

**From:** jamesmeaney@lowerchurchillproject.ca  
**Sent:** Wednesday, May 20, 2015 2:40 PM  
**To:** Gilbert Bennett; Paul Harrington; Steve Pellerin;  
amanzer@casselsbrock.com; Kapoor, Anoop; Krupski, Joseph;  
JANEGA, RICHARD; SMITH, LOIS; xmartis@fasken.com  
**Subject:** MWH / Nik Update - Email 1 of 2

FYI....email to follow from Nik which I received during this exchange below. He advised they are still at an impasse. Figured I might as well lay all the cards on the table with Joe....

**James Meaney**

General Manager Finance

**PROJECT DELIVERY TEAM**

Lower Churchill Project

t. 709 737-4860 c. 709 727-5283 f. 709 737-1901

e. [JamesMeaney@lowerchurchillproject.ca](mailto:JamesMeaney@lowerchurchillproject.ca)

w. [muskratfalls.nalcorenergy.com](http://muskratfalls.nalcorenergy.com)

You owe it to yourself, and your family, to make it home safely every day. What have you done today so that nobody gets hurt?

----- Forwarded by James Meaney/NLHydro on 05/20/2015 02:35 PM -----

**From:** James Meaney/NLHydro  
**To:** "Joseph Adams Jr" <Joseph.D.Adams@mwhglobal.com>,  
**Date:** 05/20/2015 01:54 PM  
**Subject:** Re: Issuance of IE Draw Confirmation Certificates

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Hi Joe,

Thanks for the update. From Nalcor, Emera and Canada's perspectives the priorities are, in order of importance:

(1) MWH issue a satisfactory IE draw confirmation certificate on May 25. Failure to do so will have very serious ramifications for all parties involved. It would seem to me having Nik perform this in a manner similar to past months as if he was still employed by MWH is likely the best solution given the information that needs to be reviewed and the time constraints we are under. There really needs to be a solution finalized on this today, so if a simple "one off" arrangement can be put in place with Nik to achieve this, that seems like the right path forward.

(2) Finalize a long-term solution for the ongoing provision of IE services to the LCP and ML projects. From Nalcor, Emera and Canada's perspective one that involves both MWH and Nik is preferable, as you may be aware. When we speak I can provide you with additional background on this. On this matter, I had suggested to Pat we need to get all parties in a room together and figure this out. We had hoped to hold that meeting in Toronto today but unfortunately Pat is in Peru. I suggested we still try to hold this meeting next week.

I have also heard from Nik in the last hour and he advised discussions are underway, as you have noted below. If additional time is needed so that when we speak you can advise a deal is done, please take it. My schedule from 2:30pm NL time onwards is pretty free and you can reach me on the number below, which is my cell.

Greatly appreciate you getting involved in this. Hopefully we come to a solution satisfactory to all parties in short order.

Regards,

Jim

Sent from my BlackBerry 10 smartphone on the Bell network.

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**From:** Joseph Adams Jr  
**Sent:** Wednesday, May 20, 2015 1:03 PM  
**To:** JamesMeaney@lowerchurchillproject.ca  
**Subject:** RE: Issuance of IE Draw Confirmation Certificates

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Jim,

I'll call then. I think we have completed a subcontract agreement with Nik to complete the IE certificates which would simplify everything. I'll confirm this afternoon.

Joe



**Joe Adams**

**President, Energy & Industry**

MWH Global

380 Interlocken Crescent    Tel:    303 410 4040

Suite 200                      Mobile: 303 882 9127

Broomfield, Co 80021

**From:** JamesMeaney@lowerchurchillproject.ca [mailto:JamesMeaney@lowerchurchillproject.ca]  
**Sent:** Wednesday, May 20, 2015 9:25 AM

**To:** Joseph Adams Jr  
**Subject:** Re: Issuance of IE Draw Confirmation Certificates

Hi Joe

Thanks for getting back to me. Would you be able to give me a call around 2:30pm NL time (1:00pm EST)? Best number to call is 7097275283

Thanks

Jim

Sent from my BlackBerry 10 smartphone on the Bell network.

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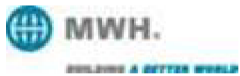
**From:** Joseph Adams Jr  
**Sent:** Wednesday, May 20, 2015 12:29 PM  
**To:** [JamesMeaney@lowerchurchillproject.ca](mailto:JamesMeaney@lowerchurchillproject.ca)  
**Subject:** RE: Issuance of IE Draw Confirmation Certificates

Jim,

I think we have this resolved. Please send me your contact information and I will call when I can confirm.

Cheers,

Joe



**Joe Adams**

**President, Energy & Industry**

MWH Global

380 Interlocken Crescent    Tel:    303 410 4040

Suite 200                      Mobile: 303 882 9127

Broomfield, Co 80021

**From:** [JamesMeaney@lowerchurchillproject.ca](mailto:JamesMeaney@lowerchurchillproject.ca) [<mailto:JamesMeaney@lowerchurchillproject.ca>]  
**Sent:** Tuesday, May 19, 2015 8:13 PM  
**To:** Derrick Penman  
**Cc:** Patrick Corser; Howard Lee; Joseph Adams Jr  
**Subject:** Re: Issuance of IE Draw Confirmation Certificates

Thanks Derrick

Joe, I will be in contact with you tomorrow. Appreciate you getting involved

Regards

Jim

Sent from my iPad

On May 19, 2015, at 11:31 PM, Derrick Penman <[Derrick.A.Penman@mwhglobal.com](mailto:Derrick.A.Penman@mwhglobal.com)> wrote:

It is 1 303 410 4040. I have copied his email above.

Sent from my iPhone

On May 19, 2015, at 9:52 PM, "[JamesMeaney@lowerchurchillproject.ca](mailto:JamesMeaney@lowerchurchillproject.ca)" <[JamesMeaney@lowerchurchillproject.ca](mailto:JamesMeaney@lowerchurchillproject.ca)> wrote:

Please send me Joe's phone/email contact.

Thanks

Jim

Sent from my BlackBerry 10 smartphone on the Bell network.

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**From:** Derrick Penman  
**Sent:** Tuesday, May 19, 2015 10:59 PM  
**To:** [JamesMeaney@lowerchurchillproject.ca](mailto:JamesMeaney@lowerchurchillproject.ca)  
**Cc:** Patrick Corser; Howard Lee  
**Subject:** Re: Issuance of IE Draw Confirmation Certificates

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Jim

Joe Adams our president is aware and concerned about the situation and wants to discuss this with you. Really this could have been resolved earlier but MWH were trying to accommodate your request to have Nik involved. Pat should be accessible tomorrow I think as he was travelling today but Joe can discuss this issue with you. If I can manage to get ahold of Nik to discuss this with him I can process the payments for MWH.

Sent from my iPhone

On May 19, 2015, at 9:14 PM, "[JamesMeaney@lowerchurchillproject.ca](mailto:JamesMeaney@lowerchurchillproject.ca)" <[JamesMeaney@lowerchurchillproject.ca](mailto:JamesMeaney@lowerchurchillproject.ca)> wrote:

Hi Derrick,

Thanks for the quick response on this. Hopefully we can figure out a longer term solution that works for everyone. With respect to your suggestion that Nik process the IE certificates this month, what needs to occur within MWH for that option to possibly move ahead? Is this something you have been given the authority to facilitate or should I be continuing to pursue this matter with Pat (who unfortunately has sporadic access)? As I noted below, folks are getting concerned about this and don't want to be in a situation where there is a last minute scramble or the release of funds gets held up. That would be very problematic.

Thanks,

Jim

Sent from my BlackBerry 10 smartphone on the Bell network.

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**From:** Derrick Penman  
**Sent:** Tuesday, May 19, 2015 10:29 PM  
**To:** [JamesMeaney@lowerchurchillproject.ca](mailto:JamesMeaney@lowerchurchillproject.ca)  
**Subject:** Re: Issuance of IE Draw Confirmation Certificates

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Jim

MWH were/are trying to negotiate a contract with Nik. I don't know what exactly the problem is with him but apparently he has not agreed with some of the terms, specifically I believe MWH's insistence that an MWH employee oversee to some extent the work so that we can assume the overall responsibility as a company which would seem reasonable as the contract is with MWH not Nik Argirov. The whole thing is bizarre to me. It is best for everyone that if there is a smooth transition of the work if he is not to be involved or if Nik is to be involved as previously then there must be transfer of information to someone else in MWH to cover the company but this seems to be a problem - never experienced this type of situation before with an employee leaving the company of his own free will and being retained on a project. I tried calling Nik today but couldn't get a hold of him. I suggest we have Nik process the Draw Confirmation Certificates this month as he holds the knowledge on the work to date and I will, with a proper handover of the work in the next month take over if he does not come to an agreement with MWH.

---

**From:** [JamesMeaney@lowerchurchillproject.ca](mailto:JamesMeaney@lowerchurchillproject.ca) <[JamesMeaney@lowerchurchillproject.ca](mailto:JamesMeaney@lowerchurchillproject.ca)>  
**Sent:** Tuesday, May 19, 2015 8:22 PM  
**To:** Derrick Penman  
**Subject:** Issuance of IE Draw Confirmation Certificates

Hi Derrick,

When I spoke to Pat earlier today he mentioned email/cell service where he was in Peru was somewhat sporadic, so not sure when he will receive this. Wondering if you can provide any insight as to how MWH plans to handle issuance of the IE certificates for May 25th.

Thanks,

Jim

Sent from my BlackBerry 10 smartphone on the Bell network.

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**From:** James Meaney <[JamesMeaney@lowerchurchillproject.ca](mailto:JamesMeaney@lowerchurchillproject.ca)>

**Sent:** Tuesday, May 19, 2015 5:40 PM

**To:** Patrick Corser

**Cc:** Manzer, Alison; Kapoor, Anoop; [GBennett@nalcenergy.com](mailto:GBennett@nalcenergy.com); Howard Lee; John Wood; SMITH, LOIS; [StevePellerin@lowerchurchillproject.ca](mailto:StevePellerin@lowerchurchillproject.ca); [smartis@fasken.com](mailto:smartis@fasken.com)

**Subject:** RE: Meeting on IE Services

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Hi Pat

Following our discussion this morning there's been a call with Nalcor, Canada and Emera to bring everyone up to speed. I let folks know you and I had spoke, you advised there is currently no contract in place with Nik, that you were going to contact him today, and that you'd report back to me shortly on how MWH will fulfill its obligations to deliver the IE certificates on May 25 in accordance with the requirements of the PFA's. I also corresponded with Nik today, as he was on the email below. He advised he no longer has access to MWH emails, files, etc and up to about an hour or so ago, he had not heard from you. As I'm sure you can appreciate, folks on the Nalcor, Emera and Canada sides are getting somewhat unsettled with respect to delivery of satisfactory IE certificates in a timely manner. I would greatly appreciate if you could advise this evening what MWH's plan is in this regard.

Thanks

Jim

James Meaney

General Manager Finance

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You owe it to yourself, and your family, to make it home safely every day.

What have you done today so that nobody gets hurt?

From: James Meaney/NLHydro

To: Patrick Corser <[Patrick.G.Corser@mwhglobal.com](mailto:Patrick.G.Corser@mwhglobal.com)>,

Cc: "Manzer, Alison" <[amanzer@casselsbrock.com](mailto:amanzer@casselsbrock.com)>, "Kapoor, Anoop" <[Anoop.Kapoor@nrcan-rncan.gc.ca](mailto:Anoop.Kapoor@nrcan-rncan.gc.ca)>, "GBennett@nalcoreenergy.com" <[GBennett@nalcoreenergy.com](mailto:GBennett@nalcoreenergy.com)>, Howard Lee <[Howard.E.Lee@mwhglobal.com](mailto:Howard.E.Lee@mwhglobal.com)>, John Wood <[John.D.Wood@mwhglobal.com](mailto:John.D.Wood@mwhglobal.com)>, "SMITH, LOIS" <[Lois.Smith@emera.com](mailto:Lois.Smith@emera.com)>, Nik Argirov <[n.argirov@](mailto:n.argirov@)>, "[PHarrington@lowerchurchillproject.ca](mailto:PHarrington@lowerchurchillproject.ca)" <[PHarrington@lowerchurchillproject.ca](mailto:PHarrington@lowerchurchillproject.ca)>, "JANEGA, RICHARD" <[RICHARD.JANEGA@emera.com](mailto:RICHARD.JANEGA@emera.com)>, "[StevePellerin@lowerchurchillproject.ca](mailto:StevePellerin@lowerchurchillproject.ca)" <[StevePellerin@lowerchurchillproject.ca](mailto:StevePellerin@lowerchurchillproject.ca)>

Date: 05/19/2015 12:15 PM

Subject: RE: Meeting on IE Services

Hi Pat

Appreciate you getting back to me on this. We should still have the group meet in person, but sounds like that will have to be early next week instead...perhaps Monday, May 25th?

In light of that, can you please confirm how MWH will be fulfilling its obligations under the IE contract to facilitate issuance of the Project

Finance Agreement (PFA) Draw Confirmation Certificates this month (ie. who is preparing them). Where the next semi-annual interest payment on the Canada guaranteed bonds is due June 1, the PFA reporting cycle for May is compressed and I believe MWH's IE certificates would also be due May 25th.

Thanks

Jim

James Meaney

General Manager Finance

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w. [muskratfalls.nalcoreenergy.com](http://muskratfalls.nalcoreenergy.com)

You owe it to yourself, and your family, to make it home safely every day.

What have you done today so that nobody gets hurt?

From: Patrick Corser <[Patrick.G.Corser@mwhglobal.com](mailto:Patrick.G.Corser@mwhglobal.com)>  
To: "[JamesMeaney@lowerchurchillproject.ca](mailto:JamesMeaney@lowerchurchillproject.ca)"  
<[JamesMeaney@lowerchurchillproject.ca](mailto:JamesMeaney@lowerchurchillproject.ca)>,  
Cc: "[GBennett@nalcoreenergy.com](mailto:GBennett@nalcoreenergy.com)" <[GBennett@nalcoreenergy.com](mailto:GBennett@nalcoreenergy.com)>,  
"[PHarrington@lowerchurchillproject.ca](mailto:PHarrington@lowerchurchillproject.ca)"  
<[PHarrington@lowerchurchillproject.ca](mailto:PHarrington@lowerchurchillproject.ca)>, "Manzer, Alison"  
<[amanzer@casselsbrock.com](mailto:amanzer@casselsbrock.com)>, "JANEGA, RICHARD"  
<[RICHARD.JANEGA@emera.com](mailto:RICHARD.JANEGA@emera.com)>, "Kapoor, Anoop"  
<[Anoop.Kapoor@nrca-nrcan.gc.ca](mailto:Anoop.Kapoor@nrca-nrcan.gc.ca)>, "SMITH, LOIS"  
<[Lois.Smith@emera.com](mailto:Lois.Smith@emera.com)>,  
"[StevePellerin@lowerchurchillproject.ca](mailto:StevePellerin@lowerchurchillproject.ca)"  
<[StevePellerin@lowerchurchillproject.ca](mailto:StevePellerin@lowerchurchillproject.ca)>, Nik Argirov  
<[n.argirov@lowerchurchillproject.ca](mailto:n.argirov@lowerchurchillproject.ca)> Howard Lee <[Howard.E.Lee@mwhglobal.com](mailto:Howard.E.Lee@mwhglobal.com)>,



John Wood <[John.D.Wood@mwhglobal.com](mailto:John.D.Wood@mwhglobal.com)>

Date: 05/18/2015 03:54 PM

Subject: RE: Meeting on IE Services

James,

Unfortunately, I am still in Peru and participating in a review board meeting. I return on Friday. I will be in the field or meetings and will not be able to participate by phone.

I can try to reach you via phone, but realize today is a holiday in Canada.

Regards,

Pat

From: [JamesMeaney@lowerchurchillproject.ca](mailto:JamesMeaney@lowerchurchillproject.ca) [  
<mailto:JamesMeaney@lowerchurchillproject.ca>]

Sent: Friday, May 15, 2015 1:00 PM

To: Patrick Corser

Cc: [GBennett@nalconenergy.com](mailto:GBennett@nalconenergy.com); [PHarrington@lowerchurchillproject.ca](mailto:PHarrington@lowerchurchillproject.ca);

Manzer, Alison; JANEGA, RICHARD; Kapoor, Anoop; SMITH, LOIS;

[StevePellerin@lowerchurchillproject.ca](mailto:StevePellerin@lowerchurchillproject.ca); Nik Argirov; Howard Lee; John Wood

Subject: Re: Meeting on IE Services

Hi Pat

Nalcor, Emera, Canada and Nik all confirmed for next Weds in Toronto.

Please advise.

Thanks

Jim

Sent from my BlackBerry 10 smartphone on the Bell network.

From: James Meaney

Sent: Friday, May 15, 2015 2:57 PM

To: Patrick Corser; Nikolay Argirov

Cc: Gilbert Bennett; Paul Harrington; Manzer, Alison; JANEGA, RICHARD;

Kapoor, Anoop; SMITH, LOIS; Steve Pellerin

Subject: Meeting on IE Services

Hello Pat & Nik,

We would like to meet with you both next week in person to discuss the ongoing provision of IE services. I am proposing we meet in Toronto where it is centrally located and there are frequent flights from both the east and west coast, as well as Ottawa. Wednesday seems to work best from the Nalcor and Emera side. Waiting for confirmation from Canada folks on that day. Can you please advise your availability for this meeting. I will follow up with more details on location, etc once we nail this down.

Thanks,

Jim

Sent from my BlackBerry 10 smartphone on the Bell network.