

6. I was not aware that Polsinelli is a law firm until TMC filed its application to intervene in this case on February 3, 2014. I was also unaware before this date that Frank Caro is a lawyer or that Frank Caro represented TMC. To the limited extent I formed an opinion of Polsinelli, I assumed based on Mr. DeGarmo's email that Polsinelli is a technical consulting firm.

7. If I had believed that Mr. Caro was an attorney, I would have informed Veolia's internal counsel of the late February 2012 meeting and would have asked Veolia's internal counsel whether Veolia should have counsel present at the meeting.

8. At no time during the late February 2012 meeting did Mr. DeGarmo or Mr. Caro indicate that TMC was adverse to Veolia or that TMC had any dispute with Veolia. I did not believe either before, during or after the meeting that there was any matter of disagreement between TMC and Veolia related to the matters discussed in the meeting. I believed based on the discussion at the meeting, Mr. DeGarmo's February 9, 2012 letter and his February 12, 2012 email that the purpose of the meeting to inform me that TMC planned to have an outage of its steam service.

9. If believed that the matters referenced in Mr. DeGarmo's February 9, 2012 letter, his February 12, 2012 email and the late February 2012 meeting involved an area of disagreement with TMC, I would have reported the meeting to Mr. Chuck Melcher, Veolia's Vice President of Operations or others at Veolia. I also would have taken notes at the meeting.

10. I do not recall and after due investigation have found no records of any communications from Mr. DeGarmo, Mr. Caro or anyone else regarding the matters referenced in Mr. DeGarmo's February 9, 2012 letter, his February 12, 2012 email or discussed at the late February 2012 meeting.

11. Since the late February 2012 meeting, the only communications I recall with Mr. DeGarmo or other TMC employees related to what I believe were routine operational issues that were not matters of dispute.

12. Since the late February 2012 meeting, I do not recall, and after due investigation, have found no records of any communications from or meetings involving Mr. Caro or any other person employed by Polsinelli until TMC's February 3, 2014 application to intervene in this case.

13. Trigen-St. Louis and Veolia are (1) owned by the same parent company; (2) have the same business function, strategies and protected trade secrets; (3) have the same officers; (4) have the same directors; (5) have the same in-house legal department; (6) enter the same types of contracts; (7) have the same financial structure; (8) and operate in the same state using the same equipment.

I hereby swear and affirm that the information provided herein is true and correct.

Tim Dickerson

Subscribed and sworn to before me this ____ day of March, 2014.

Notary Public



2/9/12

Tim Dickerson
Veolia Energy
115 Grand Blvd
Kansas City, Missouri 64106

Re: TMC Steam

Dear Mr. Dickerson,

We have discovered that the expansion joints in our main 12" distribution line in the steam tunnel have expanded but have not contracted and upon further inspection the joints appear to be in need of replacement. After looking into the situation it has become evident to us that this could have been caused by an event where the Veolia Main Steam Plant went off line for a period of almost 1 ½ hours in the fall of 2009.

We are looking at potential scenarios to fix the problem and we would like for Veolia to be a part of that discussion and solution because it appears to us that there is no way to avoid a prolonged shut down of steam to our facility in order to accomplish the repairs.

We would appreciate it if you would be able to discuss this with us in more detail so we can move forward with a solution as soon as possible as we fear what the possibilities could bring if these joints fail in the immediate future.

Please contact me at 816-404-2625 to discuss the details.

Thank you for your help.

Respectfully Submitted,

Steve DeGarmo

Sr. Director Corporate Design,
Construction and Property Management



Melcher, Charles <charles.melcher@veolia.com>

Fwd: Letter

1 message

Dickerson, Tim <tim.dickerson@veolia.com>
To: Charles Melcher <charles.melcher@veolia.com>

Fri, Feb 28, 2014 at 3:29 PM

This letter from DeGarmo references Caro as a utility advisor from Polsinelli. I don't see anything about being a lawyer.

Please note my new email address is tim.dickerson@veolia.com

Tim Dickerson, P.E.**Plant Manager****Veolia NA**

115 Grand BLVD.

Kansas City, Mo. 64106

Office: 816-889-4900

Fax: 816-842-4272

----- Forwarded message -----

From: **DeGarmo, Steve W** <Steve.Degarmo@tmcmcd.org>

Date: Mon, Feb 13, 2012 at 12:40 PM

Subject: Letter

To: "Dickerson, Tim" <tdickerson@veoliaenergyna.com>

Tim,

Please see the enclosed document regarding the steam line we discussed a while back. I would like to sit down with you and our Utility Advisor Frank Caro from Polsinelli Shugart regarding the steam line itself.

Please let me know when it would be convenient to sit down and visit.

Thanks


Steve DeGarmo
Sr. Dir. Corporate Design, Construction & Property Management
Truman Medical Centers
2055 Holmes Street, Kansas City, MO 64108
(816) 404-2625 | steve.degarmo@tmcmcd.org
Trumed.org

EXHIBIT B



2 attachments

 **ATT00001.txt**
1K

 **2-9-12 Letter.pdf**
32K