me.

Thanks,
Bob

CONFIDENTIAL/PRIVILEGED INFORMATION: This e-mail message and any attachments are private communication sent by a law firm and may contain confidential, legally privileged information meant solely for the intended recipient. If you are not the intended recipient, you are hereby notified that any use, dissemination, distribution or copying of this communication is prohibited and may be unlawful. Please notify the sender immediately by replying to this message, then delete the e-mail and any attachments from your system.

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LOBBYING REGISTRATION

This registration form may be submitted electronically, but it will not take effect or be considered complete until The State Ethics Commission receives it, and a check in the amount of \$100.00 made payable to the State of Maryland.

1. Click "print version" and you will be able to print a copy of this document so that you may sign it.
2. If you are acting on behalf of an employer, send the printed and partially completed form to the employer identified in the form for his or her signature and selection of the employer's exemption status (you may make the selection of status electronically or the employer may do it, but the selection must be made or the registration will not be complete.)
3. Then you or the employer must send the paper copy to:

State Ethics Commission
45 Calvert Street, 3rd Floor
Annapolis, Maryland 21041

Along with a check in the amount of \$100 made payable to The State of Maryland

4. When the State Ethics Commission has received the completed and signed document and the appropriate check, the registration will be considered as filed and it will be released for public view.

PART A. GENERAL INFORMATION

What Type of registration are you seeking?

Legislative Action Lobbyist

Grass Roots Lobbyist

Executive Action Lobbyist

Non-exempt employer

Primary purpose of Organization

Is the employer or the registered organization (if there is no employer) organized and operated for the primary purpose of attempting to influence any legislation or executive action?

Yes No

Check Number:

PART B. IDENTIFICATION OF REGISTRANT/REGULATED LOBBYIST

1. Identifying Information

a) Name of Registrant/Regulated Lobbyist: Robert J. Garaqiola

b) Firm Name: Alexander & Cleaver, P.A.

Address:
54 State Circle
Annapolis, MD 21401

c) Business telephone: 410-974-9000

Cell phone:

Do you want your telephone number on the published lobbyist list?

Yes No

d) What is your occupation or type of business? Lobbyist

If other: Government Relations Consultant

2. Identification of others required to register

a) Will any other person be required to register as a lobbyist on behalf of you or the organization identified in section 1?

Yes No

b) If the answer to a) is "yes", identify each such person below and give their name and address?

3. Identification of employer

a) Name of persons or organizations who compensate you for activities that require registration.
Town of Chevy Chase

Permanent Address:
c/o Buchanan Ingersoll and Rooney PC
1700 K Street, N.W. Suite 300
Washington, DC 20006-3807

Business Telephone: 202-452-6041

Nature of business: Town of Chevy Chase

Website of employer:

b) Will you be representing any other person or entity regarding the matters identified in this registration?

Yes No

4. Registration Information

a) For what period will this registration be effective?

May 01, 2014 to October 31, 2014

b) On what matters will you be acting or employing someone to act during the registration period?

Other - Issues affecting the Town and metro access.

c) If known include the bill number(s) of the matter(s) on which you lobby

PART C. REGISTRANT'S REGULATED LOBBYIST'S SIGNATURE

1. Training (See the Commission's website for online training)

By checking one of the two choices below, I hereby certify that I am in compliance with the mandatory training requirements of §15-205 of the Public Ethics Law:

I have completed training at least once during the most recent 2 year period in which I have been a registered lobbyist. Date of most recent training: _____
 I have not yet been a registered lobbyist for 2 years but will complete training prior to that time.

2. Verification

I have reviewed this Registration and certify to the best of my knowledge that the information is true and complete.

Lobbyist's Signature

Date

PART D. AUTHORIZATION TO ACT

1 Authorization

I hereby certify that the information contained herein is correct and that Robert J. Garagiola (name of lobbyist) is authorized to act on behalf of Town of Chevy Chase (name of employer) for the period from May 01, 2014 to October 31, 2014 unless this authority is terminated sooner.

2 Exemption Status of Employer

- a) The employer claims the exemption from filing its own registration and activity reports because all expenditures requiring registration and reporting will be reported by this registrant/regulator lobbyist.
- b) The employer does not claim an exemption from filing its own registration and activity report because the registrants/regulator lobbyist will report only expenditures and compensation regard the filer's activity. If this option is selected, the employer must submit a separate registration for lobbying and the required reports.
- c) The employer does not claim an exemption from filing its own registration and reports based on the activities of the filer will report only expenditures and compensation regarding the filer's activities. However, the employer does claim an exemption from filing its own registration and reporting because another regulated lobbyist will report any other expenditures of the employer, and the employer will engage in no other activity that would require it to register or report.

Employer's Signature

Date

Employer's Printed or Typed Name

Kevin Karpinski

From: Heubert, Terrence E. <terrence.heubert@bipc.com>
Sent: Wednesday, April 09, 2014 9:52 AM
To: lbellamy@alexander-cleaver.com; Jason Tai; Pat Burda; Todd Hoffman; 'kheartwell@cch-llc.com'; Shuster, Robert L.; Matt Ginsberg; Wiltraut, James C.; Rob Garagiola; rshaivitz@alexander-cleaver.com; 'Julie Chlopecki'; Mark Hazlin (mhazlin@xenophonstrategies.com)
Subject: 10:30 Agenda

Hey Guys-

Here's a brief agenda for our call at 10:30. Just an outline to ensure that we hit all the areas we need to discuss.

Terry

1. State Update (10 mins)
2. Federal Update (10 mins)
 - a. Congress
 - b. Administration
3. PR Update (10 mins)
 - a. Partnership Opportunities
4. To Do (5 mins)
5. Prep for 5:00 Executive Session call (5 mins)

Terrence Heubert Government Relations Professional

1700 K Street, NW, Suite 300
Washington, DC 20006-3807
202 452 6041 (o)
202 494 8761 (c)
terrence.heubert@bipc.com

[vCard](#) | [Bio](#) | [BIPC.com](#) | [Twitter](#) | [LinkedIn](#)

Buchanan Ingersoll & Rooney PC

KNOW GREATER PARTNERSHIP

CONFIDENTIAL/PRIVILEGED INFORMATION: This e-mail message and any attachments are private communication sent by a law firm and may contain confidential, legally privileged information meant solely for the intended recipient. If you are not the intended recipient, you are hereby notified that any use, dissemination, distribution or copying of this communication is prohibited and may be unlawful. Please notify the sender immediately by replying to this message, then delete the e-mail and any attachments from your system.

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Kevin Karpinski

From: Harris Schechtman <hschechtman@samschwartz.com>
Sent: Friday, September 05, 2014 6:39 PM
To: Todd Hoffman
Cc: Harris Schechtman; Kate Sargent; Daniel Berkowsky
Subject: Questions Concerning Outputs and Projections Incorporated in MTA Purple Line AA/EIS
Attachments: Chevy Chase Modified 8-29-14.docx

Importance: High

Todd,

Attached please find SSE's final report for the above project. As the model data provided by MTA to the Town was not comprehensible, and the time and expense of attempting to decipher and apply it would have been vast, the agreement between the Town and SSE was to create a list of relevant questions that those who have access to and knowledge of the model (MTA and its subcontractors) should be able to respond to. We have provided 19 such questions (many multi-part) that get to the core of how the model was used to generate ridership projections. We hope that the responses the Town ultimately receives will be relevant to positions and actions the Town may choose to adopt.

SSE appreciates the opportunity to have been of service again. Please call with any questions.

Harris

Buchanan Ingersoll & Rooney PC
Attorneys & Government Relations Professionals

James C. Wiltraut
Director-Federal Government Relations
202 452 7943
james.wiltraut@bipc.com

Terrence E. Heubert
Government Relations Professional
202 452 8041
terrence.heubert@bipc.com

1700 K Street, N.W., Suite 300
Washington, DC 20006-3807
T 202 452 7900
F 202 452 7989
www.buchananingersoll.com

March 14, 2014

Todd Hoffman
Town Manager
Town of Chevy Chase, Maryland
4301 Willow Lane
Chevy Chase, MD 20815

Re: Engagement Agreement

Dear Mr. Hoffman:

Buchanan Ingersoll & Rooney PC ("Buchanan Ingersoll & Rooney" or the "Firm") is pleased to accept your request to represent the Town of Chevy Chase (the "Town") in federal and Maryland state government relations matters ("Government Relations"). In accordance with the Rules of Professional Conduct and our Firm's procedures, this letter agreement (the "Agreement") confirms the terms on which Buchanan Ingersoll & Rooney will provide Government Relations services to the Town with respect to strategy development and implementation of the Town Government Relations initiatives. The terms and conditions contained in this Agreement as to compensation, confidentiality and conflicts of interest will be included in agreements with our subcontractors for this engagement: Chambers, Conlon & Hartwell, LLC and Alexander & Cleaver, P.A. (The "Subcontractors").

Billing Matters

The monthly retainer for our services is \$29,000 a month beginning February 24, 2014. While this engagement commences February 24, 2014, we will begin billing the Town on a monthly basis beginning March 1, 2014. This monthly retainer encompasses the fee for Government Relations services to be provided by the Subcontractors for this project. This Agreement may be terminated by either party upon 30 days written notice.

We will provide a monthly statement as well as reports on the representation either by memo or by telephone. Monthly billings will include expenses incurred in connection with each service matter. If you have questions concerning a statement, please call me at 202-452-7943.

Todd Hoffman
Town Manager
Town of Chevy Chase, Maryland
March 14, 2014
Page 2

Payment of statements is due upon receipt of our invoice. The Firm reserves the right to impose interest at a rate equal to one and one-half percent (1½%) per month on any outstanding balance that remains unpaid for more than 30 days after receipt of the invoice. The Firm also reserves the right to decline to continue to provide services to clients who do not pay within the guideline without making mutually acceptable arrangements for delayed payments. By signing this Agreement, the Town confirms its understanding of and agreement with the foregoing.

Compliance with Federal & Maryland Lobbying Disclosure Acts

In accordance with the Federal Lobbying Disclosure Act of 1995, as amended, the Firm will file an initial report registering as a lobbyist for the Town with the Secretary of the Senate of the United States and the Clerk of the United States House of Representatives. The registration form requires disclosure of the specific Federal issues lobbied, the House(s) of Congress and Federal agencies to be contacted, any affiliated companies that are contributing to payment for lobbying services, and foreign entities affiliated with the Town, if any, that have a direct interest in the outcome of the lobbying activity. The Firm will also be required to file quarterly reports with Congress to update the initial registration information and to disclose the total income accrued during the quarterly period from the Town for Federal lobbying activities. The reports filed by the Firm will be publicly available on websites maintained by the House and Senate. We will provide the Town with copies of our reports on request.

Maryland law requires the Town and the lobbyist to execute and file annual lobby registration statements with the Maryland Ethics Commission on November 1st of each year or as soon as retention has occurred. Alexander & Cleaver will prepare the required registration statement and renewal statements for the Town's signature and will file the same with the Ethics Commission. In accordance with Maryland Ethics laws, Alexander & Cleaver will file the required semi-annual lobby disclosure reports with the Ethics Commission. Maryland ethics laws require the Town to file a Public Disclosure Statement with the State Board of Elections if the Town makes political contributions and does business with the state. Alexander & Cleaver will assist the Town at no additional charge to determine whether this report is required, and, if so, with its filing.

Scope of Representation

The Town is the Firm's sole client with respect to this engagement, and the Firm's professional responsibilities are owed only to the Town. The Firm does not have a client relationship with any individuals and entities that are affiliated with the Town, unless the Firm otherwise agrees in writing. For example, the Firm's representation of the Town does not include representing its elected or appointed representatives, members, officers, directors,

Todd Hoffman
Town Manager
Town of Chevy Chase, Maryland
March 14, 2014
Page 3

employees, political subdivisions or authorities, joint ventures, affiliated entities or successors-in-interest.

We will keep the Town informed on the status of our work. Individuals may express their views about the possible outcomes; however, these views are not a prediction or guarantee of a result and do not constitute a promise or assurance of success.

Advance Waiver - Conflicts of Interest

Recognizing and addressing conflicts of interest is a continuing issue for attorneys and clients. We have implemented policies and procedures to identify actual and potential conflicts at the outset of each engagement. From time to time, we may be asked to represent someone whose interests may differ from or even be adverse to the interests of the Town. We are accepting this engagement with the Town's understanding and express consent that our representation of the Town will not preclude us from accepting an engagement from a new or existing client that is adverse to the Town ("Adverse Representation"), except under the circumstances identified below. By granting this advance waiver, the Town is relinquishing its right to receive detailed information about a proposed Adverse Representation and to decide on a case-by-case basis whether or not to give its consent. An Adverse Representation could involve, for example, the Firm representing another client in any of the following: litigation adverse to the Town; a review, opinion, or challenge involving intellectual property held by the Town; a business, commercial or real estate transaction between the Town and the other client; or representing other businesses/government entities with interest the same as or similar to the Town in Government Relations, lobbying, and legislative/administrative/executive activities. However, the Firm will not accept an Adverse Representation that is substantially related to the matters in which we represent the Town. Also, we will not accept an Adverse Representation if, because of our representation of the Town, we obtained confidential Town information that is material to the Adverse Representation.

During the term of this Agreement, the Firm will notify you if it accepts an engagement from another client that is adverse to the Town, subject to applicable confidentiality rules that may limit the information the Firm is permitted to disclose.

Document Procedures

The Firm's policy is to deliver to the client, upon request, all documents and property the client has provided the Firm and documents and materials prepared as part of the representation. We may exclude from this our internal memoranda and records, attorney notes, drafts not intended for external distribution, and similar working materials. We may also elect to retain a copy of other portions of the file at our expense. The Firm will retain, in

Todd Hoffman
Town Manager
Town of Chevy Chase, Maryland
March 14, 2014
Page 4

accordance with our records retention program, any files relating to client matters that the client does not ask to have returned. However, to avoid indefinite storage, the Firm reserves the right to dispose of any documents or other materials retained by us within a reasonable time after the completion of this engagement. If the client is in breach of the client's retainer agreement with the Firm, the Firm may choose to withhold certain portions of the client files consistent with our obligations under the Rules of Professional Conduct.

Public Information

The Firm sometimes identifies clients in various public communications including (but not limited to) press releases, the Buchanan Ingersoll & Rooney website and brochures used to describe the Firm and its capabilities. We ask that your signature on this letter also acknowledge your consent to including the Town's name in these communications.

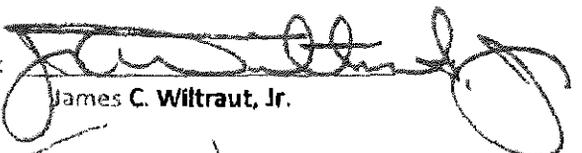
This Agreement will govern the Government Relations services performed by the Firm on behalf of the Town commencing with the date the Firm first performed services. Even if this Agreement does not take effect, the Town will be obligated to pay the Firm the reasonable value of any Government Relations services the Firm may have performed for the Town. The Firm will have no obligation to provide Government Relations services until a signed copy of this Agreement is returned to us.

We at Buchanan Ingersoll & Rooney greatly appreciate your confidence in us, and look forward to having the Town among our clients.

Please acknowledge your understanding and agreement regarding the terms of our engagement as described in this letter by signing one of the enclosed copies of this letter in the space provided below and returning it to me and include payment for the past services along with your first monthly retainer.

Sincerely,

BUCHANAN INGERSOLL & ROONEY PC

By: 
James C. Wiltraut, Jr.

By: 
Terrence E. Heubert

Todd Hoffman
Town Manager
Town of Chevy Chase, Maryland
March 14, 2014
Page 5

Agreed and accepted this 17 day of March, 2014.

The undersigned confirms that he is duly authorized to enter into this Agreement on behalf of the Town and that the Firm may provide legal representation to a client in a matter directly adverse to the Town, including litigation, except where such matters are substantially related to the Firm's representation of the Town.

TOWN OF CHEVY CHASE

By: 
Signature

PATRICIA BORDA
Printed Name

Mayor, Town of Chevy Chase
Title

ADDENDUM TO PROFESSIONAL SERVICES CONTRACT BETWEEN THE
TOWN OF CHEVY CHASE AND BUCHANAN INGERSOLL & ROONEY PC
DATED MARCH 14, 2014

The above-referenced contract is amended by replacing the first paragraph of the Billing Matters section with the new paragraph as follows:

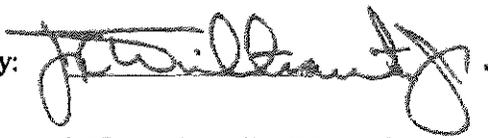
Billing Matters:

The monthly retainer for our services is \$29,000 a month, beginning February 24, 2014. While this engagement commences February 24, 2014, we will begin billing the Town on a monthly basis beginning March 1, 2014. This monthly retainer encompasses the fee for Government Relations services to be provided by the Subcontractors for this project. This Agreement may be terminated by either party upon 7 days written notice. If termination occurs during the course of a month, compensation will be paid on a pro-rata basis. The Town will determine the pro-rata portion of the monthly retainer due to be paid to the Firm by dividing the number of days the contract was in effect during the month (including the 7-day notice period) by the monthly retainer fee.

BUCHANAN INGERSOLL & ROONEY, P.C.

TOWN OF CHEVY CHASE

By:



By:



Date:

21 MAY 2015

Date:

5/22/2015

SECOND ADDENDUM TO PROFESSIONAL SERVICES CONTRACT
BETWEEN THE TOWN OF CHEVY CHASE AND
BUCHANAN INGERSOLL & ROONEY PC

This Second Addendum (the "Second Addendum") is to amend the Professional Services Contract between the Town of Chevy Chase (the "Town") and Buchanan Ingersoll & Rooney PC (the "Firm") dated March 14, 2014, as amended in May of 2015 (the "Agreement"). This Second Addendum will be effective as of June 24, 2015.

The Agreement is amended by replacing the first paragraph of the Billing Matters section of the Agreement with the following language:

Billing Matters:

The monthly retainer for our services is \$29,000 a month, beginning February 24, 2014. While this engagement commences February 24, 2014, we will begin billing the Town on a monthly basis beginning March 1, 2014. This monthly retainer encompasses the fee for Government Relations services to be provided by the Subcontractors for this project.

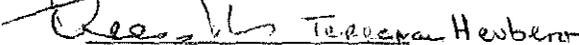
This Agreement may be suspended indefinitely by the Town for any reason upon 5 days written notice and may be reinstated by the Town at any time during the current or subsequent legislative session upon written notice. Upon suspension of the contract, the Firm will not incur any costs for services during the suspension period, and the Town will not be liable for any costs during the suspension period. If suspension occurs during the course of a month, compensation will be paid on a pro-rata basis. The Town will determine the pro-rata portion of the monthly retainer due to be paid to the Firm by dividing the number of days the contract was in effect during the month (including the 5-day notice period) by the monthly retainer fee.

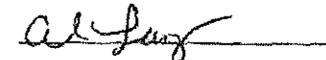
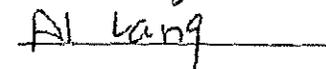
This Agreement may be terminated by either party upon 7 days written notice. If termination occurs during the course of a month, compensation will be paid on a pro-rata basis (unless the Agreement is terminated during a suspension). The Town will determine the pro-rata portion of the monthly retainer due to be paid to the Firm by dividing the number of days the contract was in effect during the month (including the 7-day notice period) by the monthly retainer fee.

Except as modified in this Second Addendum, the terms of the Agreement remain in full force and effect.

BUCHANAN INGERSOLL & ROONEY PC

TOWN OF CHEVY CHASE

By:  James Wiltraut
 Rebecca Heuber

By: 


Date: 6/24/2015

Date: 6/24/2015

Buchanan Ingersoll & Rooney PC
Attorneys & Government Relations Professionals

James C. Wiltraut
Director-Federal Government Relations
202 452 7943
james.wiltraut@bipc.com

Terrence E. Heubert
Government Relations Professional
202 452 6041
terrence.heubert@bipc.com

1700 K Street, N.W., Suite 300
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T 202 452 7900
F 202 452 7989
www.buchananingersoll.com

March 14, 2014

Todd Hoffman
Town Manager
Town of Chevy Chase, Maryland
4301 Willow Lane
Chevy Chase, MD 20815

Re: Engagement Agreement

Dear Mr. Hoffman:

Buchanan Ingersoll & Rooney PC ("Buchanan Ingersoll & Rooney" or the "Firm") is pleased to accept your request to represent the Town of Chevy Chase (the "Town") in federal and Maryland state government relations matters ("Government Relations"). In accordance with the Rules of Professional Conduct and our Firm's procedures, this letter agreement (the "Agreement") confirms the terms on which Buchanan Ingersoll & Rooney will provide Government Relations services to the Town with respect to strategy development and implementation of the Town Government Relations initiatives. The terms and conditions contained in this Agreement as to compensation, confidentiality and conflicts of interest will be included in agreements with our subcontractors for this engagement: Chambers, Conlon & Hartwell, LLC and Alexander & Cleaver, P.A. (The "Subcontractors").

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Todd Hoffman
Town Manager
Town of Chevy Chase, Maryland
March 14, 2014
Page 2

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Compliance with Federal & Maryland Lobbying Disclosure Acts

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Todd Hoffman
Town Manager
Town of Chevy Chase, Maryland
March 14, 2014
Page 3

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We will keep the Town informed on the status of our work. Individuals may express their views about the possible outcomes; however, these views are not a prediction or guarantee of a result and do not constitute a promise or assurance of success.

Advance Waiver - Conflicts of Interest

Recognizing and addressing conflicts of interest is a continuing issue for attorneys and clients. We have implemented policies and procedures to identify actual and potential conflicts at the outset of each engagement. From time to time, we may be asked to represent someone whose interests may differ from or even be adverse to the interests of the Town. We are accepting this engagement with the Town's understanding and express consent that our representation of the Town will not preclude us from accepting an engagement from a new or existing client that is adverse to the Town ("Adverse Representation"), except under the circumstances identified below. By granting this advance waiver, the Town is relinquishing its right to receive detailed information about a proposed Adverse Representation and to decide on a case-by-case basis whether or not to give its consent. An Adverse Representation could involve, for example, the Firm representing another client in any of the following: litigation adverse to the Town; a review, opinion, or challenge involving intellectual property held by the Town; a business, commercial or real estate transaction between the Town and the other client; or representing other businesses/government entities with interest the same as or similar to the Town in Government Relations, lobbying, and legislative/administrative/executive activities. However, the Firm will not accept an Adverse Representation that is substantially related to the matters in which we represent the Town. Also, we will not accept an Adverse Representation if, because of our representation of the Town, we obtained confidential Town information that is material to the Adverse Representation.

During the term of this Agreement, the Firm will notify you if it accepts an engagement from another client that is adverse to the Town, subject to applicable confidentiality rules that may limit the information the Firm is permitted to disclose.

Document Procedures

The Firm's policy is to deliver to the client, upon request, all documents and property the client has provided the Firm and documents and materials prepared as part of the representation. We may exclude from this our internal memoranda and records, attorney notes, drafts not intended for external distribution, and similar working materials. We may also elect to retain a copy of other portions of the file at our expense. The Firm will retain, in

Todd Hoffman
Town Manager
Town of Chevy Chase, Maryland
March 14, 2014
Page 4

accordance with our records retention program, any files relating to client matters that the client does not ask to have returned. However, to avoid indefinite storage, the Firm reserves the right to dispose of any documents or other materials retained by us within a reasonable time after the completion of this engagement. If the client is in breach of the client's retainer agreement with the Firm, the Firm may choose to withhold certain portions of the client files consistent with our obligations under the Rules of Professional Conduct.

Public Information

The Firm sometimes identifies clients in various public communications including (but not limited to) press releases, the Buchanan Ingersoll & Rooney website and brochures used to describe the Firm and its capabilities. We ask that your signature on this letter also acknowledge your consent to including the Town's name in these communications.

This Agreement will govern the Government Relations services performed by the Firm on behalf of the Town commencing with the date the Firm first performed services. Even if this Agreement does not take effect, the Town will be obligated to pay the Firm the reasonable value of any Government Relations services the Firm may have performed for the Town. The Firm will have no obligation to provide Government Relations services until a signed copy of this Agreement is returned to us.

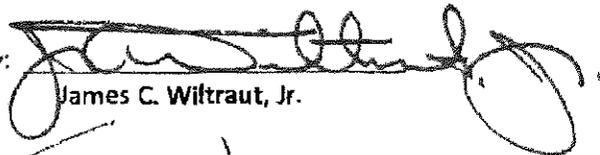
We at Buchanan Ingersoll & Rooney greatly appreciate your confidence in us, and look forward to having the Town among our clients.

Please acknowledge your understanding and agreement regarding the terms of our engagement as described in this letter by signing one of the enclosed copies of this letter in the space provided below and returning it to me and include payment for the past services along with your first monthly retainer.

Sincerely,

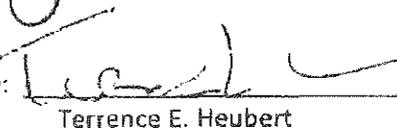
BUCHANAN INGERSOLL & ROONEY PC

By:



James C. Wiltraut, Jr.

By:



Terrence E. Heubert

Todd Hoffman
Town Manager
Town of Chevy Chase, Maryland
March 14, 2014
Page 5

Agreed and accepted this 17 day of March, 2014.

The undersigned confirms that he is duly authorized to enter into this Agreement on behalf of the Town and that the Firm may provide legal representation to a client in a matter directly adverse to the Town, including litigation, except where such matters are substantially related to the Firm's representation of the Town.

TOWN OF CHEVY CHASE

By: 
Signature

PATRICIA BORDA
Printed Name

Mayor, Town of Chevy Chase
Title