

Exhibit 2

Berman, Julia (CIV)

From: Berman, Julia (CIV)
Sent: Thursday, July 06, 2017 4:29 PM
To: Cowan, Zach
Cc: Robinson, Stuart J. (CIV)
Subject: RE: follow up regarding our call

Tracking:	Recipient	Delivery	Read
	Cowan, Zach		
	Robinson, Stuart J. (CIV)	Delivered: 7/6/2017 4:29 PM	Read: 7/6/2017 4:29 PM

Thank you for the quick response, Zach. I should have been more clear. We do not plan to notice depositions for those folks whom we discussed on our call (who are current Council members but were not in your list of folks involved with the Ordinance). Our question pertained only to Council members who were involved with the Ordinance. We'll pass on a list of proposed specific dates.

Thanks again,
Julie

From: Cowan, Zach [mailto:ZCowan@cityofberkeley.info]
Sent: Thursday, July 06, 2017 4:25 PM
To: Berman, Julia (CIV) <juberman@CIV.USDOJ.GOV>
Cc: Robinson, Stuart J. (CIV) <strobins@CIV.USDOJ.GOV>
Subject: RE: follow up regarding our call

We agree that one privilege log per side is good. We can agree to August 25th.
As for deposition dates, speaking for others, those dates are generally ok, but it would be helpful to propose some specific dates. One question though – what do current council members (by which I understand council members who were not on the Council when it adopted the overlay) have to do with anything?

Zach

From: Berman, Julia (CIV) [mailto:Julia.Berman@usdoj.gov]
Sent: Thursday, July 06, 2017 12:43 PM
To: Cowan, Zach
Cc: Robinson, Stuart J. (CIV)
Subject: follow up regarding our call

Hi Zach,

It was very nice speaking with you earlier today. Two quick follow up notes regarding our call—

1. Stuart and I discussed the privilege log issue, and think it might be best if both parties agreed to provide their privilege logs after the conclusion of their rolling productions, so that each side has a single privilege log, rather than several iterations. We would propose 21 days after the conclusion of our respective productions (i.e. August 25, since we are both targeting August 4 for completion). Would that work for you?

2. We know you will get back to us regarding depositions of Planning Commission members, but, in the meantime, we'd like to get started selecting dates for the current and former City Councilmembers' depositions. (For former members, those would be subject to their availability as well, of course.) We would propose scheduling those depositions (maybe two per day—one in the morning, and one in the afternoon) between August 21 and September 8. Stuart and I would be available for depositions during any business day in that timeframe. Would you please let us know about the City's availability during that timeframe as well?

Thank you!
Julie