From:

Cooper, Kathy <kcooper@ncdoj.gov>

Sent:

Monday, April 01, 2013 9:53 AM

To:

Emory, Frank

Cc:

Case, Charles D.; Rosser, Brent; BClarke@roberts-stevens.com; Presnell, Lacy

Subject:

RE: State of NC v. CP&L d/b/a Progress Energy Carolinas, Inc.

Frank.

I just heard your voicemail. We don't oppose your request for an extension of time.

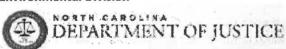
We heard from Charles Case last week that Duke/Progress are interested in working on a Consent Judgment to resolve this matter. DENR's General Counsel, Lacy Presnell, is taking the lead on arranging a meeting to start the discussions.

I am copying Lacy on this e-mail so that you will have his e-mail address as well.

Thanks,

Kathy Cooper

Kathryn Jones Cooper Special Deputy Attorney General Water and Land Section Environmental Division



Post Office Box 629 Raleigh, NC 27602-0629 (919) 716-6600 (main telephone number) (919) 716-6960 (direct dial) (919) 716-6766 (fax) kcooper@ncdoj.gov

From: Emory, Frank [mailto:femory@hunton.com]

Sent: Monday, April 01, 2013 9:48 AM

To: Cooper, Kathy

Cc: Case, Charles D.; Rosser, Brent; <u>BClarke@roberts-stevens.com</u> Subject: State of NC v. CP&L d/b/a Progress Energy Carolinas, Inc.

Kathryn:

As you know, our law firm represents the defendant in this case. As I indicated in my voice mail message just now, we will today request from the Wake County Superior Court Clerk a 30 day extension of time within which to answer or otherwise plead in response to the your client's complaint. The extension we request will run from the end of the time allotted by the Rules. We look forward to working with you in this matter.

Best.

Frank Emory

Home VCard Bio

Frank E. Emory, Jr. Partner femory@hunton.com

HUNTON WILLIAMS

Hunton & Williams LLP Bank of America Plaza, St 3500 101 South Tryon St Charlotte, NC 28280

Phone: (704) 378-4708 Fax: (704) 331-4222

2200 Pennsylvania Avenue, N.W. Washington, D.C. 20037 Phone: (202) 419-2056 www.hunton.com

This communication is confidential and is intended to be privileged pursuant to applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this message in error, please notify Hunton & Williams LLP immediately by telephone (877-374-4937) and by electronic mail to: help-desk@hunton.com and then delete this message and all copies and backups thereof.