
From: Craig Pendergrast <cpendergrast@taylorench.com>
Sent: Monday, September 28, 2015 4:54 PM
To: Mary Clifford
Cc: floridawaterteam@foley.com; georgiawaterteam@kirkland.com
Subject: ACF Stakeholders request for protective order
Attachments: Objection of ACF Stakeholders, Inc. to State of Florida Subpoena to Martin Kistenmacher w-COS (00631749xBE13C).PDF; Martin Kistenmacher response.pdf

Special Master Lancaster, I represent ACF Stakeholders, Inc. ("ACFS ") and am writing to request your assistance as to the upcoming deposition of Martin Kistenmacher on 9/30. Attached are the subpoena for that deposition together with objections thereto by ACFS and Dr. Kistenmacher, which provide more background. The ACFS request to you at this time is simple: to enter a protective order against deposition questions to Dr. Kistenmacher which ask him to disclose the confidential statements made to him by ACFS members and representatives in the course of the ACFS process. This request has been made to Florida counsel who has failed to answer it directly after several attempts by me to elicit an answer. Therefore, based on the content of the subpoena and this failure to answer my request, it appears that Florida intends to pursue questions of this nature which ACFS believes to be inappropriate.

Similar issues exist as to other subpoenas that have been served by FL on other ACFS consultants as well as ACFS members, and I anticipate that tomorrow's call could also result in appropriate guidance as to them as well. I do not have ready remote access to those subpoenas and objections, so it would be appreciated if FL counsel could provide those to you and Georgia counsel.

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> I am on a family vacation in Europe (6 hrs. ahead of Eastern time), but I could be available for a teleconference tomorrow at your convenience. I understand that a conference call with GA and FL counsel and you is already scheduled for 10 am ET tomorrow, so I request that this subject be added to that agenda. If I could be provided dial-in information for that call, it would be appreciated.

Respectfully,

Craig Pendergrast
Taylor English Duma, LLP

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> Sent from my Verizon Wireless 4G LTE Tablet
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