

Message

From: Michael McClain [mcclain@adams.net]
Sent: 4/6/2016 8:29:26 PM
To: [REDACTED] (ComEd) [REDACTED]@comed.com]
Subject: RE: [EXTERNAL] FW: Follow Up

Ok.

Michael F. McClain
Awerkamp & McClain, P.C.
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From: [REDACTED] (ComEd) [mailto:[REDACTED]@ComEd.com]
Sent: Wednesday, April 6, 2016 3:26 PM
To: Michael McClain <mcclain@adams.net>
Subject: RE: [EXTERNAL] FW: Follow Up

Got it -- give me a couple of days since our VPs are out in DC for the next couple of days -- I'll get back to you

From: Michael McClain [mailto:mcclain@adams.net]
Sent: Wednesday, April 06, 2016 2:47 PM
To: [REDACTED] (ComEd)
Subject: [EXTERNAL] FW: Follow Up

[REDACTED],
History:

We entered into a three year contract for legal services with this Law Firm. It took us four years because the first year was almost over when they contracted. It was for 850 hours a year.

So, there is a knowledge that because of the Smart Act the need for lawyers have decreased. Everyone is okay with that fact.

I am not going to be exact here but generally we offered a one year contract with an agreement to extend for another year. That extension would be considered in October but no later than November of 2016. Not preferred by Victor but okay with it.

We also cut his hours down to closer to 300 and also lowered some hourly fees. This is when our Friend got involved some weeks ago. (It is brought up to me every week.)

[REDACTED] needed for Victor to ask for more hours to help him cover himself inside the company. Victor did that act.

So, [REDACTED] knows that the recommendation is for 480 hours this year plus no cutting of hourly fees with this extension probability in October of 2016.

Generally that is the history.

I just do not think that this should drag on any longer. This legal department is the same one that took four months to draft a memo last year. We are wasting minutes inside the company and of our Friend's. Sooner or later there will be irritations.

It is a cut in hours of 850 to 480.

Thanks.

Best, Mike

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From: Michael McClain [mailto:mcclain@adams.net]

Sent: Saturday, April 2, 2016 1:17 PM

To: [REDACTED]@ComEd.com>

Cc: mcclain@adams.net

Subject: RE: Follow Up

[REDACTED], I know you are swamped but we are already in month four of this contract. Can we guarantee 40 hours a month with no cuts in hourly wages for the entire year and end this puppy?

Best, Mike

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[REDACTED],
Pursuant to our conversation Victor Reyes asked for an increase compared to a previously offered one from ComEd. Below was the body of the e-mail he sent to [REDACTED].

However, instead of countering pursuant to our conversation they were alerted yesterday that their primary lawyer was having his hourly cut by 18%! So, we are going the wrong way.

I know you have a lot on your plate but would you correct asap? You and I have more major things for us to do with our minutes of time.

Thanks.

Mike

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Thank you for taking time to connect again on Wednesday. I truly appreciate the attention that you have paid to working through our arrangement, and I am especially grateful for the company's commitment to using diverse businesses. Being able to depend on your business will allow my firm to continue to grow and improve. Of course, I intend to make sure that Exelon and ComEd receive the finest work from our best lawyers.

At this time, Reyes Kurson, Ltd. performs work for the companies in three general categories: hourly legal work, administrative flat fee work, and work as directed by Claims Counsel. As we continue to work through our arrangements, I have two alternative proposals for your consideration (since the Claims work is performed on an as-needed basis, the following proposals for our baseline work relate only to the hourly and flat fee work):

Idea A: Exelon/ComEd would provide a baseline of 25 hours per month of legal work at our standard rates as well as an increase in the rate of the administrative hearings work from \$5,000 per month to \$7,500 per month.

As you know, at this time, the firm is handling all of ComEd's administrative hearings at a discounted flat rate. We have determined that our associate is spending approximately 8 hours per week on these matters. Based on the number of hours actually expended on research, pre-meeting coordination, hearing attendance, and follow-up work, our firm has been performing this work at a discounted rate. At one time, you had previously suggested that you would consider raising the flat rate based on the amount of work required, and this option is based on your previous suggestion.

Idea B: Exelon/ComEd would provide a baseline of 35 hours per month of legal work at our standard rates (this is an increase from the 25 hours you proposed on Wednesday) and no change in the \$5,000 per month rate of the administrative hearings work. The higher baseline of hours will enable us to continue to provide the administrative hearings work at the currently discounted rate.

As you know, my firm is very committed to our relationship with Exelon/ComEd, and having the predictability of this arrangement means a lot to my small firm.

Thank you, again, for all the effort that you have invested in working this out.

Victor

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