

Dianne C. Simpson

From: Alison A. Perdue [aaperdue@co.escambia.fl.us]
Sent: Thursday, December 01, 2011 2:01 PM
To: Dianne C. Simpson
Subject: FW: Allied Site

Importance: High

From: John L. Fiveash[SMTP:JFIVEASH@LLW-LAW.COM]
Sent: Thursday, December 01, 2011 2:01:01 PM
To: Alison A. Perdue
Cc: Dennis Stotts; Joseph Ullo; Kevin Hennessy
Subject: Allied Site
Importance: High
Auto forwarded by a Rule

Dear Alison:

Thank you for the call this morning. I ran a preliminary conflict check utilizing the following potential adverse parties:

Donald Moore, Jimmy Bradley, Allied Waste, BFI, CEMEX and the Emerald Coast Utilities Authority

Those are all of the parties that I am aware of, and the check was clean. If you know of any other adverse parties that we need to run a check on, please let me know. As we discussed, our firm has a preferred governmental rate schedule that we would provide to Escambia County. My governmental rate thru the end of 2012 is \$255/hour. For comparison, my current corporate rate is \$365/hour and my environmental crimes rate is \$475/hour.

LLW represents approximately 150 local governments and special districts in Florida on various issues. A number of attorneys at the firm, including myself, are experienced in complex Superfund enforcement, cost recovery litigation and all aspects of consulting clients and managing experts concerning Superfund sites. I have significant Superfund litigation experience before the Northern District. I think that you will also be pleased to know that we have significant firm experience litigating over fertilizer constituents. I listed a link below to my bio, Dennis Stotts' bio, Kevin Hennessy's bio, and the bio of Joe Ullo, who is an associate that we may call on for certain tasks. The firm's government rate for Joe is \$190/hour. I would be the primary attorney responsible for handling this matter, but I thought it would be helpful for me to point out some talented attorneys in the firm that are very experienced with these types of sites. You will have a nice talent pool to call upon.

<http://www.llw-law.com/attorneys/john-l-jack-fiveash/>
<http://www.llw-law.com/attorneys/dennis-m-stotts/>
<http://www.llw-law.com/attorneys/kevin-s-hennessy/>
<http://www.llw-law.com/attorneys/f-joseph-ullo-jr/>

The firm's website is at: www.llw-law.com. I know we discussed an email, but if you would like this information put into a letter, let me know and we will get it out to you ASAP. Please let me know if you need any additional information from us at this point.

We look forward to being of service.

Best,

Jack

John L. Fiveash

Of Counsel

Lewis, Longman & Walker, P.A.

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Tallahassee, Florida 32301

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(t) 850.222.5702

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Chair (Leader)

- Chair - Water Resources Practice Group
- Chair - Water Utilities Industry Group

Member of:

- Water Resources
- Sustainability
- Ports, Airports & Infrastructure
- Water Utilities

Education

- J.D., University of Florida College of Law, 1987

John L. Fiveash

Of Counsel

Prior Professional Experience

- Mr. Fiveash represents private and government clients in environmental and water rights law, environmental law and land use law and counseled clients in NPDES, Clean Water Act and enforcement actions, CERCLA, Superfund, hazardous waste, tanks, petroleum and chemical spills, and land use. He has significant experience representing clients in environmental investigations and at trial. He has represented clients in courts, as well as in a variety of cases against the U.S. Army Corps of Engineers and the U.S. Environmental Protection Agency.
- His special interests involve water resources development, investments, water management and sustainable development, protecting water rights and resources, and the use of water resources, water quality credits and water trading.

Professional, Civic and Community Involvement

- The American Bar Association, Member
- The Florida Bar and the U.S. District Court for the Northern District of Florida, Member
- The Florida Bar, Environmental and Land Use Law Section, Member
- The Escambia/Santa Rosa Bar Association, Member
- Gulf Breeze United Methodist Church, former Moderator
- Pensacola Sports Association Foundation, Board Member
- University of West Florida Foundation, former Board Member

- B.S., Florida State University, Accounting, 1982
-

Office

Tallahassee

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315 South Calhoun Street

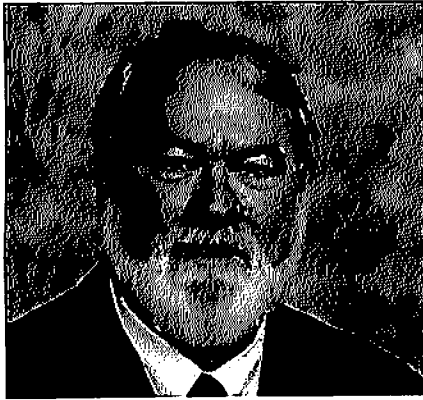
Suite 830

Tallahassee, FL 32301

- American Diabetes Association, Mobile/Pensacola and Board Member
- 4H Foundation, Pensacola, former Board Member
- Southeastern Dodge Dealers Advertising Association Board Member

Publications and Presentations

- "Public Records Request - Used as a Tool by St. Podcast with Ed Steinmeyer, September, 2011



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Chair (Leader)

- Chair - Environmental Practice Group
-

Member of:

- Sustainability
 - Land Use
 - Real Estate
 - Environmental
 - Civil Litigation & Appeals
 - Manufacturing
 - Ports, Airports & Infrastructure
-

Dennis M. Stotts

Senior Attorney

Areas of Practice

- Evaluates environmental risks in real property acquisitions; enforcement; permitting; rulemaking; assessment and remediation of contaminated buildings; assessment and remediation of contaminated air and groundwater; solid and hazardous waste management; air pollution; mold and indoor air quality; and
- Florida Supreme Court Certified Circuit Civil Judge limited to environmental and land use dispute resolution; voluntary, pre-trial or pre-litigation disputes.
- LEED technical training for New Construction (Commercial Buildings).
- Represents potentially responsible parties in CERCLA allocation reduction matters.
- Assists clients in the defense and prosecution of environmental issues and the recovery of costs of cleanup and remediation of contaminated properties.
- Provides counsel to clients on the environmental implications of purchase and sale of properties and the acquisition of properties including environmental due diligence.
- Advises clients on mold and indoor air quality
- Experienced in legal and regulatory matters re: air pollution, hazardous waste, air pollution, domestic water and wetlands.

Professional, Civic and Community Involvement

- Martindale-Hubbell, AV-Rating

Education

- J.D., *cum laude*, Stetson University College of Law, 1983
 - M.S., Public Health, Environmental Sciences & Engineering, University of North Carolina, Chapel Hill, 1976
 - B.S., Chemistry, Eckerd College, St. Petersburg, Florida, 1972
-

Office

Bradenton

Phone: (941) 708-4040
Fax: (941) 708-4024
1001 3rd Avenue West
Suite 670
Bradenton, FL 34205

- The Florida Bar, Environmental and Land Use I (1996-1997)
- The Florida Bar, Administrative Law Section, A
- The American Bar Association, Section of Environmental and Natural Resources Law, Member
- Lambda Alpha International (Honorary Land Ecologist)
- Florida Academy of Professional Mediators, Member
- United States Green Building Council, Member
- Florida Green Building Coalition, Member

Presentations, Publications and Awards

- *Government and Private Party Enforcement of Environmental Regulations*, Treatise on Florida Environmental Law
- Florida's Recycling Markets Advisory Committee
- Marquis *Who's Who in America*.
- Marquis *Who's Who in American Law*.
- *Top Lawyers in South Florida*, Environmental Law, 2005-2009.
- *Florida Super Lawyers*, Environmental Law, 2005-2009.
- City of Hollywood, Florida, City Commission Advisory Committee and City Attorney Screening Committee



Kevin S. Hennessy

Managing Shareholder

Areas of Practice

- Has more than 20 years of experience representing clients in the areas of permitting and litigation of environmental permitting and development, coastal construction matters, wetland issues, property rights and eminent domain.
- Represents clients before all courts in Florida, the 11th Circuit U.S. Court of Appeals, and the U.S. Supreme Court.

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Chair (Leader)

- Chair - Manufacturing Industry Group

Member of:

- Natural Resources
- Water Resources
- Sustainability
- Legislative & Governmental Affairs
- Land Use
- Environmental
- Civil Litigation & Appeals
- Administrative
- Marine & Coastal Construction

Professional, Civic and Community Involvement

- Martindale-Hubbell, AV Rating.
- Frequent lecturer on topics including coastal construction, endangered species, administrative law and eminent domain.
- American Bar Association, Section of Environmental and Natural Resources Law, Member.
- The Florida Bar, Environmental and Land Use Law Section, Member.
- Manatee County Bar Association, former Director.
- Manatee County School Board Budget Task Force.
- Manatee County Chamber of Commerce, Member of "Green" Task Force.
- Natural Resource Leadership Institute Fellow.

- Water Utilities
- Agriculture
- Local Government & Special Districts
- Manufacturing
- Ports, Airports & Infrastructure

Education

- J.D., *cum laude*, University of Miami, 1986
 - B.A., Wake Forest University, 1983
-

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Publications and Presentations

- “What You Gonna Do when the Well Runs Dry: Water”, ABA Water Resources Committee New S. Hennessy, Esq. and R. David Jackson, Esq.,
- “Florida Coastal Construction Permitting”, by updated by R. David Jackson, Esq., 2009.
- “Coastal Construction Below the Mean High-W February 2001.
- “Thirty-Year Erosion Zone”, Florida Environme by Kevin S. Hennessy, Esq., February 2001.
- “Aquifer Storage and Recovery”, Vail Water La
- Greenwashing: A Guide to the Ethical Advertis S. Hennessy, Esq. and Michelle Diffenderfer, E
- “Extreme Environmental People Skills: An Intro Approaches to Natural Resource Dispute Resol Environmental Permitting Summer School, 200
- “The Lower St. John’s River Basin Managemen Agricultural, Local Government and Environme Borisova, Laila Racevskis, Jennison Kipp, Debr. Kevin Hennessy, NRLI Practicum Presentation,



F. Joseph Ullo, Jr

Attorney

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Chair (Leader)

- Chair of the Intellectual Property Practice Group

Member of:

- Water Resources
- Sustainability
- Environmental
- Intellectual Property
- Mining
- Ports, Airports & Infrastructure

Areas of Practice

- Practices in real estate transaction issues and properties are compromised due to environme
- Represents clients in matters involving Brownf Brownfield Designations, Brownfield Site Reha Preparation, and Brownfield Tax Credit applic incentive programs.
- Represents clients in CERCLA cost recovery ac involving the determination and appropriation
- Represents clients on hazardous waste manage industrial regulatory compliance and advises c enforcement.
- Assists in developing water resource managem water quality credit trading.
- Advocate for municipalities responding to loca challenges.
- Assists clients in securing and protecting intell

Prior Professional Experience

- Civil engineer and project manager representi served as Engineering Manager under contract Environmental Protection’s Hazardous Waste a
- Engineer of Record for multiple remedial actio package development, subcontractor selection state hazardous waste sites.

Education

- J.D., Florida State University College of Law, 2006.
- Environmental and Land Use Law Certificates *with Honor*.
- Editor, Florida State University Law Review
- M.S. Civil Engineering, Florida State College of Engineering, 1998.
- Bachelor of Civil Engineering, *with Honor*, Georgia Institute of Technology, 1993.
- B.S. (dual degree candidate), *Magna Cum Laude*, Spring Hill College, 1993.

- Consulted private industrial clients assisting in compliance and engineering needs, including \ for and negotiating permits.

Professional, Civic and Community Involvement

- Florida Brownfield Association, President-Elect Chair 2010, President 2010-2011.
- First Coast Manufacturers Association, Professor
- Florida Engineering Society, Vice President of 2003.
- Jacksonville Bar Association: Intellectual Property Environmental and Land Use Committee member
- The Florida Bar: Administrative Law Section, Executive Section, Member.
- American Bar Association: Intellectual Property
- Authored "Water Quality Credit Trading - A Practical Florida Bar Journal (May 2007).
- Authored "Redevelopment and Water Quality - Round Hole?" The Florida Engineering Society
- Winner of The 2006 Dean Frank E. Maloney Merit Pollution Trading to Florida's Total Maximum Load

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