

From: Lindh, Frank  
Sent: 5/4/2012 10:39:29 AM  
To: Cherry, Brian K (/O=PG&E/OU=CORPORATE/CN=RECIPIENTS/CN=BKC7)  
Cc: Bottorff, Thomas E (/O=PG&E/OU=CORPORATE/CN=RECIPIENTS/CN=TEB3);  
Joseph Ronan (Joseph.Ronan@calpine.com); Lindh, Frank  
(frank.lindh@cpuc.ca.gov); paul.clanon@cpuc.ca.gov (paul.clanon@cpuc.ca.gov);  
Gray, Jeffrey (JeffreyGray@dwt.com)  
Bcc:  
Subject: Re: Russell City--- 10-73870 Chabot-Las Positas Community v. EPA, et al  
"Memorandum Filed"

Every transaction with Mr. Ronan involves a certain amount of pain, but they typically do not rise to the definition of "torture" under standards of International Law.

On May 4, 2012, at 10:23 AM, "Cherry, Brian K" <[BKC7@pge.com](mailto:BKC7@pge.com)> wrote:

I'm not sure about that Frank. Tom and I have suffered our share on Russell City.....

**From:** Lindh, Frank [mailto:[frank.lindh@cpuc.ca.gov](mailto:frank.lindh@cpuc.ca.gov)]  
**Sent:** Friday, May 04, 2012 10:22 AM  
**To:** Joseph Ronan  
**Cc:** [paul.clanon@cpuc.ca.gov](mailto:paul.clanon@cpuc.ca.gov); FrankLindh; Bottorff, Thomas E; Cherry, Brian K; Gray, Jeffrey  
**Subject:** Re: Russell City--- 10-73870 Chabot-Las Positas Community v. EPA, et al  
"Memorandum Filed"

Congratulations, Joe. As it happens, both you and Professor John Yoo managed to prevail in cases before the Ninth Circuit this week. Only one of those cases, however, involved torture of one human being by another.

Happy Friday!

On May 4, 2012, at 9:52 AM, Joseph Ronan <[Joseph.Ronan@calpine.com](mailto:Joseph.Ronan@calpine.com)> wrote:

It is shaping up to be good day!

We won the 9th Circuit Case.

**From:** Poloncarz, Kevin [<mailto:kevinpoloncarz@paulhastings.com>]  
**Sent:** Friday, May 04, 2012 9:42 AM  
**To:** Rosemary Antonopoulos; Alex Makler; Joseph Ronan; Gevan Reeves; Jill Van Dalen; Thad Miller  
**Cc:** John Bryson; Thomas Sansonetti  
**Subject:** FW: 10-73870 Chabot-Las Positas Community v. EPA, et al "Memorandum Filed"

We won!

**From:** [ca9\\_ecfnoticing@ca9.uscourts.gov](mailto:ca9_ecfnoticing@ca9.uscourts.gov)  
[\[mailto:ca9\\_ecfnoticing@ca9.uscourts.gov\]](mailto:ca9_ecfnoticing@ca9.uscourts.gov)  
**Sent:** Friday, May 04, 2012 9:34 AM  
**To:** Poloncarz, Kevin  
**Subject:** 10-73870 Chabot-Las Positas Community v. EPA, et al "Memorandum Filed"

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### United States Court of Appeals for the Ninth Circuit

#### Notice of Docket Activity

The following transaction was entered on 05/04/2012 at 9:33:27 AM PDT and filed on 05/04/2012

**Case Name:** Chabot-Las Positas Community v. EPA, et al  
**Case Number:** [10-73870](#)  
**Document(s):** [Document\(s\)](#)

**Docket Text:**

FILED MEMORANDUM DISPOSITION (ALFRED T. GOODWIN, STEPHEN R. REINHARDT and MARY H. MURGUIA) DENIED; DISMISSED. FILED AND ENTERED JUDGMENT. [8164912] (DD)

**Notice will be electronically mailed to:**

Mr. John Alan Bryson  
Ms. Jewell Hargleroad  
Mr. Dustin Javad Maghamfar, Trial Attorney  
Mr. Kevin Poloncarz, Attorney  
Mr. Thomas L. Sansonetti, Attorney

The following document(s) are associated with this transaction:

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<2012-05-04 Russell City Decision.pdf>