

From: [Hastie, Roderick](#)
To: Melissa.Houston@oag.ok.gov; [Sarah Lenti](#)
Cc: andrewpmiller@verizon.net; [Jonathan Foltz](#); kcarnec@gmu.edu; hnbutler@gmu.edu; [Hastie, Roderick](#)
Subject: RE: Draft Agenda for Federalism Summit - Confidential
Date: 10/26/2012 11:44 AM
Attachments: [LEC.OKC Summit on Federalism Agenda \(Draft 10 25 12\) \(3\).doc](#)

All:

It appears by innocent mistake Henry sent a redline version of his draft agenda. Since he is now on the road, I have taken the liberty of taking out the redlines and offer this clean version for your consideration. I note he has a slot for Patrick listed. Let me suggest this be confirmed or left as TBD.

I don't think this agenda needs to be part of the save-the-date notices which I believe are to go out this week. It can go out later with the actual invitations.

Thank you.

Rod

From: hnbutler@gmu.edu [<mailto:hnbutler@gmu.edu>]
Sent: Friday, October 26, 2012 11:37 AM
To: Melissa.Houston@oag.ok.gov
Cc: [Sarah Lenti](#); [Hastie, Roderick](#); andrewpmiller@verizon.net; hnbutler@gmu.edu; 'Jonathan Foltz'; kcarnec@gmu.edu
Subject: Draft Agenda for Federalism Summit

Melissa,

I hope the attached document reflects the spirit of our conversation on Wednesday. It is in Word so that you can edit at will.

I will be traveling to Kansas this afternoon but will be in touch via e-mail – provided I'm not flying or driving.

Thanks.

Best,

Henry

Henry N. Butler
George Mason University Foundation Professor of Law and
Executive Director, Law & Economics Center
George Mason University School of Law
3301 Fairfax Drive

Arlington, VA 22201
hnbutler@gmu.edu
703-993-8644
224-330-0540 (mobile)

From: Sarah Lenti
To: Hastie, Roderick
Cc: melissa.houston@oag.ok.gov; hnbutler@gmu.edu; andrewpmiller@verizon.net
Subject: Re: Briefs Filed by States - Confidential
Date: 10/24/2012 10:32 PM

Wonderful, Rod. Thank you so much.

Best to you all,

Sarah

On Wed, Oct 24, 2012 at 8:20 PM, Hastie, Roderick <rhastie@hunton.com> wrote:

Confidential

All:

I hope you think we made some progress on our call today.

Per Melissa's request to determine which Attorneys General to invite to the federalism summit, I am attaching selected briefs filed by Attorneys General where federalism and EPA overreach have been central issues. These are from the cases raised on our call today. Some of these cases have local governments and state agencies listed along with the AGs. For clarity, I list only those states where the AG's office and not another official such as the Governor is representing the State.

Attached:

1.) State and local petitioners' brief in *EME Homer City Generation v. EPA* filed 02/09/2012 before the United States Court of Appeals for the District of Columbia Circuit. This is the recent successful challenge to the Cross State Air Pollution Rule.

States: Alabama, Florida, Georgia, Indiana, Kansas, Louisiana, Michigan, Nebraska, Ohio, Oklahoma, South Carolina, Texas, Virginia, Wisconsin

2.) Amicus brief in *American Nurses Association v. Lisa Jackson* filed on October 10, 2011 in the United States District Court for the District of Columbia.

This brief supported the industry's motion to delay the mercury rule in this classic "sue and settle case". In this case EPA entered into a consent decree to promulgate a rule on Hazardous Air Pollutants which the states would have to implement. States were not a party to the case and the one year delay was denied. On February 16, 2012 EPA proceeded to issue the resulting rule known as the Mercury Air Toxics Standard (MATS) rule.

States: **Alabama, Alaska, Arkansas, Arizona, Colorado, Florida, Georgia, Indiana, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Nebraska, North Dakota, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, West Virginia, Wyoming**

3.) State and industry brief in *White Stallion Energy Center v. EPA* filed October 23, 2012 before the United States Court of Appeals for the District of Columbia Circuit.

This is the petitioners' brief challenging the MATS rule which came out of the *American Nurses'* settlement.

States: **Alabama, Alaska, Arizona, Arkansas, Florida, Idaho, Indiana, Kansas, Kentucky, Michigan, Mississippi, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Carolina, Texas, Utah, Virginia, West Virginia, Wyoming**

4.) Docket in *Farrell-Cooper Mining v DOI*. With respect to this case, it appears it's in the 10th Circuit and to date Oklahoma is the only state involved. I am attaching a copy of the 10th Circuit docket in this case. (Of course, this summit may help foster addition state support for Oklahoma's position in this matter.)

A review of which states joined these recent briefs shows the involvement of twenty eight Attorneys General from the following states:

Alabama, Alaska, Arizona, Arkansas, Colorado, Florida, Georgia, Idaho, Indiana, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, West Virginia, Wisconsin, Wyoming

These twenty eight should serve as the pool of Attorneys General for the summit invitation and the save-the-date notice. One could view these AGs as a joint defense team. A few of these AGs e.g., MS & TN, joined these briefs as they were directed to do so by their Governor. However, whatever the reason hopefully they will consider doing so again when federalism is at stake. The reason the remaining twenty two AGs would not be invited is for the simple reason they did not join these recent briefs defending federalism.

Pease let me know if you have any questions about these cases.

Thank you.

Rod Hastie

[Home](#) [VCard](#) [Bio](#)



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Washington, DC 20037
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Fax: [\(202\) 828-3715](tel:(202)828-3715)
www.hunton.com

--
Sarah Lenti
202-557-5461

From: [Hastie, Roderick](#)
To: melissa.houston@oag.ok.gov; sarah.lenti@gmail.com; hnbutler@gmu.edu; andrewpmiller@verizon.net
Cc: [Hastie, Roderick](#)
Subject: Briefs Filed by States - Confidential
Date: 10/24/2012 07:20 PM
Importance: High
Attachments: [Document\[1\].pdf](#)
[Amicus Brief-FINAL.PDF](#)
[BRIEF -- MATS CASE.PDF](#)
[Farrell-Cooper Mining v. DOI \(10th circuit docket\).pdf](#)

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Pease let me know if you have any questions about these cases.

Thank you.

Rod Hastie

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	Roderick Hastie Sr Director Governmental Relations rhastie@hunton.com		
	Hunton & Williams LLP 2200 Pennsylvania Ave. NW Washington, DC 20037 Phone: (202) 955-1937 Fax: (202) 828-3715 www.hunton.com		

From: Melissa.Houston@oag.ok.gov
To: rhastie@hunton.com
Subject: Accepted: Summit Conf Call
Date: 10/24/2012 09:56 AM
Attachments: [c095641.lcs](#)

Description

From: [Hastie, Roderick](#)
To: Melissa.Houston@oag.ok.gov
Subject: RE: *Confidential: Re: Re: Phone Call - Confidential
Date: 10/24/2012 09:45 AM

Ok. Since Sarah can do something after 2:00 EDT then I just sent a note seeing if we could convene at 3 EDT / 2 CDT.

Thanks.

Rod

From: Melissa.Houston@oag.ok.gov [mailto:Melissa.Houston@oag.ok.gov]
Sent: Wednesday, October 24, 2012 10:23 AM
To: Hastie, Roderick
Subject: *Confidential: Re: Re: Phone Call - Confidential

Sounds good. Sarah is going to be helping us out a bit, so it would be with our organizations.

Melissa McLawhorn Houston
Chief of Staff
Assistant Attorney General
Oklahoma Attorney General E. Scott Pruitt
313 NE 21st Street
Oklahoma City, OK 73105
Phone (405) 522-4422
melissa.houston@oag.ok.gov

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From: "Hastie, Roderick" <rhastie@hunton.com>
To: <Melissa.Houston@oag.ok.gov>,
Date: 10/24/2012 07:59 AM
Subject: Re: *Confidential: Re: Phone Call - Confidential

Melissa:

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Thanks.

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From: Melissa.Houston@oag.ok.gov [<mailto:Melissa.Houston@oag.ok.gov>]
Sent: Wednesday, October 24, 2012 06:20 AM
To: Hastie, Roderick; hnbutler <hnbutler@gmu.edu>
Cc: Sarah Lenti - personal <sarah.lenti@gmail.com>
Subject: Re: *Confidential: Re: Phone Call - Confidential

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To: <hnbutler@gmu.edu>; Melissa McLawhorn Houston
Subject: RE: *Confidential: Re: Phone Call - Confidential

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Thanks.

Rod

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Sent: Tuesday, October 23, 2012 12:39 PM
To: Hastie, Roderick; Melissa.Houston@oag.ok.gov
Subject: RE: *Confidential: Re: Phone Call - Confidential

I need a specific time, as I will be at a conference but I will find a way to be available.

Thanks.

Henry

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224-330-0540 (mobile)

From: Hastie, Roderick [<mailto:rhastie@hunton.com>]
Sent: Tuesday, October 23, 2012 12:31 PM
To: Melissa.Houston@oag.ok.gov
Cc: hnbutler@gmu.edu

Subject: RE: *Confidential: Re: Phone Call - Confidential

Melissa:

Thanks. That works for me. Let me see about Henry's schedule.

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From: Melissa.Houston@oag.ok.gov [mailto:Melissa.Houston@oag.ok.gov]

Sent: Tuesday, October 23, 2012 12:28 PM

To: Hastie, Roderick

Cc: hnbutter@gmu.edu

Subject: *Confidential: Re: Phone Call - Confidential

I am out of the office most of today with the AG. Would be available tomorrow afternoon if that works for you?

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To: <melissa.houston@oag.ok.gov>,
Cc: <hnbutter@gmu.edu>
Date: 10/23/2012 09:31 AM
Subject: Phone Call - Confidential

Confidential

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Good morning.

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up on last week's conference call and other matters relating to the summit. If this is possible, please let me know of some time slots. If not, let me know about tomorrow.

Right now we are in a holding pattern with respect to sponsors funding the summit and hope we could move forward soon.

Thank you.

Rod

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From: [Hastie, Roderick](#)
To: hnbutler@gmu.edu; melissa.houston@oag.ok.gov; Sarah Lenti
Subject: Summit Conf Call
Date: 10/24/2012 09:43 AM

Let's convene at 3:00 EDT / 2:00 CDT.

On the call we can review:

1. Status of the save-the-date letter
2. Agenda
3. Possible Keynote speaker?

Call in number 877-294-8214 Code 9551937

From: [Melissa Houston](#)
To: [Hastie, Roderick](#)
Subject: *Confidential: Re: Re: Phone Call - Confidential
Date: 10/24/2012 09:23 AM

Sounds good. Sarah is going to be helping us out a bit, so it would be with our organizations.

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Thanks.

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Cc: Sarah Lenti - personal <sarah.lenti@gmail.com>
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Sent: 10/23/2012 12:44 PM AST
To: <hnbutler@gmu.edu>; Melissa McLawhorn Houston
Subject: RE: *Confidential: Re: Phone Call - Confidential

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Thanks.

Henry

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**HUNTON &
WILLIAMS**

Roderick Hastie

Sr Director Governmental Relations
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From: [Henry N. Butler](mailto:Henry.N.Butler)
Reply To: hnbutler@gmu.edu
To: Melissa.Houston@oag.ok.gov; [Roderick B. Hastie](mailto:Roderick.B.Hastie)
Cc: [Sarah Lenti - personal](mailto:Sarah.Lenti-personal)
Subject: Re: *Confidential: Re: Phone Call - Confidential
Date: 10/24/2012 05:46 AM

Later works for me. Thanks.
Henry N. Butler
Executive Director, Law and Economics Center
George Mason University School of Law
hnbutler@gmu.edu
703-993-8644
224-330-0540 (mobile)

From: Melissa.Houston@oag.ok.gov
Date: Wed, 24 Oct 2012 05:20:12 -0500
To: [Roderick Hastie<rhastie@hunton.com>](mailto:Roderick.Hastie@hunton.com); [hnbutler<hnbutler@gmu.edu>](mailto:hnbutler@gmu.edu)
Cc: [Sarah Lenti - personal<sarah.lenti@gmail.com>](mailto:Sarah.Lenti-personal)
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[Home](#) | [VCard](#) | [Bio](#)

	Roderick Hastie Sr Director Governmental Relations rhastie@hunton.com
	Hunton & Williams LLP 2200 Pennsylvania Ave. NW Washington, DC 20037 Phone: (202) 955-1937 Fax: (202) 828-3715 www.hunton.com

From: Melissa.Houston@oag.ok.gov
To: [Roderick Hastie](#); [hnbutler](#)
Cc: [Sarah Lenti - personal](#)
Subject: Re: *Confidential: Re: Phone Call - Confidential
Date: 10/24/2012 05:20 AM

I would like to include Sarah in the call and she unavailable at that time. Could we move it to later in the day? I know Henry is in a conference - so maybe the end of the day? I'm open then.

From: "Hastie, Roderick" [rhastie@hunton.com]
Sent: 10/23/2012 12:44 PM AST
To: <hnbutler@gmu.edu>; Melissa McLawhorn Houston
Subject: RE: *Confidential: Re: Phone Call - Confidential

Then let's pick tomorrow afternoon at 2 PM EDT / 1 PM CDT. I will send out the call in number.

Thanks.

Rod

From: hnbutler@gmu.edu [<mailto:hnbutler@gmu.edu>]
Sent: Tuesday, October 23, 2012 12:39 PM
To: Hastie, Roderick; Melissa.Houston@oag.ok.gov
Subject: RE: *Confidential: Re: Phone Call - Confidential

I need a specific time, as I will be at a conference but I will find a way to be available.

Thanks.

Henry

Henry N. Butler
George Mason University Foundation Professor of Law and
Executive Director, Law & Economics Center
George Mason University School of Law
3301 Fairfax Drive
Arlington, VA 22201
hnbutler@gmu.edu
703-993-8644
224-330-0540 (mobile)

From: Hastie, Roderick [<mailto:rhastie@hunton.com>]
Sent: Tuesday, October 23, 2012 12:31 PM
To: Melissa.Houston@oag.ok.gov

Cc: hnbutter@gmu.edu
Subject: RE: *Confidential: Re: Phone Call - Confidential

Melissa:

Thanks. That works for me. Let me see about Henry's schedule.

Rod

From: Melissa.Houston@oag.ok.gov [<mailto:Melissa.Houston@oag.ok.gov>]
Sent: Tuesday, October 23, 2012 12:28 PM
To: Hastie, Roderick
Cc: hnbutter@gmu.edu
Subject: *Confidential: Re: Phone Call - Confidential

I am out of the office most of today with the AG. Would be available tomorrow afternoon if that works for you?

Melissa McLawhorn Houston
Chief of Staff
Assistant Attorney General
Oklahoma Attorney General E. Scott Pruitt
313 NE 21st Street
Oklahoma City, OK 73105
Phone (405) 522-4422
melissa.houston@oag.ok.gov

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From: "Hastie, Roderick" <rhastie@hunton.com>
To: <melissa.houston@oag.ok.gov>,
Cc: <hnbutter@gmu.edu>
Date: 10/23/2012 09:31 AM
Subject: Phone Call - Confidential

Confidential

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up on last week's conference call and other matters relating to the summit. If this is possible, please let me know of some time slots. If not, let me know about tomorrow. Right now we are in a holding pattern with respect to sponsors funding the summit and hope we could move forward soon.

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---	--

From: [Hastie, Roderick](#)
To: hnbutler@gmu.edu; melissa.houston@oag.ok.gov
Subject: Summit Conf Call
Date: 10/23/2012 01:08 PM

Call in number 877-294-8214 Code 9551937

From: [Hastie, Roderick](mailto:Hastie.Roderick)
To: Melissa.Houston@oag.ok.gov
Subject: Re: *Confidential: Re: Phone Call - Confidential
Date: 10/24/2012 07:59 AM

Melissa:

Sure. I'll send out another notice to all for later at 4:30 EDT - 3:30 CDT. Could you remind me again for which group Sarah currently works?

Thanks.

Rod

From: Melissa.Houston@oag.ok.gov [mailto:Melissa.Houston@oag.ok.gov]
Sent: Wednesday, October 24, 2012 06:20 AM
To: Hastie, Roderick; [hnbutler <hnbutler@gmu.edu>](mailto:hnbutler@gmu.edu)
Cc: Sarah Lenti - personal <sarah.lenti@gmail.com>
Subject: Re: *Confidential: Re: Phone Call - Confidential

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Sent: 10/23/2012 12:44 PM AST
To: <hnbutler@gmu.edu>; Melissa McLawhorn Houston
Subject: RE: *Confidential: Re: Phone Call - Confidential

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hnbutler@gmu.edu
703-993-8644
224-330-0540 (mobile)

From: Hastie, Roderick [<mailto:rhastie@hunton.com>]
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To: Melissa.Houston@oag.ok.gov
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Date: 10/23/2012 09:31 AM
Subject: Phone Call - Confidential

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224-330-0540 (mobile)

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---	--

From: [Henry N. Butler](mailto:Henry.N.Butler)
Reply To: hnbutler@gmu.edu
To: Melissa.Houston@oag.ok.gov; [Roderick B. Hastie](mailto:Roderick.B.Hastie)
Cc: [Sarah Lenti - personal](mailto:Sarah.Lenti-personal)
Subject: Re: *Confidential: Re: Phone Call - Confidential
Date: 10/24/2012 05:46 AM

Later works for me. Thanks.
Henry N. Butler
Executive Director, Law and Economics Center
George Mason University School of Law
hnbutler@gmu.edu
703-993-8644
224-330-0540 (mobile)

From: Melissa.Houston@oag.ok.gov
Date: Wed, 24 Oct 2012 05:20:12 -0500
To: [Roderick Hastie<rhastie@hunton.com>](mailto:Roderick.Hastie@hunton.com); [hnbutler<hnbutler@gmu.edu>](mailto:hnbutler@gmu.edu)
Cc: [Sarah Lenti - personal<sarah.lenti@gmail.com>](mailto:Sarah.Lenti-personal)
Subject: Re: *Confidential: Re: Phone Call - Confidential

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To: hnbutler@gmu.edu; [Melissa McLawnhorn Houston](mailto:Melissa.McLawnhorn.Houston)
Subject: RE: *Confidential: Re: Phone Call - Confidential

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Sent: Tuesday, October 23, 2012 12:28 PM
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Cc: hnutler@gmu.edu
Subject: *Confidential: Re: Phone Call - Confidential

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To: <melissa.houston@oag.ok.gov> ,

Cc: <hnbutler@gmu.edu>
Date: 10/23/2012 09:31 AM
Subject: Phone Call - Confidential

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	Hunton & Williams LLP 2200 Pennsylvania Ave. NW Washington, DC 20037 Phone: (202) 955-1937 Fax: (202) 828-3715 www.hunton.com

From: [Melissa Houston](#)
To: [Hastie, Roderick](#)
Cc: hnbutler@gmu.edu
Subject: *Confidential: Re: Phone Call - Confidential
Date: 10/23/2012 11:28 AM

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Melissa McLawhorn Houston
Chief of Staff
Assistant Attorney General
Oklahoma Attorney General E. Scott Pruitt
313 NE 21st Street
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To: <melissa.houston@oag.ok.gov>,
Cc: <hnbutler@gmu.edu>
Date: 10/23/2012 09:31 AM
Subject: Phone Call - Confidential

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---	--

From: [Hastie, Roderick](#)
To: melissa.houston@oag.ok.gov
Cc: hnbutler@gmu.edu
Subject: Phone Call - Confidential
Date: 10/23/2012 09:30 AM
Importance: High

Confidential

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	Hunton & Williams LLP 2200 Pennsylvania Ave. NW Washington, DC 20037 Phone: (202) 955-1937 Fax: (202) 828-3715 www.hunton.com		

From: [Hastie, Roderick](#)
To: Patrick.Wyrick@oag.ok.gov
Cc: hnbutler@gmu.edu; melissa.houston@oag.ok.gov
Subject: RE: Your VM
Date: 10/22/2012 03:54 PM

Patrick:

Great. We also have left her a voicemail so I am sure will connect with her soon.

Thank you.

Rod Hastie

From: Patrick.Wyrick@oag.ok.gov [mailto:Patrick.Wyrick@oag.ok.gov]
Sent: Monday, October 22, 2012 3:53 PM
To: Hastie, Roderick
Subject: Your VM

I just received your vm. Melissa is handling all coordination on our end at this point, so please contact her and she can get you the answers you need.

Patrick R. Wyrick
Solicitor General
Oklahoma Office of the Attorney General
patrick.wyrick@oag.ok.gov
Office:405.522.4448
Cell: 405.821.4062
313 NE 21st Street, Oklahoma City, OK 73105

From: [Patrick Wyrick](#)
To: rhastie@hunton.com
Subject: Your VM
Date: 10/22/2012 02:52 PM

I just received your vm. Melissa is handling all coordination on our end at this point, so please contact her and she can get you the answers you need.

Patrick R. Wyrick
Solicitor General
Oklahoma Office of the Attorney General
patrick.wyrick@oag.ok.gov
Office: 405.522.4448
Cell: 405.821.4062
313 NE 21st Street, Oklahoma City, OK 73105

From: andrewpmiller@verizon.net
To: hnbutter@gmu.edu; rhastie@hunton.com; Melissa.houston@oag.ok.gov; Patrick.wyrick@oag.ok.gov
Subject: Summit on Federalism – Energy and Natural Resources
Date: 10/19/2012 07:54 AM

The following is a list of questions which might be addressed in the Summit's afternoon session titled: "Convocation – Implementing Mechanics." I am sure there are questions which should be added to this list. Also the order in which the questions are addressed may require adjustment. Once the list has been finalized, it should serve as the guide for Jonathan Adler in his facilitation of the discussion among the Attorneys General and deputies.

1. How many States, represented in this room, have taken the lead in the past three years, or are now taking the lead or are contemplating taking the lead, in the preparation and filing of multi-state Comments attacking EPA's overreach on federalism grounds?
2. How many States during the period cited, have prepared and filed, or are now in the process of filing, or are contemplating preparing and filing, similar Comments on their own?
3. How many States in the past three years have been or are currently in litigation, or are contemplating litigation, on their own or with others, over issues of EPA's overreach on federalism grounds?
4. When your State has sought the assistance of other States, how have you gone about seeking help? Directly? Through NAAG? Both?
5. How would you rate your success in obtaining the sought for assistance? Do you believe the process could be improved so as to increase the number of States participating so as to advance your State's interests?
6. What do you think of establishing a process for solicitation of state assistance under the umbrella of an informal coalition called "American States United" ("ASU")?
7. Would it be useful for ASU to designate an Executive Director who could receive requests for help from ASU member States, by way of Comments, intervention or amicus filing, and communicate such requests to all other member States?
8. How should the ASU's Executive Director be chosen? Should this not be accomplished through consultation among, and majority vote of, the Attorneys General of ASU member States?
9. Should a job description for the Executive Director be prepared by a volunteer AG's office, represented in the room, and circulated for approval by the AG's of ASU member States? Is there an AG willing to undertake this task?
10. Since a joint effort requires a lead State, how should such leads be selected? Should not the Executive Director at the request of an ASU member State set up a conference call of all member States, and have those States on the call, with an interest in the subject matter, choose a lead by majority vote?
11. What other steps designed to strengthen the state forces of federalism do you suggest?

I propose that these questions be circulated to the AG's present prior to the Convocation –

Implementing Mechanics session so that each AG would assume some responsibility for responding to one or more of them. For example, if General Pruitt wishes Clayton Eubanks to be the ASU's Executive Director, the General might offer his services in that role and General Conway could then second the idea. This session should last only as long as necessary to establish ASU's protocol for response whenever there may arise an issue of EPA's overreach on federalism grounds.

Andy

Andrew P Miller

1503 35th St. NW

Washington, DC 20007

202-337-1726

andrewpmiller@verizon.net

From: [Hastie, Roderick](#)
To: melissa.houston@oag.ok.gov
Cc: Patrick.Wyrick@oag.ok.gov
Subject: Conference Call
Date: 10/18/2012 09:05 AM
Importance: High

Melissa:

Are you joining? We are on the call.

Thanks.

Call in number 877-294-8214 Code 9551937

[Home](#) [VCard](#) [Bio](#)

	Roderick Hastie Sr Director Governmental Relations rhastie@hunton.com
	Hunton & Williams LLP 2200 Pennsylvania Ave. NW Washington, DC 20037 Phone: (202) 955-1937 Fax: (202) 828-3715 www.hunton.com

From: [Hastie, Roderick](#)
To: [Henry N. Butler](#); melissa.houston@oag.ok.gov; andrewpmiller@verizon.net
Cc: jfoltz3@gmu.edu; kcarnec@gmu.edu
Subject: RE: Federalism Summit Planning Call - Confidential
Date: 10/18/2012 08:59 AM

That will be nice. Talk to you in a few minutes.

Rod

From: Henry N. Butler [<mailto:henrynbutler@gmail.com>]
Sent: Thursday, October 18, 2012 8:44 AM
To: Hastie, Roderick; melissa.houston@oag.ok.gov; Patrick.Wyrick@oag.ok.gov; andrewpmiller@verizon.net
Cc: jfoltz3@gmu.edu; kcarnec@gmu.edu
Subject: RE: Federalism Summit Planning Call - Confidential

I am looking forward to our call this morning. Jon Foltz, Manager of the Mason Attorneys General Education Program, will be joining us on the call.

We have acceptable proposals from both the Skirvin and Renaissance hotels.

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henrynbutler@gmail.com (personal)

From: Hastie, Roderick [<mailto:rhastie@hunton.com>]
Sent: Monday, October 15, 2012 5:45 PM
To: melissa.houston@oag.ok.gov; Patrick.Wyrick@oag.ok.gov; hnbutler@gmu.edu; andrewpmiller@verizon.net
Subject: Federalism Summit Planning Call - Confidential

Confidential

I propose we hold our next planning conference call this Thursday morning at 10:00 AM EDT / 9:00 AM CDT.

On last week's call, we finalized the date of December 4th for the summit with a dinner the night before on the 3rd. We also discussed sending out a Save-the-Date notice for which I have provided suggested language. Henry's team is working on securing a location.

For this call, I think we can start to finalize the format and discuss ways to ensure the invited AGs attend. Please let me know of other items we need to cover on this call.

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Thank you.

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Hunton & Williams

202-955-1937

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To: 'Hastie, Roderick'; melissa.houston@oag.ok.gov; Patrick.Wyrick@oag.ok.gov; andrewpmiller@verizon.net
Cc: jfoltz3@gmu.edu; kczarnec@gmu.edu
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202-955-1937

From: [Patrick Wyrick](#)
To: [Hastie, Roderick](#)
Subject: *Confidential: RE: Declined: Invitation: Federalism Summit Planning Call - Confidential (Oct 18 10:00 AM EDT)
Date: 10/16/2012 02:28 PM

Based on what I've seen, we're on the right track.

Patrick R. Wyrick
Solicitor General
Oklahoma Office of the Attorney General
patrick.wyrick@oag.ok.gov
Office: 405.522.4448
Cell: 405.821.4062
313 NE 21st Street, Oklahoma City, OK 73105

From: "Hastie, Roderick" <rhastie@hunton.com>
To: <Patrick.Wyrick@oag.ok.gov>
Date: 10/16/2012 09:11 AM
Subject: RE: Declined: Invitation: Federalism Summit Planning Call - Confidential (Oct 18 10:00 AM EDT)

Patrick:

Okay, we will proceed and can catch up with you next week. However, I would like to know if General Pruitt believes this is being planned to reflect his wishes on both the federalism theme and limiting the invite to only those AGs who have joined with him and others in advocating for more federalism in the recent energy court cases. Your thoughts would be useful as you were there at our initial meeting in DC.

Thanks.

Rod

From: Patrick.Wyrick@oag.ok.gov [<mailto:Patrick.Wyrick@oag.ok.gov>]
Sent: Tuesday, October 16, 2012 10:06 AM
To: Hastie, Roderick
Subject: Re: Declined: Invitation: Federalism Summit Planning Call - Confidential (Oct 18 10:00 AM EDT)

I'm out of the office until Monday.

Patrick R. Wyrick
405.821.4062
patrickwyrick@gmail.com

On Oct 16, 2012, at 8:50 AM, "Hastie, Roderick" <rhastie@hunton.com> wrote:

Patrick:

Is there are better time for you?

Thanks.

Rod

From: Patrick.Wyrick@oag.ok.gov [<mailto:Patrick.Wyrick@oag.ok.gov>]

Sent: Monday, October 15, 2012 5:57 PM

To: Hastie, Roderick

Subject: Declined: Invitation: Federalism Summit Planning Call - Confidential (Oct 18 10:00 AM EDT)

From: andrewpmiller@verizon.net
To: hnbutler@gmu.edu; rhastie@hunton.com; Melissa.houston@oag.ok.gov; Patrick.wyrick@oag.ok.gov
Subject: Summit on Federalism – Energy and Natural Resources
Date: 10/16/2012 11:09 AM

In preparation for our conference call on Thursday, I thought it might be useful to sketch out an agenda for December 4th off of which all of us could work. Obviously, it will require fine tuning but I trust its structure is one on which we can reach agreement. I also hope we can agree on who should be the speaker at the dinner on December 3rd. My concept of the agenda is as follows:

8:00 – 8:45 A. M.	Buffet Breakfast
8:45 – 9:00 A. M.	Introductory Remarks
	General Scott Pruitt
	General Jack Conway
9:00 – 10:15 A.M.	Case Studies
	Keystone
	Arch Coal
	Pebble Management
	(ANGA)
	(API)
	Southern Company
10:15 – 10:30 A.M.	Break
10:30 – 11:30 A.M.	Regulatory Challenges: EXISTING AND PROSPECTIVE (Brownell?)
11:30 A.M. – 12:30 P.M.	Litigation: FILED AND PROBABLE (Rivkin)
12:30 – 12:45 P.M.	Break
12:45 – 1:45 P.M.	Luncheon Roundtable
1:45 – 3:00 P.M.	Convocation – SETTING PRIORITIES(Adler)
3:00 – 3:15 P.M.	Break
3:15 – 4:30 P.M.	Convocation – IMPLEMENTING MECHANICS (Adler)
4:30 – 5:00 P.M.	Summation and Adjournment General Jack Conway General Scott Pruitt

An issue which I would appreciate all of us thinking about is whether from 2:00 P.M. – 5:00 P.M. non-governmental guests should remain in the room. Some AG's might not want them to be there when state legal strategy is discussed. On the other hand, the purpose of the Summit is to develop a strategy to be deployed by States which agree with industry on a specific issue(s), in other words when by definition there is no conflict. A possible solution would be to have non-governmental guests stay in the room after 2:00 P.M but without the right to participate in the discussion amongst the AG's and deputies, unless so invited to do so on a specific topic by an AG.

Andy

Andrew P. Miller
1503 35th St. NW
Washington, DC 20007
202-337-1726
andrewpmiller@verizon.net

From: [Hastie, Roderick](#)
To: Patrick.Wyrick@oag.ok.gov
Subject: RE: Declined: Invitation: Federalism Summit Planning Call - Confidential (Oct 18 10:00 AM EDT)
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To: Patrick.Wyrick@oag.ok.gov
Subject: RE: Declined: Invitation: Federalism Summit Planning Call - Confidential (Oct 18 10:00 AM EDT)
Date: 10/16/2012 08:49 AM

Patrick:

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Thanks.

Rod

From: Patrick.Wyrick@oag.ok.gov [mailto:Patrick.Wyrick@oag.ok.gov]
Sent: Monday, October 15, 2012 5:57 PM
To: Hastie, Roderick
Subject: Declined: Invitation: Federalism Summit Planning Call - Confidential (Oct 18 10:00 AM EDT)

From: [Patrick Wyrick](#)
To: rhastie@hunton.com
Subject: Declined: Invitation: Federalism Summit Planning Call - Confidential (Oct 18 10:00 AM EDT)
Date: 10/15/2012 04:56 PM
Attachments: [meeting.ics](#)

From: [Hastie, Roderick](#)
To: melissa.houston@oag.ok.gov; Patrick.Wyrick@oag.ok.gov; hnbutter@gmu.edu; andrewpmiller@verizon.net
Subject: Federalism Summit Planning Call - Confidential
Date: 10/15/2012 04:45 PM

Confidential

I propose we hold our next planning conference call this Thursday morning at 10:00 AM EDT / 9:00 AM CDT.

On last week's call, we finalized the date of December 4th for the summit with a dinner the night before on the 3rd. We also discussed sending out a Save-the-Date notice for which I have provided suggested language. Henry's team is working on securing a location.

For this call, I think we can start to finalize the format and discuss ways to ensure the invited AGs attend. Please let me know of other items we need to cover on this call.

Call in number 877-294-8214 Code 9551937

Thank you.

Rod Hastie

Hunton & Williams

202-955-1937

From: [Hastie, Roderick](#)
To: melissa.houston@oag.ok.gov
Cc: Patrick.Wyrick@oag.ok.gov; andrewpmiller@verizon.net
Subject: Draft Save-the-Date Notice
Date: 10/15/2012 10:47 AM
Attachments: [Save-the-Date.docx](#)

Confidential:

Melissa:

On our call last week, I promised to provide you draft language for a save-the-date notice which General Pruitt can send tomorrow to the selected AGs. I am attaching this language in a word document.

We also discussed which AGs to invite to the summit. Below, is a list of those AGs who have participated or are currently participating in litigation where the States have argued for a more robust role for federalism before the DC Circuit Court of Appeals in environmental cases. These have been done either as amici or as intervenors in cases over EPA rules such as MATS, Green House Gas Tailoring Rule, and the Cross State Air Pollution Rule. I don't believe I have left anyone off this list. The majority of AGs not on this list have participated in these cases on the other side arguing for a stronger role for the Federal government or have remained on the sidelines.

Below, is the list of States where the AGs has engaged in these cases supporting Federalism.

AL, AK, AZ, AR, CO, FL, GA, ID, IN, KS, KY, LA, MI, NE, ND, OH, SC, SD, TX, UT, VA, WI, WY

Please let me know if you have any questions. I will also send out a confrence call notice for our call this Thursday.

Thank you.

Rod

	Home VCard Bio
	<p>Roderick Hastie Sr Director Governmental Relations rhastie@hunton.com</p> <p>Hunton & Williams LLP 2200 Pennsylvania Ave. NW Washington, DC 20037 Phone: (202) 955-1937 Fax: (202) 828-3715 www.hunton.com</p>

From: [Melissa Houston](mailto:Melissa.Houston)
To: rhastie@hunton.com
Subject: Accepted: Summit Planning Call
Date: 10/05/2012 03:02 PM

BEGIN:VCALENDAR X-LOTUS-CHARSET:UTF-8 VERSION:2.0 PRODID:--/Lotus Development Corporation//NONSGML Notes 8.5.3//EN_C
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RRULE:FREQ=YEARLY;BYMINUTE=0;BYHOUR=2;BYDAY=1SU;BYMONTH=11 END:STANDARD BEGIN:DAYLIGHT DTSTART:19500312T020000
TZOFFSETFROM:-0500 TZOFFSETTO:-0400 RRULE:FREQ=YEARLY;BYMINUTE=0;BYHOUR=2;BYDAY=2SU;BYMONTH=3 END:DAYLIGHT
END:VTIMEZONE BEGIN:VEVENT DTSTART;TZID="Eastern":20121011T160000 DTEND;TZID="Eastern":20121011T170000 TRANSP:OPAQUE
DTSTAMP:20121005T200224Z SEQUENCE:0 ATTACH:CID:FFFF_09BBF01DDFFD95F88f9e8a93df938690918c09B@
ATTENDEE;PARTSTAT=ACCEPTED;CN="Melissa Houston/OAG";RSVP=FALSE;mailto:Melissa.Houston@oag.ok.gov CLASS:PUBLIC
SUMMARY:Summit Planning Call ORGANIZER;CN="Hastie, Roderick";mailto:rhastie@hunton.com
UID:040000008200E00074C5B7101A82E0080000000205C95E504A3CD010000000000000010000000A2B5361E18983143B53F9751BAE4BFF4
X-LOTUS-UPDATE-SEQ:1 X-LOTUS-NOTESVERSION:2 X-LOTUS-NOTICETYPE:A X-LOTUS-APPTTYPE:3 X-LOTUS-CHILD-
UID:69695DB49129960086257A8E006E1368 END:VEVENT END:VCALENDAR

From: [Melissa Houston](mailto:Melissa.Houston)
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Date: 10/05/2012 03:02 PM

BEGIN:VCALENDAR X-LOTUS-CHARSET:UTF-8 VERSION:2.0 PRODID:--/Lotus Development Corporation//NONSGML Notes 8.5.3//EN_C
METHOD:REPLY BEGIN:VTIMEZONE TZID:Eastern BEGIN:STANDARD DTSTART:19501105T020000 TZOFFSETFROM:-0400 TZOFFSETTO:-0500
RRULE:FREQ=YEARLY;BYMINUTE=0;BYHOUR=2;BYDAY=1SU;BYMONTH=11 END:STANDARD BEGIN:DAYLIGHT DTSTART:19500312T020000
TZOFFSETFROM:-0500 TZOFFSETTO:-0400 RRULE:FREQ=YEARLY;BYMINUTE=0;BYHOUR=2;BYDAY=2SU;BYMONTH=3 END:DAYLIGHT
END:VTIMEZONE BEGIN:VEVENT DTSTART;TZID="Eastern":20121011T160000 DTEND;TZID="Eastern":20121011T170000 TRANSP:OPAQUE
DTSTAMP:20121005T200209Z SEQUENCE:0 ATTACH:CID:FFFF_09BBF01DDFFD8A668f9e8a93df938690918c09B@
ATTENDEE;PARTSTAT=ACCEPTED;CN="Melissa Houston/OAG";RSVP=FALSE;mailto:Melissa.Houston@oag.ok.gov CLASS:PUBLIC
SUMMARY:Summit Planning Call ORGANIZER;CN="Hastie, Roderick";mailto:rhastie@hunton.com
UID:040000008200E00074C5B7101A82E0080000000205C95E504A3CD010000000000000010000000A2B5361E18983143B53F9751BAE4BFF4
X-LOTUS-UPDATE-SEQ:1 X-LOTUS-NOTESVERSION:2 X-LOTUS-NOTICETYPE:A X-LOTUS-APPTTYPE:3 X-LOTUS-CHILD-
UID:9FA983C3EF30439486257A8E006E0CF6 END:VEVENT END:VCALENDAR

From: [Patrick Wyrick](#)
To: rhastie@hunton.com
Subject: Accepted: Invitation: Summit Planning Call (Oct 11 04:00 PM EDT)
Date: 10/05/2012 01:47 PM
Attachments: [meeting.ics](#)

From: [Hastie, Roderick](#)
To: melissa.houston@oag.ok.gov; Patrick.Wyrick@oag.ok.gov; hnbutter@gmu.edu; andrewpmiller@verizon.net
Subject: Summit Planning Call
Date: 10/05/2012 01:46 PM

Our next planning call is Thursday, October 11 at 4:00 PM EDT / 3:00 PM CDT.
(Melissa and Patrick I do not have Clayton's email so please forward this notice to him.)

Call-in number **877-294-8214** Passcode **9551937**

On yesterday's call we selected the summit date as Tuesday, December 4. The evening before there will be a dinner gathering. Henry is developing a budget. Henry is also looking at possible locations with suggestions from General Pruitt's team.

Next we will need to focus on the list of the speakers, facilitators, and invitees. In addition, we need to focus on when invitations and save-the-date notices should go out. (I am sure I have missed something.)

Thank you and have a nice weekend.

Rod

From: Melissa.Houston@oag.ok.gov
To: rhastie@hunton.com
Subject: Accepted: Energy AG Meeting Planning Call - Change of Time
Date: 10/03/2012 09:59 AM
Attachments: [c095959.ics](#)

Description

From: [Hastie, Roderick](#)
To: Melissa.Houston@oag.ok.gov; andrewpmiller@verizon.net; hnbutter@gmu.edu; patrick.wyrick@oag.ok.gov;
Subject: Energy AG Meeting Planning Call - Change of Time
Date: 10/03/2012 09:44 AM

Confidential

I would like to propose we hold another planning conference call tomorrow morning at 10:30 AM EDT / 9:30 AM CDT.

On last week's call, we picked the date as November 15. We also reviewed the format. Pat asked for a list of Federalism ideas to use as a guide which I circulated last week. Amongst other items, I suggest we now focus on the venue and when and how to send out invite notices. Please let me know of other things we need to cover on this call.

Call in number 877-294-8214 Code 9551937

Thank you.

Rod Hastie

Hunton & Williams

202-955-1937

From: [Melissa Houston](#)
To: [Roderick Hastie](#); [hnbutler](#); [andrewpmiller](#)
Cc: [Patrick Wyrick](#)
Subject: Re: Conference Call
Date: 10/03/2012 08:59 AM

I'm wide open tomorrow morning. Woks for me. Thanks!

From: "Hastie, Roderick" [rhastie@hunton.com]
Sent: 10/03/2012 09:35 AM AST
To: Melissa McLawhorn Houston; <hnbutler@gmu.edu>; <andrewpmiller@verizon.net>
Cc: Patrick Wyrick
Subject: Re: Conference Call

Confidential

Okay. Let me now propose a call tomorrow at 10:30 AM EDT / 9:30 CDT. Does that work?

Thanks.

Rod

From: Melissa.Houston@oag.ok.gov [<mailto:Melissa.Houston@oag.ok.gov>]
Sent: Wednesday, October 03, 2012 08:04 AM
To: [hnbutler](#) <hnbutler@gmu.edu>; [andrewpmiller](#) <andrewpmiller@verizon.net>
Cc: [Hastie, Roderick](#); [Patrick.Wyrick@oag.ok.gov](#) <Patrick.Wyrick@oag.ok.gov>
Subject: Re: Conference Call

Patrick and I will be in Opinion conference at 10am and unable to participate.

From: "Henry N. Butler" [hnbutler@gmu.edu]
Sent: 10/02/2012 09:03 PM AST
To: [andrewpmiller@verizon.net](#); [Melissa McLawhorn Houston](#)
Cc: [rhastie@hunton.com](#); [Patrick Wyrick](#)
Subject: RE: Conference Call

Rod,

My schedule is a bit crazy tomorrow – in part because we have 38 AG staff here studying economics and I'm giving he closing lecture in the morning (at 11:00 AM EDT).

The best times for me would be later in the day – indeed, the later, the better.

If I can't participate, I look forward to getting a briefing from Andy or Rod.

Best,

Henry

Henry N. Butler
George Mason University Foundation Professor of Law and
Executive Director, Law & Economics Center
George Mason University School of Law
3301 Fairfax Drive
Arlington, VA 22201
hnbutler@gmu.edu
703-993-8644
224-330-0540 (mobile)

From: andrewpmiller@verizon.net [mailto:andrewpmiller@verizon.net]
Sent: Tuesday, October 02, 2012 7:03 PM
To: Melissa.houston@oag.ok.gov
Cc: hnbutler@gmu.edu; rhastie@hunton.com; patrick.wyrick@oag.ok.gov
Subject: Conference Call

Melissa,

In light of Rod's e-mail, I will be available tomorrow morning (Wednesday) for a conference call at anytime convenient to the others. As is his custom, Rod will be glad to set it up. I look forward to discussing the various issues confronting us and to deciding at least some of them. As I mentioned on September 14th, during our first conference call almost three weeks ago, time is always the enemy in these matters.

Andy

Andrew P. Miller
1503 35th St. NW
Washington, DC 20007
202-337-1726
andrewpmiller@verizon.net

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Andy

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1503 35th St. NW
Washington, DC 20007
202-337-1726
andrewpmiller@verizon.net

Meeting Invitation Accepted:

Calendar Entry

Subject: Energy AG Meeting Planning Call

When

Date: Wednesday 10/03/2012

Time: 10:00 AM - 11:00 AM (1 hour)

Meeting is in time zone (UTC-05:00) Eastern Time (US & Canada)

Here: 10:00 AM - 11:00 AM

There: 11:00 AM - 12:00 PM

Chair: rhastie@hunton.com

Invitees

Required (to): [Melissa Houston](#); andrewpmiller@verizon.net; hnbutter@gmu.edu; [Patrick Wyrick](#); 

Optional (cc):

Where

From: [Hastie, Roderick](#)
To: [Patrick Wyrick/OAG](#)
Subject: Out of Office AutoReply: Accepted: Energy AG Meeting Planning Call
Date: 10/02/2012 03:52 PM

I am out of the office attending a conference and will return on Wednesday, October 3. I am monitoring my e-mails.

From: [Hastie, Roderick](#)
To: [Melissa Houston@oag.ok.gov](#); [andrewpmiller@verizon.net](#); [hnbutler@gmu.edu](#); [patrick.wyrick@oag.ok.gov](#);
Subject: Energy AG Meeting Planning Call
Date: 10/02/2012 03:52 PM

When: Wednesday, October 03, 2012 11:00 AM-12:00 PM (GMT-05:00) Eastern Time (US & Canada).

Note: The GMT offset above does not reflect daylight saving time adjustments.

~~*~*~*~*~*~*~*~*

Confidential

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Hunton & Williams
202-955-1937

From: [Hastie, Roderick](mailto:Hastie.Roderick)
To: Melissa.Houston@oag.ok.gov
Cc: andrewpmiller@verizon.net; hnbutter@gmu.edu; Patrick.Wyrick@oag.ok.gov
Subject: Re: Federalism Ideas
Date: 10/01/2012 06:03 PM

Melissa:

Thanks for your note.

As to a call, I have flights for much of tomorrow. Let me suggest we try Wednesday. Maybe at 11:00 AM EDT / 10:00 CDT or later at 2:00 PM EDT.

Just let me know and we can use my conference call number again.

Thanks.

Rod

From: Melissa.Houston@oag.ok.gov [mailto:Melissa.Houston@oag.ok.gov]
Sent: Monday, October 01, 2012 06:10 PM
To: Hastie, Roderick
Cc: andrewpmiller@verizon.net <andrewpmiller@verizon.net>; hnbutter@gmu.edu <hnbutter@gmu.edu>; Patrick.Wyrick@oag.ok.gov <Patrick.Wyrick@oag.ok.gov>
Subject: Re: Federalism Ideas

Thank you for the information. Would you like to set up a conference call for tomorrow at 4pm CST? If that time does not work please let me know and we will try and set up another date / time.

Melissa McLawhorn Houston
Chief of Staff
Assistant Attorney General
Oklahoma Attorney General E. Scott Pruitt
313 NE 21st Street
Oklahoma City, OK 73105
Phone (405) 522-4422
melissa.houston@oag.ok.gov

The information contained in this email message is intended only for the use of the recipient(s) named above. This message may be an attorney-client privileged communication and /or work product and as such is privileged and confidential.

From: "Hastie, Roderick" <rhastie@hunton.com>
To: <Patrick.Wyrick@oag.ok.gov>, <melissa.houston@oag.ok.gov>,
Cc: <andrewpmiller@verizon.net>, <hnbutter@gmu.edu>, "Hastie, Roderick" <rhastie@hunton.com>
Date: 09/27/2012 01:39 PM

Confidential

Pat and Mellissa:

When we spoke, I promised you some ideas where the Federal government has trampled the concept of Federalism with respect to energy and natural resource matters.

Here are my thoughts.

- 1.) The violation of the compact between States and the Federal government over the Clean Air Act.
 - The CAA is designed as a collaboration with the States.
 - The EPA is applying Federal Implementation Plans (FIPs) on States before States can issue their own State Implementations Plans (SIPs) to address regional haze.
- 2.) The Federal government is expanding the definition of "wetlands". This leads to a loss of State control and impacts how resources can be developed on lands which had never before been classified as wetlands.
- 3.) The EPA is currently conducting a multi-agency review of how natural gas fracking practices impact the environment. This is likely to lead to a process of where Federal regulations are issued which take away the traditional regulatory role of States to determine how fracking is conducted.
- 4.) The finality of State and Federal permits is at risk. There are examples of where the Federal government has recently "reopened" permits that were issued years ago. This kills any certainty that any permit is ever final. With many Federal and State permits interwoven on projects it also kills State permits.
- 5.) Pre-empted veto of permits. When called for under Federal regulations, environmental assessments are made after permit applications are filed. The EPA is now conducting environmental assessments on large areas of land absent of any applications for permits. This is being done in order to simply preemptively veto any future permit applications.

I hope these examples can be used to guide the tone of General Pruitt's meeting. I'm sure you and the General may have a few more.

In the meantime, let me know when you are available for our next planning conference call.

Thank you.

Rod

[Home](#) | [vCard](#) | [Bio](#)

	<p>Roderick Hastie Sr Director Governmental Relations rhastie@hunton.com</p> <p>Hunton & Williams LLP 2200 Pennsylvania Ave. NW Washington, DC 20037 Phone: (202) 955-1937 Fax: (202) 828-3715 www.hunton.com</p>
---	--

From: [Melissa Houston](#)
To: [Hastie, Roderick](#)
Cc: [andrewpmiller@verizon.net](#); [hnbutler@gmu.edu](#); [Patrick.Wyrick@oag.ok.gov](#)
Subject: Re: Federalism Ideas
Date: 10/01/2012 05:10 PM

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From: "Hastie, Roderick" <rhastie@hunton.com>
To: <Patrick.Wyrick@oag.ok.gov>, <melissa.houston@oag.ok.gov>,
Cc: <andrewpmiller@verizon.net>, <hnbutler@gmu.edu>, "Hastie, Roderick" <rhastie@hunton.com>
Date: 09/27/2012 01:39 PM
Subject: Federalism Ideas

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Rod

[Home](#) | [VCard](#) | [Bio](#)



From: Melissa Houston
To: Hastie, Roderick
Cc: andrewpmiller@verizon.net; hnbutler@gmu.edu; Patrick.Wyrick@oag.ok.gov
Subject: Re: Federalism Ideas
Date: 10/01/2012 05:10 PM

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▼ "Hastie, Roderick" ---09/27/2012 01:39:28 PM---Confidential

From: "Hastie, Roderick" <rhastie@hunton.com>
To: <Patrick.Wyrick@oag.ok.gov>, <melissa.houston@oag.ok.gov>,
Cc: <andrewpmiller@verizon.net>, <hnbutler@gmu.edu>, "Hastie, Roderick" <rhastie@hunton.com>
Date: 09/27/2012 01:39 PM
Subject: Federalism Ideas

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[Home](#) [yv9KAD4AAAAAAAAARGVzY3JpcHRpb246IGh0dHA6Ly93ZWJkb3dubG9hZC5odW50b24uY29tL2VzaWduYXR1cmUvaG9tZS5naWY=](#) [VCard](#)
[yv9LAD8AAAAAAAAARGVzY3JpcHRpb246IGh0dHA6Ly93ZWJkb3dubG9hZC5odW50b24uY29tL2VzaWduYXR1cmUvdmNhcmOuZ2lm](#) [Bio](#)
[yv9JAD0AAAAAAAAARGVzY3JpcHRpb246IGh0dHA6Ly93ZWJkb3dubG9hZC5odW50b24uY29tL2VzaWduYXR1cmUvYmlvLmdpZg==](#)

 yv9JAD0AAAAAAAAARGVzY3JpcHRpb246IGh0dHA6Ly93ZWJkb3dubG9hZC5odW50b24uY29tL2VzaWduYXR1cmUvSFcyLmdpZg==	<p>Roderick Hastie Sr Director Governmental Relations rhastie@hunton.com</p> <p>Hunton & Williams LLP 2200 Pennsylvania Ave, NW Washington, DC 20037 Phone: (202) 955- 1937 Fax: (202) 828-3715 www.hunton.com</p>
---	---

From: [Hastie, Roderick](#)
To: Melissa.Houston@oag.ok.gov
Subject: Out of Office AutoReply: Federalism Ideas
Date: 10/01/2012 05:10 PM

I am out of the office attending a conference and will return on Wednesday, October 3. I am monitoring my e-mails.

From: [Hastie, Roderick](#)
To: melissa.houston@oag.ok.gov
Subject: FW: Federalism Ideas
Date: 09/27/2012 01:44 PM

Oops, Melissa I notice I misspelled your name. Sorry.

Rod

From: Hastie, Roderick
Sent: Thursday, September 27, 2012 2:39 PM
To: Patrick.Wyrick@oag.ok.gov; melissa.houston@oag.ok.gov
Cc: andrewpmiller@verizon.net; hnbutler@gmu.edu; Hastie, Roderick
Subject: Federalism Ideas

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Rod

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	Hunton & Williams LLP 2200 Pennsylvania Ave. NW Washington, DC 20037 Phone: (202) 955-1937 Fax: (202) 828-3715 www.hunton.com		

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	Roderick Hastie Sr Director Governmental Relations rhastie@hunton.com		
	Hunton & Williams LLP 2200 Pennsylvania Ave. NW Washington, DC 20037 Phone: (202) 955-1937 Fax: (202) 828-3715 www.hunton.com		

From: Henry N. Butler
Sent By: hnbutter@gmu.edu
Reply To: hnbutter@gmu.edu
To: 'Hastie, Roderick'; Patrick.Wyrick@oag.ok.gov; andrewpmiller@verizon.net; melissa.houston@oag.ok.gov;
[REDACTED]
Subject: RE: Energy Summit Planning Conf. Call
Date: 09/24/2012 12:52 PM

I am looking forward to our call this afternoon.

I have approached Jonathan Adler of Case Western Law School. Jonathan is a graduate of Mason Law. He is a leading environmental law scholar and an expert on administrative law. He will be at Mason in early October to moderate an academic conference on Environmental Markets. He is first rate.

But, wait, there's more. Unbeknownst to me, Jonathan has worked with General Pruitt's office on challenges to Obamacare.

Here's his bio

<http://law.case.edu/OurSchool/FacultyStaff/MeetOurFaculty/FacultyDetail.aspx?id=83>

He is available on November 15.

Thanks.

Best,

Henry

Henry N. Butler
George Mason University Foundation Professor of Law and
Executive Director, Law & Economics Center
George Mason University School of Law
3301 Fairfax Drive
Arlington, VA 22201
hnbutter@gmu.edu
703-993-8644
224-330-0540 (mobile)

From: Hastie, Roderick [<mailto:rhastie@hunton.com>]
Sent: Thursday, September 20, 2012 5:29 PM
To: Patrick.Wyrick@oag.ok.gov; andrewpmiller@verizon.net; hnbutter@gmu.edu;
melissa.houston@oag.ok.gov; [REDACTED]
Subject: Energy Summit Planning Conf. Call

When: Monday, September 24, 2012 4:00 PM-5:00 PM (GMT-05:00) Eastern Time (US & Canada).

Note: The GMT offset above does not reflect daylight saving time adjustments.

~~*~*~*~*~*~*~*~*

I propose to hold a conference call Monday, September 24 at 4:00 PM EDT / 3:00 PM CDT. On our call we should focus on:

- 1.) Finalizing the date - Thursday, Nov 15
- 2.) Determine the auspices under which the summit will be held
- 3.) Target audience and size of the summit - AGs, industry etc...
- 4.) Topics and presenters for the morning session
 - (a) Status of existing problems with developing energy projects
 - (b) Profile of EPA's known and prospective regulatory initiatives
 - (c) Litigation overview of energy cases in which States are involved
- 5.) Facilitator for afternoon roundtable working group
- 6.) Possible luncheon speaker - Maybe Sen. Inhofe? Others?

Call in number 877-294-8214 Code 9551937

Thank you.

Rod Hastie
Hunton & Williams
202-955-1937

Meeting Invitation Declined:

Calendar Entry

Subject: Energy Summit Planning Conf. Call

When

Date: Monday 09/24/2012

Time: 03:00 PM - 04:00 PM (1 hour)

Meeting is in time zone (UTC-05:00) Eastern Time (US & Canada)

Here: 03:00 PM - 04:00 PM

There: 04:00 PM - 05:00 PM

Chair: rhastle@hunton.com

Invitees

Required (to): [Patrick Wyrick](#); andrewpmiller@verizon.net; hnbutter@gmu.edu; [Melissa Houston](#) 

Optional (cc):

Where

I have a meeting already scheduled at 3pm CST but could do 4pm CST.

From: [Hastie, Roderick](#)
To: [Melissa Houston/OAG](#)
Subject: Out of Office AutoReply: Declined: Energy Summit Planning Conf. Call
Date: 09/24/2012 09:06 AM

I am out of the office and will return on Monday, September 24. I am monitoring my e-mails.

From: Patrick Wyrick
To: rhaslie@hunton.com
Subject: Accepted: Energy Summit Planning Conf. Call
Date: 09/20/2012 04:32 PM

BEGIN:VCALENDAR X-LOTUS-CHARSET:UTF-8 VERSION:2.0 PRODID:--//Lotus Development Corporation//NONSGML Notes 8.5.2//EN_C
METHOD:REPLY BEGIN:VTIMEZONE TZID:Eastern BEGIN:STANDARD DTSTART:19501105T020000 TZOFFSETFROM:-0400 TZOFFSETTO:-0500
RRULE:FREQ=YEARLY;BYMINUTE=0;BYHOUR=2;BYDAY=1SU;BYMONTH=11 END:STANDARD BEGIN:DAYLIGHT DTSTART:19500312T020000
TZOFFSETFROM:-0500 TZOFFSETTO:-0400 RRULE:FREQ=YEARLY;BYMINUTE=0;BYHOUR=2;BYDAY=2SU;BYMONTH=3 END:DAYLIGHT
END:VTIMEZONE BEGIN:VEVENT DTSTART;TZID="Eastern":20120924T160000 DTEND;TZID="Eastern":20120924T170000 TRANSP:OPAQUE
DTSTAMP:20120920T213240Z SEQUENCE:0 ATTACH:CID:FFFF_09BBF0ECDFE5D1CB8f9e8a93df938690918c09B@
ATTENDEE;PARTSTAT=ACCEPTED;CN="Patrick Wyrick/OAG";RSVP=FALSE :mailto:Patrick.Wyrick@oag.ok.gov CLASS:PUBLIC
SUMMARY:Energy Summit Planning Conf. Call ORGANIZER;CN="Hastie, Roderick":mailto:rhaslie@hunton.com
UID:040000008200E00074C5B7101A82E0080000000107E006F5597CD01000000000000000100000007E2EB6D8E811D649AE8FC9FD13C7D1E5
X-LOTUS-UPDATE-SEQ:1 X-LOTUS-NOTESVERSION:2 X-LOTUS-NOTICETYPE:A X-LOTUS-APPTTYPE:3 X-LOTUS-CHILD-
UID:34FDB70CE4F1291686257A7F0076575B END:VEVENT END:VCALENDAR

From: [Hastie, Roderick](#)
To: [Patrick Wyrick/OAG](#)
Subject: Out of Office AutoReply; Accepted: Energy Summit Planning Conf. Call
Date: 09/20/2012 04:32 PM

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From: [Hastie, Roderick](#)
To: [Patrick Wyrick@oag.ok.gov](mailto:Patrick.Wyrick@oag.ok.gov); andrewpmiller@verizon.net; hnbutter@gmu.edu; melissa.houston@oag.ok.gov;
Subject: Energy Summit Planning Conf. Call
Date: 09/20/2012 04:29 PM

When: Monday, September 24, 2012 4:00 PM-5:00 PM (GMT-05:00) Eastern Time (US & Canada).

Note: The GMT offset above does not reflect daylight saving time adjustments.

~~*~*~*~*~*~*~*~*

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Call in number 877-294-8214 Code 9551937

Thank you.

Rod Hastie
Hunton & Williams
202-955-1937

From: [Hastie, Roderick](#)
To: Patrick.Wyrick@oag.ok.gov
Subject: Conf Call
Date: 09/20/2012 03:10 PM

Patrick:

We are on the call. Are you able to join?

877-294-8214 Code 9551937

Rod

Meeting Invitation Accepted:

Calendar Entry

Subject: Energy Summit Conf. Call

When

Date: Thursday 09/20/2012

Time: 03:00 PM - 03:30 PM (0 hours 30 minutes)

Meeting is in time zone (UTC-05:00) Eastern Time (US & Canada)

Here: 03:00 PM - 03:30 PM

There: 04:00 PM - 04:30 PM

Chair: rhastie@hunton.com

Invitees

Required (to): [Patrick Wyrick](mailto:Patrick.Wyrick); hnbutler@gmu.edu; andrewpmiller@verizon.net

Optional (cc):

Where

From: [Hastie, Roderick](#)
To: Patrick.Wyrick@oag.ok.gov; hnbutler@gmu.edu; andrewpmiller@verizon.net
Subject: Energy Summit Conf. Call
Date: 09/19/2012 03:12 PM

When: Thursday, September 20, 2012 4:00 PM-4:30 PM (GMT-05:00) Eastern Time (US & Canada).

Note: The GMT offset above does not reflect daylight saving time adjustments.

~~*~*~*~*~*~*~*~*

As a follow up to our meeting of last week, I propose to hold a conference call tomorrow on Thursday, September 20 at 4:00 EDT / 3:00 PM CDT. This time slot works for Patrick. On our call I think we need to look at the calendar for the summit and the suggestions in Andy's note.

Call in number 877-294-8214 Code 9551937