

September 28, 2020

VIA U.S. MAIL AND EMAIL - rgaffney@coj.net

Reggie Gaffney
Office of the City Council
117 W. Duval St., Suite 425
Jacksonville, FL 32202

Re: Aaron F. Zahn / JEA

Dear Mr. Gaffney:

Please be advised that this firm represents Aaron Zahn regarding certain matters related to his employment with JEA. You have been identified as a material witness with knowledge and information relevant to this ongoing litigation. I write this letter on behalf of Mr. Zahn to put you on notice of your obligation to preserve all potentially relevant records, documents, information, and other things (whether in hard copy or electronic form) in your possession regarding Mr. Zahn and his employment with and termination from JEA. You may be called to testify under oath, either in an arbitration or in Duval County Circuit Court, on matters related to the ongoing disputes, matters outlined below, and your specific involvement.

Relevant items include, but are not limited to:

1. Any social media postings (including but not limited to Facebook, Facebook Messenger, Instagram, LinkedIn, MySpace, Twitter, YouTube, SnapChat, WhatsApp, Skype, GroupMe, Tango, Viber, Voxer, MarcoPolo, WeChat, and Cubie) and any and all photographs, videos, and postings made on those accounts by any person regarding or relating to Mr. Zahn or JEA from January 2016 to the present (the "Relevant Period");
2. Any correspondence (including but not limited to emails, text messages, and messages sent using the social media platforms referenced above) regarding or relating to Mr. Zahn and JEA, including but not limited to: Mr. Zahn's nomination and appointment to JEA's Board; Mr. Zahn's employment with JEA, including his employment agreement; the JEA performance unit plan ("PUP"); the invitation to negotiate 127-19 ("ITN"); any matters regarding the possible sale of all or part of JEA during the Relevant Period; all related discussions of privatization of JEA; any procurement by JEA during the Relevant Period; Mr. Zahn's termination from JEA, including the investigation by the Office of General Counsel ("OGC"), for the Relevant Period;

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3. Any and all other documents, including but not limited to memoranda, notes, calendar events, reports and other written records or writings of any kind, regarding or relating to your interaction with JEA or any of the ITN Respondents (as defined in the ITN) for the Relevant Period;
4. Any and all other documents, including but not limited to memoranda, notes, calendar events, reports and other written records or writings of any kind, regarding or relating to your interaction with Plant Vogtle and all related parties to Plant Vogtle, JEA, the Municipal Electric Authority of Georgia (MEAG”), and the Southern Company (collectively the “Vogtle Parties”), including any subsidiaries and or representatives of a Vogtle Party for the Relevant Period;
5. Any and all other documents, including but not limited to memoranda, notes, reports and other written records or writings of any kind, regarding or relating to JEA, JAXPORT, SJRPP or any related interaction with JAXPORT, its Board of Directors and its CEO for the Relevant Period;
6. Any and all other documents, including but not limited to memoranda, notes, reports and other written records or writings of any kind, regarding or relating to JEA for the Relevant Period.

Accordingly, you are hereby directed to retain and preserve any documents and records that fall within these categories, and to refrain from destroying or altering those items. Please do not hesitate to contact me if you have any questions about this notice.

Very truly yours,

A handwritten signature in black ink, appearing to read "Martin A. Conn", written over a horizontal line.

Martin A. Conn