

**From:** [Phan, Johnny](#)  
**To:** [Downtown West Project](#)  
**Subject:** FW: Revised Draft Settlement Agreement  
**Date:** Thursday, May 27, 2021 3:55:20 PM

---

---

**From:** Jonathan Becher <jbecher@sjsharks.com>  
**Sent:** Tuesday, May 25, 2021 6:47 PM  
**To:** Phan, Johnny <Johnny.Phan@sanjoseca.gov>  
**Cc:** Imwalle, Miles <mimwalle@coblenzlaw.com>; Lucy Lofrumento <lal@lmallp.com>; Shimko, Anna C. <AShimko@bwsllaw.com>; Day, Cameron <Cameron.Day@sanjoseca.gov>; Roland, Steven D. <SRoland@bwsllaw.com>; Gray, Matthew S. (SFO) <mgray@perkinscoie.com>; Casey Strong <CStrong@rwglaw.com>  
**Subject:** Re: Revised Draft Settlement Agreement

[External Email]

I've signed

Jonathan (@jbecher)

On May 25, 2021, at 6:10 PM, Phan, Johnny <[Johnny.Phan@sanjoseca.gov](mailto:Johnny.Phan@sanjoseca.gov)> wrote:

Sharks, Google, Johnny , Nora

That is the order of the signature. After one person signs it automatically generate email for next person to sign.

Waiting for signatures ...

**Johnny V. Phan**  
**Chief Deputy City Attorney**  
**Office of the City Attorney**  
**City of San Jose**  
[200 East Santa Clara Street](#)  
[San Jose, CA 95113-1905](#)  
**Main Ph: (408) 535-1900**  
**Direct No.: (408) 535-1981**

**Fax No. [\(408\) 998-3131](tel:(408)998-3131)**

On May 25, 2021, at 6:08 PM, Phan, Johnny  
<[Johnny.Phan@sanjoseca.gov](mailto:Johnny.Phan@sanjoseca.gov)> wrote:

My staff sent out. Please check email for electronic signature.

**Johnny V. Phan**  
**Chief Deputy City Attorney**  
**Office of the City Attorney**  
**City of San Jose**  
**[200 East Santa Clara Street](https://www.sanjoseca.gov/200-East-Santa-Clara-Street)**  
**[San Jose, CA 95113-1905](https://www.sanjoseca.gov/95113-1905)**  
**Main Ph: [\(408\) 535-1900](tel:(408)535-1900)**  
**Direct No.: [\(408\) 535-1981](tel:(408)535-1981)**  
**Fax No. [\(408\) 998-3131](tel:(408)998-3131)**

On May 25, 2021, at 6:06 PM, Imwalle, Miles  
<[mimwalle@coblentzlaw.com](mailto:mimwalle@coblentzlaw.com)> wrote:

[External Email]

I understand that Johnny's office is also generating a Docusign version.

The "Exhibit B" shown on the upper left of Exhibit K is for the Supplemental Memo and I think should be deleted in this version.

---

**From:** Lucy Lofrumento <[lal@lmalp.com](mailto:lal@lmalp.com)>  
**Sent:** Tuesday, May 25, 2021 6:03 PM  
**To:** Imwalle, Miles <[mimwalle@coblentzlaw.com](mailto:mimwalle@coblentzlaw.com)>; Phan, Johnny <[Johnny.Phan@sanjoseca.gov](mailto:Johnny.Phan@sanjoseca.gov)>; Shimko, Anna C. <[AShimko@bwslaw.com](mailto:AShimko@bwslaw.com)>; Day, Cameron <[Cameron.Day@sanjoseca.gov](mailto:Cameron.Day@sanjoseca.gov)>; Roland, Steven D. <[SRoland@bwslaw.com](mailto:SRoland@bwslaw.com)>; Gray, Matthew S. (SFO) <[mgray@perkinscoie.com](mailto:mgray@perkinscoie.com)>  
**Cc:** Casey Strong <[CStrong@rwglaw.com](mailto:CStrong@rwglaw.com)>; Jonathan Becher

<[jbecher@sjsharks.com](mailto:jbecher@sjsharks.com)>

**Subject:** [EXTERNAL] RE: Revised Draft Settlement Agreement

Here is the Agreement, with the redlined Exhibit K attached. This should be correct – fingers crossed!

<image010.jpg>

**Lucy Lofrumento**

Attorney at Law  
One Almaden Blvd., Suite 700  
San Jose, CA 95113  
Office: (408) 560-3665 | Cell: (408) 605-3448  
Email: [jal@LMALLP.com](mailto:jal@LMALLP.com) | Web: [www.LMALLP.com](http://www.LMALLP.com)

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---

**From:** Lucy Lofrumento

**Sent:** Tuesday, May 25, 2021 5:41 PM

**To:** Imwalle, Miles <[mimwalle@coblenzlaw.com](mailto:mimwalle@coblenzlaw.com)>; Phan, Johnny <[Johnny.Phan@sanjoseca.gov](mailto:Johnny.Phan@sanjoseca.gov)>; Shimko, Anna C. <[AShimko@bwslaw.com](mailto:AShimko@bwslaw.com)>; Day, Cameron <[Cameron.Day@sanjoseca.gov](mailto:Cameron.Day@sanjoseca.gov)>; Roland, Steven D. <[SRoland@bwslaw.com](mailto:SRoland@bwslaw.com)>; Gray, Matthew S. (SFO) <[mgray@perkinscoie.com](mailto:mgray@perkinscoie.com)>

**Cc:** Casey Strong <[CStrong@rwglaw.com](mailto:CStrong@rwglaw.com)>; Jonathan Becher <[jbecher@sjsharks.com](mailto:jbecher@sjsharks.com)>

**Subject:** RE: Revised Draft Settlement Agreement

**Importance:** High

All,

Attached is what I believe to be a correct version of the Settlement Agreement, ready for signature. I also ran the attached redline to make sure we weren't missing anything.

Jess and I will work on providing the correct Attachment 1/Exhibit K shortly, but please start the execution process now.

Thanks

Lucy

<image010.jpg>

**Lucy Lofrumento**

Attorney at Law

One Almaden Blvd., Suite 700

San Jose, CA 95113

Office: (408) 560-3665 | Cell: (408) 605-3448

Email: [lal@LMALLP.com](mailto:lal@LMALLP.com) | Web: [www.LMALLP.com](http://www.LMALLP.com)

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---

**From:** Imwalle, Miles <[mimwalle@coblenzlaw.com](mailto:mimwalle@coblenzlaw.com)>

**Sent:** Tuesday, May 25, 2021 5:22 PM

**To:** Lucy Lofrumento <[lal@lmallp.com](mailto:lal@lmallp.com)>; Phan, Johnny <[Johnny.Phan@sanjoseca.gov](mailto:Johnny.Phan@sanjoseca.gov)>; Shimko, Anna C. <[AShimko@bwsllaw.com](mailto:AShimko@bwsllaw.com)>; Day, Cameron <[Cameron.Day@sanjoseca.gov](mailto:Cameron.Day@sanjoseca.gov)>; Roland, Steven D. <[SRoland@bwsllaw.com](mailto:SRoland@bwsllaw.com)>; Gray, Matthew S. (SFO) <[mgray@perkinscoie.com](mailto:mgray@perkinscoie.com)>

**Cc:** Casey Strong <[CStrong@rwglaw.com](mailto:CStrong@rwglaw.com)>

**Subject:** RE: Revised Draft Settlement Agreement

Attached is the word version. Please convert and circulate

---

**From:** Lucy Lofrumento <[lal@lmallp.com](mailto:lal@lmallp.com)>

**Sent:** Tuesday, May 25, 2021 5:13 PM

**To:** Phan, Johnny <[Johnny.Phan@sanjoseca.gov](mailto:Johnny.Phan@sanjoseca.gov)>; Imwalle, Miles <[mimwalle@coblenzlaw.com](mailto:mimwalle@coblenzlaw.com)>; Shimko, Anna C. <[AShimko@bwsllaw.com](mailto:AShimko@bwsllaw.com)>; Day, Cameron <[Cameron.Day@sanjoseca.gov](mailto:Cameron.Day@sanjoseca.gov)>; Roland, Steven D. <[SRoland@bwsllaw.com](mailto:SRoland@bwsllaw.com)>; Gray, Matthew S. (SFO) <[mgray@perkinscoie.com](mailto:mgray@perkinscoie.com)>

**Cc:** Casey Strong <[CStrong@rwglaw.com](mailto:CStrong@rwglaw.com)>

**Subject:** [EXTERNAL] RE: Revised Draft Settlement Agreement

Thanks, Johnny. Miles, please also send us a final word version.

Lucy

<image011.jpg>

**Lucy Lofrumento**

Attorney at Law

One Almaden Blvd., Suite 700

San Jose, CA 95113

Office: (408) 560-3665 | Cell: (408) 605-3448

Email: [lal@LMALLP.com](mailto:lal@LMALLP.com) | Web: [www.LMALLP.com](http://www.LMALLP.com)

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---

**From:** Phan, Johnny <[Johnny.Phan@sanjoseca.gov](mailto:Johnny.Phan@sanjoseca.gov)>

**Sent:** Tuesday, May 25, 2021 5:10 PM

**To:** Imwalle, Miles <[mimwalle@coblenzlaw.com](mailto:mimwalle@coblenzlaw.com)>; Shimko, Anna C. <[AShimko@bwsllaw.com](mailto:AShimko@bwsllaw.com)>; Day, Cameron <[Cameron.Day@sanjoseca.gov](mailto:Cameron.Day@sanjoseca.gov)>; Lucy Lofrumento <[lal@lmallp.com](mailto:lal@lmallp.com)>; Roland, Steven D. <[SRoland@bwsllaw.com](mailto:SRoland@bwsllaw.com)>; Gray, Matthew S. (SFO) <[mgray@perkinscoie.com](mailto:mgray@perkinscoie.com)>

**Cc:** Casey Strong <[CStrong@rwglaw.com](mailto:CStrong@rwglaw.com)>

**Subject:** RE: Revised Draft Settlement Agreement

Send me final version and we can process for signature.

---

**From:** Imwalle, Miles <[mimwalle@coblenzlaw.com](mailto:mimwalle@coblenzlaw.com)>

**Sent:** Tuesday, May 25, 2021 5:09 PM

**To:** Shimko, Anna C. <[AShimko@bwsllaw.com](mailto:AShimko@bwsllaw.com)>; Day, Cameron <[Cameron.Day@sanjoseca.gov](mailto:Cameron.Day@sanjoseca.gov)>; Lucy Lofrumento <[lal@lmallp.com](mailto:lal@lmallp.com)>; Phan, Johnny <[Johnny.Phan@sanjoseca.gov](mailto:Johnny.Phan@sanjoseca.gov)>; Roland, Steven D. <[SRoland@bwsllaw.com](mailto:SRoland@bwsllaw.com)>; Gray, Matthew S. (SFO) <[mgray@perkinscoie.com](mailto:mgray@perkinscoie.com)>

**Cc:** Casey Strong <[CStrong@rwglaw.com](mailto:CStrong@rwglaw.com)>

**Subject:** RE: Revised Draft Settlement Agreement

[External Email]

My software seems to be scrubbing it.

---

**From:** Shimko, Anna C. <[AShimko@bwsllaw.com](mailto:AShimko@bwsllaw.com)>  
**Sent:** Tuesday, May 25, 2021 5:07 PM  
**To:** Day, Cameron <[Cameron.Day@sanjoseca.gov](mailto:Cameron.Day@sanjoseca.gov)>; Imwalle, Miles <[mimwalle@coblentzlaw.com](mailto:mimwalle@coblentzlaw.com)>; Lucy Lofrumento <[lal@lmallp.com](mailto:lal@lmallp.com)>; Phan, Johnny <[Johnny.Phan@sanjoseca.gov](mailto:Johnny.Phan@sanjoseca.gov)>; Roland, Steven D. <[SRoland@bwsllaw.com](mailto:SRoland@bwsllaw.com)>; Gray, Matthew S. (SFO) <[mgray@perkinscoie.com](mailto:mgray@perkinscoie.com)>  
**Cc:** Casey Strong <[CStrong@rwglaw.com](mailto:CStrong@rwglaw.com)>  
**Subject:** [EXTERNAL] RE: Revised Draft Settlement Agreement

Yes, Sections 3 and 4 are still missing.

**Anna C. Shimko | Partner**

Pronouns: she, her, hers

1 California Street, Suite 3050 | San Francisco,  
CA 94111

d - 415.655.8115 | t - 415.655.8100 | m -  
415.860.5305

[ashimko@bwsllaw.com](mailto:ashimko@bwsllaw.com) | [bwsllaw.com](http://bwsllaw.com)

<[image012.jpg](#)>

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---

**From:** Day, Cameron [<mailto:Cameron.Day@sanjoseca.gov>]  
**Sent:** Tuesday, May 25, 2021 5:07 PM  
**To:** Imwalle, Miles; Shimko, Anna C.; Lucy Lofrumento; Phan, Johnny; Roland, Steven D.; Gray, Matthew S. (SFO)  
**Cc:** Casey Strong  
**Subject:** Re: Revised Draft Settlement Agreement

[EXTERNAL]

---

Still not right. No City Obligations.

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---

**From:** Imwalle, Miles <[mimwalle@coblentzlaw.com](mailto:mimwalle@coblentzlaw.com)>  
**Sent:** Tuesday, May 25, 2021 5:04:15 PM  
**To:** Shimko, Anna C. <[AShimko@bwsllaw.com](mailto:AShimko@bwsllaw.com)>; Lucy Lofrumento <[lal@lmalp.com](mailto:lal@lmalp.com)>; Phan, Johnny <[Johnny.Phan@sanjoseca.gov](mailto:Johnny.Phan@sanjoseca.gov)>; Roland, Steven D. <[SRoland@bwsllaw.com](mailto:SRoland@bwsllaw.com)>; Gray, Matthew S. (SFO) <[mgray@perkinscoie.com](mailto:mgray@perkinscoie.com)>  
**Cc:** Casey Strong <[CStrong@rwglaw.com](mailto:CStrong@rwglaw.com)>; Day, Cameron <[Cameron.Day@sanjoseca.gov](mailto:Cameron.Day@sanjoseca.gov)>  
**Subject:** RE: Revised Draft Settlement Agreement

[External Email]

Anna, thank you for catching that. I have no idea what happened, sorry about that.

All, attached is a corrected version.

---

**From:** Shimko, Anna C. <[AShimko@bwsllaw.com](mailto:AShimko@bwsllaw.com)>  
**Sent:** Tuesday, May 25, 2021 4:42 PM  
**To:** Imwalle, Miles <[mimwalle@coblentzlaw.com](mailto:mimwalle@coblentzlaw.com)>; Lucy Lofrumento <[lal@lmalp.com](mailto:lal@lmalp.com)>; Phan, Johnny <[Johnny.Phan@sanjoseca.gov](mailto:Johnny.Phan@sanjoseca.gov)>; Roland, Steven D. <[SRoland@bwsllaw.com](mailto:SRoland@bwsllaw.com)>; Gray, Matthew S. (SFO) <[mgray@perkinscoie.com](mailto:mgray@perkinscoie.com)>  
**Cc:** Casey Strong <[CStrong@rwglaw.com](mailto:CStrong@rwglaw.com)>; Day, Cameron <[Cameron.Day@sanjoseca.gov](mailto:Cameron.Day@sanjoseca.gov)>  
**Subject:** [EXTERNAL] RE: Revised Draft Settlement Agreement

It seems the prior Sections 3 and 4 got dropped.

**Anna C. Shimko | Partner**

Pronouns: she, her, hers

1 California Street, Suite 3050 | San Francisco,  
CA 94111

d - 415.655.8115 | t - 415.655.8100 | m -  
415.860.5305

[ashimko@bwsllaw.com](mailto:ashimko@bwsllaw.com) | [bwsllaw.com](http://bwsllaw.com)

<[image012.jpg](#)>

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---

**From:** Imwalle, Miles [<mailto:mimwalle@coblenzlaw.com>]  
**Sent:** Tuesday, May 25, 2021 4:36 PM  
**To:** Lucy Lofrumento; Phan, Johnny; Shimko, Anna C.; Roland, Steven D.; Gray, Matthew S. (SFO)  
**Cc:** Casey Strong; Day, Cameron  
**Subject:** RE: Revised Draft Settlement Agreement

**[EXTERNAL]**

---

Attached is the execution version. Johnny, this is not set up for e-signature yet, so please do that for the City and Sharks (although it has a Google legal stamp on it). Google is routing this for signature, but there is a bit of a process and they will do their own e-signature, so you don't need to set this up for their e-signature. This can be signed in counterparts, so I think everyone can sign separately.

Please confirm that all makes sense. My cell is 415-596-0542 if anyone runs into any issues.

---

**From:** Lucy Lofrumento <[lal@lmalp.com](mailto:lal@lmalp.com)>  
**Sent:** Tuesday, May 25, 2021 4:11 PM  
**To:** Phan, Johnny <[Johnny.Phan@sanjoseca.gov](mailto:Johnny.Phan@sanjoseca.gov)>; Imwalle, Miles <[mimwalle@coblenzlaw.com](mailto:mimwalle@coblenzlaw.com)>; Anna Shimko <[ashimko@bwslaw.com](mailto:ashimko@bwslaw.com)>; Steve Roland <[sroland@bwslaw.com](mailto:sroland@bwslaw.com)>; Gray, Matthew S. (SFO) <[mgray@perkinscoie.com](mailto:mgray@perkinscoie.com)>  
**Cc:** Casey Strong <[CStrong@rwglaw.com](mailto:CStrong@rwglaw.com)>; Day, Cameron <[Cameron.Day@sanjoseca.gov](mailto:Cameron.Day@sanjoseca.gov)>  
**Subject:** [EXTERNAL] RE: Revised Draft Settlement Agreement

Sounds good!

<image013.jpg>



**Lucy Lofrumento**

Attorney at Law

One Almaden Blvd., Suite 700

San Jose, CA 95113

Office: (408) 560-3665 | Cell: (408) 605-3448

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---

**From:** Phan, Johnny <[Johnny.Phan@sanjoseca.gov](mailto:Johnny.Phan@sanjoseca.gov)>**Sent:** Tuesday, May 25, 2021 4:11 PM**To:** Lucy Lofrumento <[lal@lmallp.com](mailto:lal@lmallp.com)>; Imwalle, Miles<[mimwalle@coblentzlaw.com](mailto:mimwalle@coblentzlaw.com)>; Anna Shimko<[ashimko@bwslaw.com](mailto:ashimko@bwslaw.com)>; Steve Roland<[sroland@bwslaw.com](mailto:sroland@bwslaw.com)>; Gray, Matthew S. (SFO)<[mgray@perkinscoie.com](mailto:mgray@perkinscoie.com)>**Cc:** Casey Strong <[CStrong@rwglaw.com](mailto:CStrong@rwglaw.com)>; Day, Cameron<[Cameron.Day@sanjoseca.gov](mailto:Cameron.Day@sanjoseca.gov)>**Subject:** RE: Revised Draft Settlement Agreement

My understanding is Google will circulate the executed version by Adobe for electronic signature. If not, City can.

Thanks. Johnny

**Johnny V. Phan****Chief Deputy City Attorney****Office of the City Attorney****City of San Jose****200 East Santa Clara Street****San Jose, CA 95113-1905****Main Ph: (408) 535-1900****Direct No.: (408) 535-1981****Fax No. (408) 998-3131**

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---

**From:** Lucy Lofrumento <[lal@lmallp.com](mailto:lal@lmallp.com)>

**Sent:** Tuesday, May 25, 2021 4:09 PM

**To:** Imwalle, Miles <[mimwalle@coblentzlaw.com](mailto:mimwalle@coblentzlaw.com)>; Phan, Johnny <[Johnny.Phan@sanjoseca.gov](mailto:Johnny.Phan@sanjoseca.gov)>; Anna Shimko <[ashimko@bwsllaw.com](mailto:ashimko@bwsllaw.com)>; Steve Roland <[sroland@bwsllaw.com](mailto:sroland@bwsllaw.com)>; Gray, Matthew S. (SFO) <[mgray@perkinscoie.com](mailto:mgray@perkinscoie.com)>

**Cc:** Casey Strong <[CStrong@rwglaw.com](mailto:CStrong@rwglaw.com)>; Day, Cameron <[Cameron.Day@sanjoseca.gov](mailto:Cameron.Day@sanjoseca.gov)>

**Subject:** RE: Revised Draft Settlement Agreement

[External Email]

Thanks, Miles.

We'll look for the execution version of this as soon as you've made the noted correction and inserted the addresses.

Jonathan Becher is standing by to sign as soon as the document is ready.

Best  
Lucy

<image014.jpg>

**Lucy Lofrumento**

Attorney at Law

One Almaden Blvd., Suite 700

San Jose, CA 95113

Office: (408) 560-3665 | Cell: (408) 605-3448

Email: [lal@LMALLP.com](mailto:lal@LMALLP.com) | Web: [www.LMALLP.com](http://www.LMALLP.com)

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**From:** Imwalle, Miles <[mimwalle@coblentzlaw.com](mailto:mimwalle@coblentzlaw.com)>

**Sent:** Tuesday, May 25, 2021 3:54 PM

**To:** Lucy Lofrumento <[lal@lmallp.com](mailto:lal@lmallp.com)>; Phan, Johnny <[Johnny.Phan@sanjoseca.gov](mailto:Johnny.Phan@sanjoseca.gov)>; Anna Shimko <[ashimko@bwsllaw.com](mailto:ashimko@bwsllaw.com)>; Steve Roland

<[sroland@bwsllaw.com](mailto:sroland@bwsllaw.com)>; Gray, Matthew S. (SFO)  
<[mgray@perkinscoie.com](mailto:mgray@perkinscoie.com)>  
**Cc:** Casey Strong <[CStrong@rwglaw.com](mailto:CStrong@rwglaw.com)>; Day, Cameron  
<[Cameron.Day@sanjoseca.gov](mailto:Cameron.Day@sanjoseca.gov)>  
**Subject:** RE: Revised Draft Settlement Agreement

Lucy,

I just saw this email, will make this revision in the final.

Can someone please send where notices should go for SSE?  
With that, I can prepare an execution version.

---

**From:** Lucy Lofrumento <[lal@lmalp.com](mailto:lal@lmalp.com)>  
**Sent:** Tuesday, May 25, 2021 3:05 PM  
**To:** Imwalle, Miles <[mimwalle@coblentzlaw.com](mailto:mimwalle@coblentzlaw.com)>; Phan, Johnny <[Johnny.Phan@sanjoseca.gov](mailto:Johnny.Phan@sanjoseca.gov)>; Anna Shimko <[ashimko@bwsllaw.com](mailto:ashimko@bwsllaw.com)>; Steve Roland <[sroland@bwsllaw.com](mailto:sroland@bwsllaw.com)>; Gray, Matthew S. (SFO) <[mgray@perkinscoie.com](mailto:mgray@perkinscoie.com)>  
**Cc:** Casey Strong <[CStrong@rwglaw.com](mailto:CStrong@rwglaw.com)>; Day, Cameron <[Cameron.Day@sanjoseca.gov](mailto:Cameron.Day@sanjoseca.gov)>  
**Subject:** [EXTERNAL] RE: Revised Draft Settlement Agreement

Thanks for the update – sounds encouraging.

By the way, I was re-reading the compiled document that Johnny sent out at 1:30, and it looks like the phrase highlighted below (from Paragraph 5) was inadvertently omitted from that draft:

Nothing in this section in particular, is intended to release the Parties or any other person from any claim that is not related, directly or indirectly, to the Project, the EIR, or the Project Approvals **through and including the Effective Date**. In making this release, SSE acknowledges that Section 1542 of the Civil Code of the State of California provides as follows:

I am sure this is a result of my mistake, sending out the wrong draft initially. The attached email has the corrected document. Let me know if you have any questions about this.

Regards  
Lucy

<image015.jpg>

**Lucy Lofrumento**

Attorney at Law

One Almaden Blvd., Suite 700

San Jose, CA 95113

Office: (408) 560-3665 | Cell: (408) 605-3448

Email: [lal@LMALLP.com](mailto:lal@LMALLP.com) | Web: [www.LMALLP.com](http://www.LMALLP.com)

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---

**From:** Imwalle, Miles <[mimwalle@coblenzlaw.com](mailto:mimwalle@coblenzlaw.com)>

**Sent:** Tuesday, May 25, 2021 2:54 PM

**To:** Lucy Lofrumento <[lal@lmallp.com](mailto:lal@lmallp.com)>; Phan, Johnny <[Johnny.Phan@sanjoseca.gov](mailto:Johnny.Phan@sanjoseca.gov)>; Anna Shimko <[ashimko@bwsllaw.com](mailto:ashimko@bwsllaw.com)>; Steve Roland <[sroland@bwsllaw.com](mailto:sroland@bwsllaw.com)>; Gray, Matthew S. (SFO) <[mgray@perkinscoie.com](mailto:mgray@perkinscoie.com)>

**Cc:** Casey Strong <[CStrong@rwglaw.com](mailto:CStrong@rwglaw.com)>; Day, Cameron <[Cameron.Day@sanjoseca.gov](mailto:Cameron.Day@sanjoseca.gov)>

**Subject:** RE: Revised Draft Settlement Agreement

I am working on getting approval to release, hopefully shortly, but we will be going with your definition of Project Approvals. We also need to make sure that the changes being approved tonight are not effective until the Agreement is effective, but that will be addressed through the Supplemental Memo. I am confirming whether we have anything further.

---

**From:** Lucy Lofrumento <[lal@lmallp.com](mailto:lal@lmallp.com)>

**Sent:** Tuesday, May 25, 2021 2:38 PM

**To:** Phan, Johnny <[Johnny.Phan@sanjoseca.gov](mailto:Johnny.Phan@sanjoseca.gov)>; Anna Shimko <[ashimko@bwsllaw.com](mailto:ashimko@bwsllaw.com)>; Steve Roland <[sroland@bwsllaw.com](mailto:sroland@bwsllaw.com)>; Imwalle, Miles <[mimwalle@coblenzlaw.com](mailto:mimwalle@coblenzlaw.com)>; Gray, Matthew S. (SFO) <[mgray@perkinscoie.com](mailto:mgray@perkinscoie.com)>

**Cc:** Casey Strong <[CStrong@rwglaw.com](mailto:CStrong@rwglaw.com)>; Day, Cameron <[Cameron.Day@sanjoseca.gov](mailto:Cameron.Day@sanjoseca.gov)>

**Subject:** [EXTERNAL] RE: Revised Draft Settlement Agreement

Thanks – we'll review.

Do you have an idea of when we should expect to see Google's proposed edits? We are standing by.

Best  
Lucy

<image016.jpg>

**Lucy Lofrumento**

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**From:** Phan, Johnny <[Johnny.Phan@sanjoseca.gov](mailto:Johnny.Phan@sanjoseca.gov)>  
**Sent:** Tuesday, May 25, 2021 1:30 PM  
**To:** Lucy Lofrumento <[lal@lmallp.com](mailto:lal@lmallp.com)>; Anna Shimko <[ashimko@bwsllaw.com](mailto:ashimko@bwsllaw.com)>; Steve Roland <[sroland@bwsllaw.com](mailto:sroland@bwsllaw.com)>; Imwalle, Miles <[mimwalle@coblentzlaw.com](mailto:mimwalle@coblentzlaw.com)>; Gray, Matthew S. (SFO) <[mgray@perkinscoie.com](mailto:mgray@perkinscoie.com)>  
**Cc:** Casey Strong <[CStrong@rwglaw.com](mailto:CStrong@rwglaw.com)>; Day, Cameron <[Cameron.Day@sanjoseca.gov](mailto:Cameron.Day@sanjoseca.gov)>  
**Subject:** Revised Draft Settlement Agreement

I believe this is the latest draft Settlement Agreement with SSE changes. Thanks. Johnny

**Johnny V. Phan**

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