

ORIGINAL	
N.H.P.U.C. Case No.	DE 10-261
Exhibit No.	Staff # 8
Witness	Panel 9
DO NOT REMOVE FROM FILE	

## Timeline for LAI – Jacobs Consultancy NDA Agreement Negotiations

- **July 25<sup>th</sup> to August 4<sup>th</sup>, 2011:** Ed Arnold executes multiple attempts to contact Jerry Eaton, to determine status of Agreement, via phone calls and voice messages. No response.
- **July 15<sup>th</sup>, 2011:** Ed Arnold sends e-mail to Jerry Eaton with latest version of NDA from Carlos Camacho of Jacobs Consultancy (See July 15<sup>th</sup> attachment). Note the following statements in attachment:
  - "LAI will not be providing to Jacobs any of LAI's proprietary software models or software codes; therefore, such software models and software codes are not considered to be Confidential Information. "
  - "Jacobs agrees that nothing within this Agreement shall be construed to grant to the Jacobs title, copyright, or any other proprietary rights in the Confidential Information, all of which shall remain vested with LAI. Jacobs further agrees to return all Confidential Information to LAI if so requested, within fifteen (15) days after receipt of written request from LAI. Thereupon, Jacobs will destroy all copies of the Confidential Information and will certify to LAI in writing that it has done so, provided however that Jacobs may retain one (1) archival copy of its work product documents containing such Confidential Information solely for Jacobs' legal or internal policies purposes. When the archival copy is provided to Jacobs' legal files a copy of each document shall be sent to LAI. Notwithstanding the term set forth in Section 6 of this agreement, the archival copy Confidential Information shall continue to be treated as confidential by Jacobs for a period of ten (10) years from the date hereof."
- **July 14<sup>th</sup>, 2011:** Carlos Camacho contacts Ed Arnold with answers RE his suggested changes to Agreement.
- **July 11<sup>th</sup>, 2011:** Ed Arnold calls Carlos Camacho with Questions about Agreement changes
- **Early July, 2011:** Ed Arnold on vacation and on out-of-country assignment
- **June 28<sup>th</sup>, 2011:** Carlos Camacho sends his latest version of NDA Agreement to Ed Arnold, for transmittal to Jerry Eaton. (Carlos asks me to intervene.)
- **June 21<sup>st</sup>, 2011:** Jerry Eaton sends his latest version of NDA Agreement to Carlos Camacho, for review

- **June 13<sup>th</sup> to June 20<sup>th</sup>, 2011** : Conversations between Carlos Camacho and Frank DiPalma , (Jacobs Consultancy – NHPUC Relationship manager) and Ed Arnold Re Agreement details. Communications between LAI's representatives and Carlos Camacho Re Agreement details.
- **June 13<sup>th</sup>, 2011**: Jerry Eaton sends latent version of Agreement to Carlos Camacho of Jacobs Consultancy
- **June 6<sup>th</sup>, 2011**: e-mail to involved parties from Alexander Speidel RE status of Agreement negotiations.
- **June 3<sup>rd</sup>, 2011**: In LAI's office in Boston, Ed Arnold explains that he is not allowed by Jacobs to sign NDA, as only Jacob's corporate officers can sign NDAs. Ed Arnold also explains that Jacobs is requesting to retain only their work product ("our project report to NHPUC") in their secure legal files to allow Jacobs legal dept. to protect Jacobs Inc. in the event if a potential legal claim against Jacobs.
- **June 2<sup>nd</sup>, 2011**: e-mail from Alex Speidel saying he agrees that Jacobs "carve out" of their work product is reasonable request.,
- **June 2<sup>nd</sup>, 2011**: e-mail from Jerry Eaton to Jacobs, saying that LAI will not agree to Jacob's retention of any confidential documents (including Jacobs work product).
- **June 1<sup>st</sup> to June 2<sup>nd</sup>, 2011**: Communications between LAI's representatives and Jacobs Re Agreement details.
- **June 1<sup>st</sup>, 2011**: LAI asks for Jacobs Consultancy to sign NDA.