

From: [Phan, Johnny](#)
To: [Downtown West Project](#)
Subject: FW: Final CC Redline Google - DW - Development Agreement April 2021 vs 5.12.21-c.DOCX
Date: Tuesday, May 18, 2021 11:38:30 AM
Attachments: [image001.png](#)

From: Miller, Gregg <gmillercoblenzlaw.com>
Sent: Thursday, May 13, 2021 12:30 PM
To: Phan, Johnny <Johnny.Phan@sanjoseca.gov>; David Snow <DSnow@rwglaw.com>
Cc: Straka, Stephanie <ssstrakacoblenzlaw.com>
Subject: RE: Final CC Redline Google - DW - Development Agreement April 2021 vs 5.12.21-c.DOCX

[External Email]

Yes please put back the language in 1.75. Thanks,

Gregg Miller

Coblentz Patch Duffy & Bass LLP

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San Francisco, CA 94104

Cell: 415-939-3142 | Direct Dial 415-772-5736 | Office 415-391-4800

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From: Phan, Johnny <Johnny.Phan@sanjoseca.gov>
Sent: Thursday, May 13, 2021 12:26 PM
To: Miller, Gregg <gmillercoblenzlaw.com>; David Snow <DSnow@rwglaw.com>
Cc: Straka, Stephanie <SStrakacoblenzlaw.com>
Subject: [EXTERNAL] RE: Final CC Redline Google - DW - Development Agreement April 2021 vs 5.12.21-c.DOCX

Hi Gregg,

1. The draft that sent to us last night included the deletion relating to Material Change. We can include back in if that is an issue.
2. Okay on \$3 million as opposed to \$3.125 million.
3. Yes, we need to correct the numbering in Section.

Dave can make these changes and we are final??

Thanks. Johnny

Johnny V. Phan

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From: Miller, Gregg <gmilller@coblentzlaw.com>

Sent: Thursday, May 13, 2021 12:21 PM

To: David Snow <DSnow@rwglaw.com>; Phan, Johnny <Johnny.Phan@sanjoseca.gov>

Cc: Straka, Stephanie <sstraka@coblentzlaw.com>

Subject: RE: Final CC Redline Google - DW - Development Agreement April 2021 vs 5.12.21-c.DOCX

[External Email]

Sorry – balance would be \$4.5M

Gregg Miller

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From: Miller, Gregg
Sent: Thursday, May 13, 2021 12:20 PM
To: David Snow <DSnow@rwglaw.com>; 'Phan, Johnny' <Johnny.Phan@sanjoseca.gov>
Cc: Straka, Stephanie <SStraka@coblentzlaw.com>
Subject: RE: Final CC Redline Google - DW - Development Agreement April 2021 vs 5.12.21-c.DOCX

Johnny and David: just three things:

1. I don't have authority to agree to the deletion in 1.75 (Material Change definition). Can we keep the language – its been in the draft for a long time.
2. Re the new Covid language, I am now being told the \$3.125M should be \$3M leaving the balance at \$4M.
3. Section numbering in Article 4 changed. We'll need to check x-refs elsewhere in the DA to make sure the refs are to the right section but we can handle that in the execution version.

Thanks,

Gregg Miller

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From: David Snow <DSnow@rwglaw.com>
Sent: Thursday, May 13, 2021 11:40 AM
To: 'Phan, Johnny' <Johnny.Phan@sanjoseca.gov>
Cc: Straka, Stephanie <SStraka@coblentzlaw.com>; Miller, Gregg <gmler@coblentzlaw.com>
Subject: [EXTERNAL] RE: Final CC Redline Google - DW - Development Agreement April 2021 vs 5.12.21-c.DOCX

Trying again – looks like changes were stripped out – use this one:

From: David Snow
Sent: Thursday, May 13, 2021 11:38 AM
To: 'Phan, Johnny' <Johnny.Phan@sanjoseca.gov>

Cc: 'Straka, Stephanie' <SStraka@coblentzlaw.com>; Miller, Gregg <gmler@coblentzlaw.com>
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Attached is the final redlined version showing cumulative changes from the Planning Commission version of the DA.

Please let us know if there are any questions or comments, and if not this will be the final for submittal to the Clerk.

Thanks,

Dave

David M. Snow

Attorney



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