

From: Persampieri, Nick
Sent: Tuesday, December 6, 2022 1:00 PM
To: Brandi Backus <bbackus@historyassociates.com>
Subject: Vermont Public Records Act Request

Brandi,

Please see the attached letter, and 7 records referenced in the letter, which we are producing in redacted form. I will provide you with the 12 records referenced in the letter, which we are producing in their entirety, by separate email.

We have now responded to 5 of the 9 Vermont Public Records Act requests of History Associates, Inc. I will turn next to providing a cost estimate for another request.

Thank you.

Nick

Nicholas F. Persampieri
Assistant Attorney General
Office of the Attorney General
109 State Street
Montpelier, VT 05609
(802) 828-6902



STATE OF VERMONT
OFFICE OF THE ATTORNEY GENERAL
109 STATE STREET
MONTPELIER, VT
05609-1001

December 6, 2022

Brandi Backus

By email to: bbackus@historyassociates.com

Re: History Associates, Inc., Fifth Vermont Public Records Act Request

Dear Brandi,

I write in response to the fifth Vermont Public Records Act request of History Associates, Inc., which was emailed to us by James Mitchell on July 18, 2022, at 8:15:30 am.

As written, the request sought:

Copies of electronic correspondence (including emails that were received or sent as either cc: or bcc:), that was sent between January 1, 2016, and the date you process this request, between any employee or official of the OAG, including the Attorney General, and any of the following email domains:

- @ecbawm.com
- @sheredling.com

Or that contains any of the following terms in either the subject line or message body:

- “Emery Celli Brinckerhoff Abady Ward & Maazel LLP”
- “Sher Edling LLP”

As is reflected in my August 4, 2022 letter to James Mitchell, on which you were copied, History Associates, Inc., agreed to: (1) limit this request to communications involving our Environmental Protection Division or front office (including anyone who was in those units going back to January 1, 2016); and (2) limit this request to records that include, in either the subject line or message body, any of the following terms: “fossil fuel,” “greenhouse gas,” “GHG,” “greenwash,” “global warming,” and/or “climate change.” Thus, this response addresses records within the scope of these agreed to limitations. Additionally, we do not consider internal Attorney General’s Office records generated in connection with responding to the request to be responsive to the request.

Please be advised that in response to the request, the State is producing 12 records in unredacted form and 7 additional records in redacted form. Please also be advised that the State is withholding 5 responsive records in their entirety. The redacted portions of the 7 records that the State is producing in redacted form, and the 5 records that the State is withholding in their entirety are exempt from disclosure pursuant to 1 V.S.A. § 317(c)(4) (attorney-client privilege and work product immunity). The withheld records or portions thereof were transmitted for the purpose of facilitating the rendition of legal advice or services related to potential litigation, were prepared in anticipation of litigation, and their disclosure would reveal mental impressions, opinions, or conclusions of counsel. Additionally, confidential telephone information was redacted from one of the records.

In November 10, 2022 emails, I provided you with a cost estimate of \$ 622.20 for your fifth request, and you asked me to proceed with the request. The charges in connection with the request total \$441. Please send a check to me payable to the Vermont Attorney General's Office in the amount of \$441.

If you believe any information or records have been withheld in error, you may appeal to Acting Deputy Attorney General Robert McDougall at the following email address: Robert.McDougall@vermont.gov.

Sincerely,

/s/ Nicholas F. Persampieri

Nicholas F. Persampieri

From: [Kolber, Justin](#)
To: matt@sheredling.com
Subject: Climate Change RFP from Vermont
Date: Monday, February 1, 2021 9:44:00 AM
Attachments: [20210201 Sher Edling Cvr Ltr.pdf](#)
[20210201 Climate Change Litigation RFP Final.pdf](#)

Hi, Matt,

Please see the attached.

Thanks,
Justin

Justin Kolber
Assistant Attorney General
Vermont Attorney General's Office
Environmental and Public Protection Divisions
109 State Street
Montpelier, VT 05609
(802) 828-5620
justin.kolber@vermont.gov
pronouns: he/him/his

From: [Kolber, Justin](#)
To: [Murphy, Laura](#); [McDougall, Robert](#)
Subject: FW: 9th Circuit Order Denying Stay
Date: Monday, March 15, 2021 11:33:02 AM
Attachments: [REDACTED]

From: Matt Edling <matt@sheredling.com>
Sent: Saturday, March 13, 2021 9:36 PM
To: Kolber, Justin <justin.kolber@vermont.gov>
Cc: Diamond, Joshua <Joshua.Diamond@vermont.gov>; Vic Sher <vic@sheredling.com>
Subject: 9th Circuit Order Denying Stay

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

FYI. [REDACTED]

Matthew K. Edling

SHER EDLING LLP

100 Montgomery St., Ste. 1410
San Francisco CA 94104
(628) 231-2520 | sheredling.com

From: Matt Edling
Sent: Saturday, March 6, 2021 7:48 AM
To: Kolber, Justin <justin.kolber@vermont.gov>
Cc: Diamond, Joshua <Joshua.Diamond@vermont.gov>; Vic Sher <vic@sheredling.com>
Subject: Happy Saturday

Justin, Josh –

Thank you to you and your team for the time yesterday. [REDACTED]
[REDACTED]

We look forward to following up with you all as appropriate.

Sincerely,

Matthew K. Edling

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Hi, Matt,

Our office said that it would prefer Friday 3/5 if it's possible due to schedules on our end, but that we can do the 1-hr block on Wed 3/3 [2-3pm] if need be. Just let me know.

THX, -Justin

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Justin –

Do you have a few minutes to discuss the date of presentation? Purely administrative. I write to see if 3/3 is still available. In short, I scheduled the presentation on 3/5 and some of my colleagues that I would like to participate are not available... and cleverly ignored that it is my daughter's 8th birthday and lunch is a big deal for this birthday

Matthew K. Edling

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From: Kolber, Justin <justin.kolber@vermont.gov>
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To: Matt Edling <matt@sheredling.com>
Subject: Re: Climate Change RFP from Vermont

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Justin – 4/5 at 3:00 please.

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(628) 231-2520 | sheredling.com

From: Matt Edling

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To: 'Kolber, Justin' <justin.kolber@vermont.gov>

Subject: RE: Climate Change RFP from Vermont

No problem. I will get right back to you.

Matthew K. Edling

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From: Kolber, Justin <justin.kolber@vermont.gov>

Sent: Thursday, February 18, 2021 2:27 PM

To: Matt Edling <matt@sheredling.com>

Subject: RE: Climate Change RFP from Vermont

Hi, Matt,

My apologies but a conflict came up. Can you do Friday March 5th at 9am, 2pm, or 3pm?

-Justin

From: Kolber, Justin

Sent: Thursday, February 18, 2021 1:57 PM

To: Matt Edling <matt@sheredling.com>

Subject: RE: Climate Change RFP from Vermont

Got it, just sent a Teams invite, feel free to circulate to your people. And ah, yeah that's a bummer, I'm finally getting into my ski/snowboard season. Hope you get your chance! -Justin

From: Matt Edling <matt@sheredling.com>

Sent: Thursday, February 18, 2021 1:53 PM

To: Kolber, Justin <justin.kolber@vermont.gov>

Subject: Re: Climate Change RFP from Vermont

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Justin -

3/4 at 2:00 please. Thanks very much.

Jealous of your friend in Bend. Not much snow in Tahoe.

Matt

Get [Outlook for iOS](#)

From: Kolber, Justin <justin.kolber@vermont.gov>

Sent: Thursday, February 18, 2021 9:12 AM

To: Matt Edling

Subject: RE: Climate Change RFP from Vermont

Great thanks Matt, and just one update 3/2 is not an option (it's our town voting day).

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To: Kolber, Justin <justin.kolber@vermont.gov>

Subject: Re: Climate Change RFP from Vermont

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Thanks Justin. Will do.

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From: Kolber, Justin <justin.kolber@vermont.gov>

Sent: Thursday, February 18, 2021 6:58 AM

To: Matt Edling

Subject: RE: Climate Change RFP from Vermont

Hi, Matt,

Thank you much for submitting a proposal on the below. Our office would like to schedule an interview. Here are some times, please let me know:

- 2/24, 11am-12pm
- 2/26, 10am-12pm

- 3/1, 10am-12pm, 2-3pm
- ~~3/2, 10am-12pm~~
 - 3/3, 11am-12pm
 - 3/4, 9am-11am, 2-3pm
 - 3/5, 9am-12pm

Thanks,
Justin

Justin Kolber
Assistant Attorney General
Vermont Attorney General's Office
Environmental and Public Protection Divisions
109 State Street
Montpelier, VT 05609
(802) 828-5620
justin.kolber@vermont.gov
pronouns: he/him/his

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Hi, Matt,

Please see the attached.

Thanks,
Justin

Justin Kolber
Assistant Attorney General
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Environmental and Public Protection Divisions
109 State Street
Montpelier, VT 05609
(802) 828-5620
justin.kolber@vermont.gov
pronouns: he/him/his

From: [Diamond, Joshua](#)
To: [McDougall, Robert](#); [Murphy, Laura](#)
Subject: FW: Climate Change Litigation
Date: Monday, February 15, 2021 6:07:07 PM
Attachments: [2021-02-15 Vermont RFP Response - Sher Edling.pdf](#)
[Exh 1 - SE Firm Resume.pdf](#)
[Exh 2 - SE Attorney Resumes.pdf](#)

FYI. Josh

Joshua R. Diamond, Deputy Attorney General
Vermont Attorney General's Office
109 State Street
Montpelier, Vermont 05609
802-595-8317
joshua.diamond@vermont.gov

PRIVILEGED & CONFIDENTIAL COMMUNICATION: This communication may contain information that is privileged, confidential, and exempt from disclosure under applicable law. DO NOT read, copy or disseminate this communication unless you are the intended addressee. If you are not the intended recipient (or have received this E-mail in error) please notify the sender immediately and destroy this E-mail. Vermont's lobbyist registration and disclosure law applies to certain communications with and activities directed at the Attorney General. Prior to any interactions with the Office of the Vermont Attorney General, you are advised to review Title 2, sections 261-268 of the Vermont Statutes Annotated, as well as the Vermont Secretary of State's most recent compliance guide available at <https://www.sec.state.vt.us/elections/lobbying.aspx>.

From: Katie Jones <katie@sheredling.com>
Sent: Monday, February 15, 2021 3:18 PM
To: Diamond, Joshua <Joshua.Diamond@vermont.gov>
Cc: Matt Edling <matt@sheredling.com>; Vic Sher <vic@sheredling.com>
Subject: Climate Change Litigation

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Dear Mr. Diamond,

Attached please find the response to the Request for Proposal of Legal Services submitted on behalf of Sher Edling LLP.

Katie Jones
Senior Associate

SHER EDLING LLP
100 Montgomery St., Ste. 1410
San Francisco CA 94104
628.231.2533 | sheredling.com

From: [Persampieri, Nick](#)
To: [McDougall, Robert](#)
Subject: Fw: Multistate AG coordination call
Date: Monday, July 24, 2017 6:49:27 PM
Attachments: [EPA response to motion to intervene.pdf](#)

From: Michael J. Myers <Michael.Myers@ag.ny.gov>

Sent: Monday, July 24, 2017 5:39 PM

To: Amy Bircher (NC); Amy Winn; Andrea Baker; Andy Goldberg; Asher Spiller; 'B. Legner (Il)'; Beth Mullin (DC)'; 'Bill F. Cooper (Hi)'; Bill Sherman -- WA AG's office; Blake Thomas (NC); Bo Reiley; Christopher Courchesne; Dan Salton (CT) (daniel.salton@ct.gov); 'David Steward (Ia)'; 'David Zonana (Ca)'; Dennis Beck (CA); Dennis Ragen; 'Elaine Meckenstock (Ca)'; Elizabeth Wilkins; Francisco Benzoni (NC AG); 'Gavin McCabe (Ca)'; Gerry Karr; Greg Schultz; 'Gregg J. Kinkley (Hi)'; Heather Leslie; 'J. Daniel (Va)'; 'Jacob Larson (Ia)'; James Gignac; Jeremy Magliaro; Jerry Reid; Jesse Walker; Jillian Riley; Joe Iloe (PA DEP); 'Jonathan Wiener (Ca)'; Joseph Yar; Josh Auerbach; Karen Olson; 'Kay Shirey (Wa)'; Kimberly Childe (PA DEP); 'Kristen Furlan'; Laura Watson; 'Lauren Maxwell (DC)'; Lemuel Srolovic; Leslie Frederickson (MN PCA); Leslie Seffern; Lisa M. Burianek; 'Liz Rumsey (Ca)'; Lynn Angotti; Marc Bernstein (NC); Margaret Murphy (PA); Martin Goyette (CA); 'Matthew Dunn (Il)'; 'Matthew Gooch (Va)'; Matthew Levine; Max Kieley; Megan Hey (CA); Melissa Hoffer; Menard, Brenda (NC); Michael J. Myers; Michele Van Gelderen; Michelle Moses (PA); Mike Fischer (PA AG); Monica Wagner; Morgan Costello; Persampieri, Nick; Patrick Flanagan; Paul Garrahan; Peter Washburn; 'Ralph Durstein (De)'; McDougall, Robert; Robert Snook ; 'Roberta James (Md)'; Robyn Bender (DC AG); Sally Magnani; Santarsiero, Steven J.; 'Scott Koschwitz (Ct)'; Seth Schofield (MA); Stephanie Cobb Williams; Tania Maestas; Tim Nord; 'Timothy Sullivan (Ca)'; Tom Y (WA); 'Tracy Triplett (Ma)'; 'Valerie Edge (De)'; William Grantham

Cc: Hereth, Megan

Subject: RE: Multistate AG coordination call

All, just a reminder we have our next coordination call tomorrow at 2 eastern. The security code is [REDACTED] I've included some links below and attachments to some items of interest for our discussion. Talk to you then--Mike

[Legislation](#)

<https://www.congress.gov/bill/115th-congress/senate-bill/1460/text>

Text - S.1460 - 115th Congress
(2017-2018): Energy and ...

www.congress.gov

To provide for the modernization of the



energy and natural resources policies of the United States, and for other purposes. Be it enacted by the Senate and House of ...

<https://www.congress.gov/bill/115th-congress/house-bill/2910/text?q=%7B%22search%22%3A%5B%22H.R.+2910%22%5D%7D&r=1>



Text - H.R.2910 - 115th Congress (2017-2018): Promoting ...

www.congress.gov

Text for H.R.2910 - 115th Congress (2017-2018): Promoting Interagency Coordination for Review of Natural Gas Pipelines Act

Rollback

<https://www.scientificamerican.com/article/make-america-wait-again-trump-tries-to-delay-regulations-out-of-existence/>



Make America Wait Again: Trump Tries to Delay Regulations out of Existence

www.scientificamerican.com

The White House has been postponing environmental rules as it tries to undercut them, a Scientific American analysis shows. But a new court decision weakens that strategy

attached EPA opposition to state intervention in ozone NAAQS litigation

Initiatives

<https://www.sheredling.com/press-room/>

Press Room - Sher Edling LLP

www.sheredling.com

InsideClimate News (Series): "Exxon: The Road Not Taken" by Neela Banerjee, Lisa Song, David Hasemyer and John H. Cushman Jr. (Sept. 16, 2015 – Dec. 22, 2015)

Energy

https://www.eenews.net/assets/2017/07/17/document_daily_02.pdf

Michael J. Myers
Senior Counsel for Air Pollution and Climate Change Litigation
Environmental Protection Bureau
New York State Attorney General
The Capitol
Albany, NY 12224
(518) 776-2382
michael.myers@ag.ny.gov

-----Original Appointment-----

From: Michael J. Myers

Sent: Tuesday, July 11, 2017 4:07 PM

To: Michael J. Myers; 'Bill F. Cooper (Hi)'; Francisco Benzoni (NC AG); 'Rob McDougall'; 'Gavin McCabe (Ca)'; Blake Thomas (NC); Megan Hey (CA); Morgan Costello; Seth Schofield (MA); 'Gregg J. Kinkley (Hi)'; Santarsiero, Steven J.; 'Jerry Reid'; 'Kay Shirey (Wa)'; Leslie Frederickson (MN PCA); 'William Grantham'; 'Matthew Levine'; 'Matthew Gooch (Va)'; 'B. Legner (Il)'; 'Greg Schultz'; Dan Salton (CT) (daniel.salton@ct.gov); Marc Bernstein (NC); Lemuel Srolovic; 'Max Kieley'; 'Josh Auerbach'; 'Tracy Triplett (Ma)'; 'Ralph Durstein (De)'; 'Elaine Meckenstock (Ca)'; Joe Iloe (PA DEP); Margaret Murphy (PA); 'Tim Nord'; 'David Steward (Ia)'; 'Christopher Courchesne'; 'Roberta James (Md)'; Tom Y (WA); Bill Sherman -- WA AG's office; 'Lauren Maxwell (DC)'; Mike Fischer (PA AG); 'Robert Snook'; 'Andy Goldberg'; 'Leslie Seffern'; 'Jillian Riley'; Martin Goyette (CA); 'Paul Garrahan'; 'Matthew Dunn (Il)'; 'Kristen Furlan'; Lisa M. Burianek; 'Nick Persampieri'; Bo Reiley; 'Tania Maestas'; Stephanie Cobb Williams; 'Amy Winn'; 'Scott Koschwitz (Ct)'; 'Liz Rumsey (Ca)'; 'Valerie Edge (De)'; 'Timothy Sullivan (Ca)'; 'David Zonana (Ca)'; Monica Wagner; Andrea Baker; 'Karen Olson'; 'Amy

Bircher (NC); 'Heather Leslie'; 'Laura Watson'; 'Joseph Yar'; Gerry Karr; Asher Spiller; Menard, Brenda (NC); 'Melissa Hoffer'; 'James Gignac'; 'Jonathan Wiener (Ca)'; Jesse Walker; Jeremy Magliaro; 'Dennis Ragen'; Dennis Beck (CA); 'J. Daniel (Va)'; Robyn Bender (DC AG); Lynn Angotti; 'Beth Mullin (DC)'; 'Sally Magnani'; 'Elizabeth Wilkins'; Peter Washburn; 'Jacob Larson (Ia)'; Michelle Moses (PA); 'Michele Van Gelderen'; 'Patrick Flanagan'

Subject: Multistate AG coordination call

When: Tuesday, July 25, 2017 2:00 PM-3:00 PM (UTC-05:00) Eastern Time (US & Canada).

Where: Dial [REDACTED], code [REDACTED]

Security code to be provided shortly before the call

Agenda to be provided at outset of call

IMPORTANT NOTICE: This e-mail, including any attachments, may be confidential, privileged or otherwise legally protected. It is intended only for the addressee. If you received this e-mail in error or from someone who was not authorized to send it to you, do not disseminate, copy or otherwise use this e-mail or its attachments. Please notify the sender immediately by reply e-mail and delete the e-mail from your system.

From: [Kolber, Justin](#)
To: [Murphy, Laura](#); [McDougall, Robert](#)
Subject: Fwd: Happy Saturday
Date: Saturday, March 6, 2021 11:19:48 AM
Attachments: [REDACTED]

From: Matt Edling <matt@sheredling.com>
Sent: Saturday, March 6, 2021 10:48:28 AM
To: Kolber, Justin <justin.kolber@vermont.gov>
Cc: Diamond, Joshua <Joshua.Diamond@vermont.gov>; Vic Sher <vic@sheredling.com>
Subject: Happy Saturday

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Justin, Josh –

Thank you to you and your team for the time yesterday. [REDACTED]
[REDACTED]

We look forward to following up with you all as appropriate.

Sincerely,

Matthew K. Edling

SHER EDLING LLP

100 Montgomery St., Ste. 1410
San Francisco CA 94104
(628) 231-2520 | sheredling.com

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Do you have a few minutes to discuss the date of presentation? Purely administrative. I write to see if 3/3 is still available. In short, I scheduled the presentation on 3/5 and some of my colleagues that I would like to participate are not available... and cleverly ignored that it is my daughter's 8th birthday and lunch is a big deal for this birthday

Matthew K. Edling

SHER EDLING LLP

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Justin – 4/5 at 3:00 please.

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-Justin

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Got it, just sent a Teams invite, feel free to circulate to your people. And ah, yeah that's a bummer, I'm finally getting into my ski/snowboard season. Hope you get your chance! -Justin

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Justin -

3/4 at 2:00 please. Thanks very much.

Jealous of your friend in Bend. Not much snow in Tahoe.

Matt

Get [Outlook for iOS](#)

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Thanks Justin. Will do.

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- ~~3/2, 10am-12pm~~
- 3/3, 11am-12pm
- 3/4, 9am-11am, 2-3pm
- 3/5, 9am-12pm

Thanks,
Justin

Justin Kolber
Assistant Attorney General
Vermont Attorney General's Office
Environmental and Public Protection Divisions
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justin.kolber@vermont.gov

pronouns: he/him/his

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Justin Kolber

Assistant Attorney General

Vermont Attorney General's Office

Environmental and Public Protection Divisions

109 State Street

Montpelier, VT 05609

(802) 828-5620

justin.kolber@vermont.gov

pronouns: he/him/his

From: [Kolber, Justin](#)
To: [Murphy, Laura](#); [McDougall, Robert](#)
Subject: RE: 9th Circuit Order Denying Stay
Date: Monday, March 15, 2021 12:41:06 PM

Matt Edling also called me to [REDACTED] [REDACTED]
[REDACTED]
[REDACTED]

He also wanted to check on our timing of things. I said we're still reviewing and will likely be making decisions within the timeframes from our RFP (March 22, 2021 is when the RFP said "contract awarded").

He was very interested and affable and offered whatever else he can provide of substance, etc.

From: Kolber, Justin
Sent: Monday, March 15, 2021 11:33 AM
To: Murphy, Laura <Laura.Murphy@vermont.gov>; McDougall, Robert <robert.mcdougall@vermont.gov>
Subject: FW: 9th Circuit Order Denying Stay

From: Matt Edling <matt@sheredling.com>
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To: Kolber, Justin <justin.kolber@vermont.gov>
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FYI. [REDACTED]

Matthew K. Edling

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Cc: Diamond, Joshua <Joshua.Diamond@vermont.gov>; Vic Sher <vic@sheredling.com>
Subject: Happy Saturday

Justin, Josh –

Thank you to you and your team for the time yesterday. [REDACTED]
[REDACTED]

We look forward to following up with you all as appropriate.

Sincerely,

Matthew K. Edling

SHER EDLING LLP

100 Montgomery St., Ste. 1410

San Francisco CA 94104

(628) 231-2520 | sheredling.com

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Sent: Tuesday, February 23, 2021 8:47 AM

To: Matt Edling <matt@sheredling.com>

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Justin Kolber
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Vermont Attorney General's Office
Environmental and Public Protection Divisions
109 State Street
Montpelier, VT 05609
(802) 828-5620
justin.kolber@vermont.gov
pronouns: he/him/his

From: Kolber, Justin

Sent: Monday, February 1, 2021 9:44 AM

To: matt@sheredling.com

Subject: Climate Change RFP from Vermont

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From: [Kolber, Justin](#)
To: [Matt Edling](#)
Cc: [Diamond, Joshua](#); [Vic Sher](#)
Subject: Re: Happy Saturday
Date: Saturday, March 6, 2021 11:19:51 AM

Thanks Matt!

From: Matt Edling <matt@sheredling.com>
Sent: Saturday, March 6, 2021 10:48:28 AM
To: Kolber, Justin <justin.kolber@vermont.gov>
Cc: Diamond, Joshua <Joshua.Diamond@vermont.gov>; Vic Sher <vic@sheredling.com>
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pronouns: he/him/his

From: Persampieri, Nick
Sent: Tuesday, December 6, 2022 1:05 PM
To: Brandi Backus <bbackus@historyassociates.com>
Subject: Vermont Public Records Act Request

Brandi,

I attach the 12 records responsive to your fifth Vermont Public Records Act request, which we are producing in their entirety. Thank you.

Nick

Nicholas F. Persampieri
Assistant Attorney General
Office of the Attorney General
109 State Street
Montpelier, VT 05609
(802) 828-6902

From: [Everlaw Team](#)
To: [Hereth, Megan](#)
Subject: CLE-eligible Earth Day Webinar: "Climate Change & Litigation: Where are we now and where are we going"
Date: Wednesday, April 20, 2022 12:05:53 PM

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Hi Megan,

With climate change increasingly becoming a significant issue, there has been a recent uptick in litigation targeting government, private sector, and corporate inaction related to climate deception.

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- What are trends in the litigation industry regarding climate change?
- How are litigants addressing climate deception in the courts?
- Where are youth plaintiffs having the most success in addressing climate change in the courts?

speakers

Katie



Katie R. Beran
Partner, Hausfeld

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To: [Hereth, Megan](#)
Subject: Don't miss this webinar on Earth Day: "Climate Change & Litigation: Where are we now and where are we going?"
Date: Tuesday, April 12, 2022 11:51:56 AM

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Sent: Thursday, February 18, 2021 6:58 AM
To: Matt Edling
Subject: RE: Climate Change RFP from Vermont

Hi, Matt,

Thank you much for submitting a proposal on the below. Our office would like to schedule an interview. Here are some times, please let me know:

- 2/24, 11am-12pm
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- 3/3, 11am-12pm
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- 3/5, 9am-12pm

Thanks,
Justin

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Environmental and Public Protection Divisions
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justin.kolber@vermont.gov
pronouns: he/him/his

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From: [Kolber, Justin](#)
To: [McDougall, Robert](#)
Subject: RE: Climate Change RFP from Vermont
Date: Tuesday, February 23, 2021 11:44:36 AM

Yeah that makes sense, thanks

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If Matt can make it work, let's try to keep 3/5 (I frankly like the spacing of the three interviews that way). If it is a huge problem, then let's go ahead and do the 2-3 p.m. on 3/3. Maybe tell Matt that with the schedules of folks on our end, it is preferred to do 3/5, but we have the one hour spot open on 3/3.

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Attachments: [RE Sher Edling interview.msg](#)

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From: [Kolber, Justin](#)
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Date: Tuesday, February 23, 2021 11:16:00 AM

Sure, I'm looking into other times. More soon....

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justin.kolber@vermont.gov
pronouns: he/him/his

From: Kolber, Justin
Sent: Monday, February 1, 2021 9:44 AM
To: matt@sheredling.com
Subject: Climate Change RFP from Vermont

Hi, Matt,

Please see the attached.

Thanks,
Justin

Justin Kolber
Assistant Attorney General
Vermont Attorney General's Office
Environmental and Public Protection Divisions
109 State Street
Montpelier, VT 05609
(802) 828-5620
justin.kolber@vermont.gov
pronouns: he/him/his

From: [Matt Edling](#)
To: [Kolber, Justin](#)
Subject: Re: Climate Change RFP from Vermont
Date: Thursday, February 18, 2021 11:09:54 AM

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Thanks Justin. Will do.

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From: Kolber, Justin <justin.kolber@vermont.gov>
Sent: Thursday, February 18, 2021 6:58 AM
To: Matt Edling
Subject: RE: Climate Change RFP from Vermont

Hi, Matt,

Thank you much for submitting a proposal on the below. Our office would like to schedule an interview. Here are some times, please let me know:

- 2/24, 11am-12pm
- 2/26, 10am-12pm
- 3/1, 10am-12pm, 2-3pm
- 3/2, 10am-12pm
- 3/3, 11am-12pm
- 3/4, 9am-11am, 2-3pm
- 3/5, 9am-12pm

Thanks,
Justin

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Assistant Attorney General
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justin.kolber@vermont.gov
pronouns: he/him/his

From: [Matt Edling](#)
To: [Kolber, Justin](#)
Subject: RE: Climate Change RFP from Vermont
Date: Monday, February 1, 2021 3:20:20 PM

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Received. Thank you.

Matthew K. Edling

SHER EDLING LLP

100 Montgomery St., Ste. 1410
San Francisco CA 94104
(628) 231-2520 | sheredling.com

From: Kolber, Justin <justin.kolber@vermont.gov>
Sent: Monday, February 1, 2021 6:44 AM
To: Matt Edling <matt@sheredling.com>
Subject: Climate Change RFP from Vermont

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

Hi, Matt,

Please see the attached.

Thanks,
Justin

Justin Kolber
Assistant Attorney General
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(802) 828-5620
justin.kolber@vermont.gov
pronouns: he/him/his

From: [Matt Edling](#)
To: [Kolber, Justin](#)
Subject: RE: Climate Change RFP from Vermont
Date: Wednesday, March 31, 2021 12:34:29 PM

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Justin –

If you have a couple of minutes please let me know. Thank you.

Matthew K. Edling

SHER EDLING LLP

100 Montgomery St., Ste. 1410

San Francisco CA 94104

(628) 231-2520 | sheredling.com

From: [McDougall, Robert](#)
To: [Kolber, Justin](#)
Subject: RE: Climate Change RFP from Vermont
Date: Tuesday, February 23, 2021 3:35:47 PM

Great. Thanks!

From: Kolber, Justin <justin.kolber@vermont.gov>
Sent: Tuesday, February 23, 2021 3:34 PM
To: McDougall, Robert <robert.mcdougall@vermont.gov>
Subject: RE: Climate Change RFP from Vermont

OK he stuck with 3/5, all set

From: McDougall, Robert <robert.mcdougall@vermont.gov>
Sent: Tuesday, February 23, 2021 11:44 AM
To: Kolber, Justin <justin.kolber@vermont.gov>
Subject: RE: Climate Change RFP from Vermont

If Matt can make it work, let's try to keep 3/5 (I frankly like the spacing of the three interviews that way). If it is a huge problem, then let's go ahead and do the 2-3 p.m. on 3/3. Maybe tell Matt that with the schedules of folks on our end, it is preferred to do 3/5, but we have the one hour spot open on 3/3.

From: Kolber, Justin <justin.kolber@vermont.gov>
Sent: Tuesday, February 23, 2021 11:34 AM
To: McDougall, Robert <robert.mcdougall@vermont.gov>
Subject: RE: Climate Change RFP from Vermont

Ah, I can't do March 4 from 2-4pm [I have a subpoena/settlement meeting in consumer on flushable wipes]

So Matt Edling just called me now and wanted to make sure he's not throwing in a wrench in things with scheduling but he was also very nice.

He thinks an hour is plenty. I would think so too.

Josh did tell me he wanted 90-minute blocks to be safe – see attached. But maybe some of that time is for internal post-review among us (?)

In sum, I think Matt Edling would appreciate 2-3pm on Wednesday 3/3 because then their whole team can be there, and I would personally choose that, but then again I don't want to run afoul of Josh's instructions, and Matt did say he could make anything work, so we can also keep Friday 3/5.

I definitely appreciate your suggestion of which one to choose.

From: McDougall, Robert <robert.mcdougall@vermont.gov>
Sent: Tuesday, February 23, 2021 11:18 AM
To: Kolber, Justin <justin.kolber@vermont.gov>
Subject: RE: Climate Change RFP from Vermont

One other option to look at would be Thursday 3/4 at 3 p.m. when Josh and I meet for environmental matters. If that's open for others, maybe that would work?

Otherwise, I'd lean toward the one hour block on 3/3?

From: Kolber, Justin <justin.kolber@vermont.gov>
Sent: Tuesday, February 23, 2021 11:16 AM
To: McDougall, Robert <robert.mcdougall@vermont.gov>
Subject: RE: Climate Change RFP from Vermont

So there's a 1-hr block from 2-3pm on 3/3 but then Josh is conflicted after 3pm. Otherwise the next free 90 minute block for everyone is **Thursday March 11 at 9am**. Should I do **this**?

From: McDougall, Robert <robert.mcdougall@vermont.gov>
Sent: Monday, February 22, 2021 5:24 PM
To: Kolber, Justin <justin.kolber@vermont.gov>
Subject: RE: Climate Change RFP from Vermont

See if people's calendars are open, and if so, I see no reason that we can't shift to 3/3.

From: Kolber, Justin <justin.kolber@vermont.gov>
Sent: Monday, February 22, 2021 5:22 PM
To: McDougall, Robert <robert.mcdougall@vermont.gov>
Subject: Fwd: Climate Change RFP from Vermont

See below. Should I offer 3/3 from 2-5pm?

From: Matt Edling <matt@sheredling.com>
Sent: Monday, February 22, 2021 5:07:32 PM
To: Kolber, Justin <justin.kolber@vermont.gov>
Subject: RE: Climate Change RFP from Vermont

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Justin –

Do you have a few minutes to discuss the date of presentation? Purely administrative. I write to see if 3/3 is still available. In short, I scheduled the presentation on 3/5 and some of my colleagues that I would like to participate are not available... and cleverly ignored that it is my daughter's 8th birthday

and lunch is a big deal for this birthday

Matthew K. Edling

SHER EDLING LLP

100 Montgomery St., Ste. 1410
San Francisco CA 94104
(628) 231-2520 | sheredling.com

From: Kolber, Justin <justin.kolber@vermont.gov>

Sent: Thursday, February 18, 2021 4:06 PM

To: Matt Edling <matt@sheredling.com>

Subject: Re: Climate Change RFP from Vermont

Excellent thanks!

From: Matt Edling <matt@sheredling.com>

Sent: Thursday, February 18, 2021 6:58:37 PM

To: Kolber, Justin <justin.kolber@vermont.gov>

Subject: RE: Climate Change RFP from Vermont

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Justin – 4/5 at 3:00 please.

Matthew K. Edling

SHER EDLING LLP

100 Montgomery St., Ste. 1410
San Francisco CA 94104
(628) 231-2520 | sheredling.com

From: Matt Edling

Sent: Thursday, February 18, 2021 3:46 PM

To: 'Kolber, Justin' <justin.kolber@vermont.gov>

Subject: RE: Climate Change RFP from Vermont

No problem. I will get right back to you.

Matthew K. Edling

SHER EDLING LLP

100 Montgomery St., Ste. 1410
San Francisco CA 94104
(628) 231-2520 | sheredling.com

From: Kolber, Justin <justin.kolber@vermont.gov>

Sent: Thursday, February 18, 2021 2:27 PM

To: Matt Edling <matt@sheredling.com>
Subject: RE: Climate Change RFP from Vermont

Hi, Matt,

My apologies but a conflict came up. Can you do Friday March 5th at 9am, 2pm, or 3pm?

-Justin

From: Kolber, Justin
Sent: Thursday, February 18, 2021 1:57 PM
To: Matt Edling <matt@sheredling.com>
Subject: RE: Climate Change RFP from Vermont

Got it, just sent a Teams invite, feel free to circulate to your people. And ah, yeah that's a bummer, I'm finally getting into my ski/snowboard season. Hope you get your chance! -Justin

From: Matt Edling <matt@sheredling.com>
Sent: Thursday, February 18, 2021 1:53 PM
To: Kolber, Justin <justin.kolber@vermont.gov>
Subject: Re: Climate Change RFP from Vermont

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Justin -
3/4 at 2:00 please. Thanks very much.

Jealous of your friend in Bend. Not much snow in Tahoe.

Matt

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From: Kolber, Justin <justin.kolber@vermont.gov>
Sent: Thursday, February 18, 2021 9:12 AM
To: Matt Edling
Subject: RE: Climate Change RFP from Vermont

Great thanks Matt, and just one update 3/2 is not an option (it's our town voting day).

From: Matt Edling <matt@sheredling.com>
Sent: Thursday, February 18, 2021 11:10 AM
To: Kolber, Justin <justin.kolber@vermont.gov>

Subject: Re: Climate Change RFP from Vermont

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Thanks Justin. Will do.

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From: Kolber, Justin <justin.kolber@vermont.gov>

Sent: Thursday, February 18, 2021 6:58 AM

To: Matt Edling

Subject: RE: Climate Change RFP from Vermont

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- 3/4, 9am-11am, 2-3pm
- 3/5, 9am-12pm

Thanks,
Justin

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Sent: Monday, February 1, 2021 9:44 AM

To: matt@sheredling.com

Subject: Climate Change RFP from Vermont

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Justin

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justin.kolber@vermont.gov
pronouns: he/him/his

From: [Matt Edling](#)
To: [Kolber, Justin](#)
Subject: RE: Vermont Climate Change RFP follow-up
Date: Friday, July 30, 2021 11:30:55 AM

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Thank you for letting me know. Best of luck to you and your team.

Sincerely,

Matthew K. Edling

SHER EDLING LLP

100 Montgomery St., Ste. 1410
San Francisco CA 94104
(628) 231-2520 | sheredling.com

From: Kolber, Justin <justin.kolber@vermont.gov>
Sent: Friday, July 30, 2021 7:30 AM
To: Matt Edling <matt@sheredling.com>
Subject: Vermont Climate Change RFP follow-up

Hi, Matt,

I'm writing to thank you for your firm's interest in our RFP bid process for potential climate change litigation. We appreciated your responses and were very impressed with your team's presentation. However, we have selected another firm for now.

We would welcome the chance to consider working with your team on other future matters should those opportunities present, and again thank you for your interest, it was much appreciated.

Feel free to reach out with any questions.

All the best,
Justin

Justin Kolber
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Vermont Attorney General's Office
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