

SMITH HULSEY & BUSEY

MEMORANDUM

TO: Sean Granat  
CC: Jason Gabriel; Steve Busey  
FROM: Lanny Russell  
RE: Status of Documents  
DATE: February 20, 2020

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This memorandum summarizes the engagement letters, billing statements, and invoices received from the Office of General Council by Smith Hulsey & Busey to date. We need to verify whether we have received all engagement letters and invoices relating to the JEA investigation. Our questions regarding this issue are listed at the end of this memorandum.

I.

Smith Hulsey & Busey has received the following engagement letters, approved billing statements, and invoices from the Office of General Counsel:

1. Carlton Fields

- Engagement letter dated 08/26/2019 and approved 09/12/2019
- Invoices received for services rendered between 09/10/2019 and 12/06/2019:
  - (i) No. 1032227
  - (ii) No. 1037359
  - (iii) No. 1043089

2. Foley & Lardner, LLP

- Engagement letter dated 07/22/2019 and approved 07/22/2019, together with an amendment dated 01/30/2020 that is effective 02/07/2020
- Invoices received for services rendered between 06/26/2019 and 12/24/2019:
  - (i) No. 40274178
  - (ii) No. 40274198
  - (iii) No. 40274224

- (iv) No. 40288884
- (v) No. 40306041
- (vi) No. 40312482

3. Hopping Green & Sams, PA

- Engagement letter dated 09/03/2019 and approved 09/13/2019, and an addendum dated 09/03/2019
- Invoices received for services rendered between 09/11/2019 – 12/06/2019:
  - (i) No. 112127
  - (ii) No. 112132
  - (iii) No. 112135
  - (iv) No. 113132
  - (v) No. 113443

4. Milam Howard Nicandri, Gillam & Renner, P.A.

- Engagement letter dated 08/28/2019 and approved 09/23/2019
- Invoices received for services rendered between 08/30/2019 – 12/20/2019:
  - (i) No. 195102
  - (ii) No. 195406
  - (iii) No. 195760
  - (iv) No. 196231

5. Pennington P.A.

- Engagement letter dated 08/23/2019 and approved 09/12/2019
- Invoices received for services rendered between 08/29/2019 – 12/27/2019:
  - (i) No. 178318
  - (ii) No. 178943
  - (iii) No. 179619
  - (iv) No. 180064

6. Pillsbury Winthrop Shaw Pittman LLP

- Engagement letter relating to the MEAG Nuclear Project dated 08/17/2007 and approved 08/20/2007, together with (i) first amendment dated 02/29/2008 and (ii) second amendment dated 06/03/2008
- Engagement letter for recapitalization preparation dated 11/26/2018 and approved on 09/12/2019, together with an addendum approved 11/26/2018
- Engagement letter for JEA delegation of authority matters dated 06/28/2019 and approved 07/02/2019, together with addendum dated 06/27/2019
- Invoices received for services rendered between 11/16/2018 – 12/27/2019:
  - (i) No. 8266699
  - (ii) No. 8253747
  - (iii) No. 8274949
  - (iv) No. 8274950
  - (v) No. 8315678
  - (vi) No. 8315714
  - (vii) No. 8315715
  - (viii) No. 8315716
  - (ix) No. 8315717
  - (x) No. 8274950
  - (xi) No. 8287460
  - (xii) No. 8297287
  - (xiii) No. 8298596
  - (xiv) No. 8298605
  - (xv) No. 8298978
  - (xvi) No. 8302147
  - (xvii) No. 8305458
  - (xviii) No. 8305459
  - (xix) No. 8306003
  - (xx) No. 8307976
  - (xxi) No. 8307977
  - (xxii) No. 8309050
  - (xxiii) No. 8315678
  - (xxiv) No. 8315714
  - (xxv) No. 8315715
  - (xxvi) No. 8315716
  - (xxvii) No. 8315717

7. The Radey Law Firm

- Engagement letter dated 08/26/2019 and approved 09/12/2019
- Invoices received for services rendered between 09/04/2019 – 01/31/2020:
  - (i) No. 32981
  - (ii) No. 33108
  - (iii) No. 33223
  - (iv) No. 33367
  - (v) No. 33490

II.

Smith Hulsey & Busey has received engagement letters (but not billing statements or invoices) for the following JEA consultants:

1. Abel Bean Law – Engagement letter dated 03/27/2018 and approved 04/02/2018
2. Akerman LLP – Engagement letter dated 11/17/2014 and approved 12/01/2014, together with an amendment dated 08/08/2019 and approved 09/12/2019
3. Driver, McAfee, Hawthorne & Diebenow, PLLC – Engagement letter dated 11/29/2018 and approved 11/29/2018
4. Greenberg Traurig, LLP– Engagement letter dated 09/15/2019 and approved 10/09/2019
5. Holland & Knight – Engagement letter dated 08/28/2017 and approved 08/31/2017
6. Lewis, Longman & Walker, P.A. – Engagement letter dated 07/12/2019 and approved 07/22/2019
7. Nabors Giblin & Nickerson – Engagement letter dated 03/05/2019 and approved on an unidentified date
8. Office of the General Counsel – Engagement letter dated 03/05/2019

III.

Smith Hulseley & Busey has *not* received engagement letters or reasonably detailed billing statements or invoices for the following consultants:

1. Cavalry Strategies
2. Dalton Agency
3. Ernst & Young
4. FTI Consulting, Inc.\*\*
5. Geosyntec
6. J.P. Morgan\*\*
7. Leidos Engineering, LLC\*\*
8. MassMutual
9. McKinsey & Co.\*\*
10. Morgan Stanley\*\*
11. Nixon Peabody
12. Public Finance Management
13. Segal Consulting
14. Willis Towers Watson

\*\*Smith Hulseley & Busey's preliminary review of JEA's billing statements and invoices indicates that these entities were not directly engaged by JEA and did not directly bill JEA for services rendered.

IV.

Questions Regarding Consultant Engagement Letters, Billing Statements, and Invoices

To the extent they are available to you, please provide us the following documents and information:

1. If there are any consultants who provided services relating to any Investigatory Matters who are not identified above, whether retained directly by JEA or not, please identify them and let us know how to get copies of any engagement letters, billing statements, and invoices for services the consultant rendered in connection with any Investigatory Matters.<sup>1</sup>
2. Some of the consultants identified in Sections II and III may not be relevant to the Special Investigatory Committee. Please identify the consultants in Sections II and III who are not relevant to any Special Investigatory Matters. For each consultant who provided services relating to any Investigatory Matters, please send us a copy of (i) its engagement letter with JEA or any JEA consultants and (ii) its billing statements and invoices for services rendered in connection with any Investigatory Matters.

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<sup>1</sup> “Investigatory Matters” means the Total Market Compensation Strategy, the privatization or recapitalization of JEA, the scenario-based strategic planning initiative, the ITN, and the PUP.