

**UNIFIED CARRIER REGISTRATION PLAN
FINANCE SUBCOMMITTEE**

Explanation for Partially-Closed Meeting

Notice Pursuant to 5 U.S.C. § 552b(d)(3)

June 3, 2019
9:00 a.m.

1. Written Explanation for Closing Portions of the Meeting:

The Finance Subcommittee of the Unified Carrier Registration Plan is invoking Exemptions 9B and 10 of the Government in the Sunshine Act (5 U.S.C. § 552b(c)(9)(B) and 5 U.S.C. § 552b(c)(10)) to close portions of the Subcommittee meeting held on June 3, 2019:

- a. The Subcommittee has determined that it is necessary to close the portion of the meeting involving a discussion of a data investigation initiated since the last Subcommittee meeting. The Subcommittee has determined that conducting an open discussion is likely to disclose matters that are likely to significantly frustrate the implementation of actions to be taken by UCRP and/or its agents with respect to the investigation. The Subcommittee has further determined that a public discussion regarding the investigation is likely to frustrate the decision making process relating to the anticipation of litigation and concern the agency's participation in an imminent civil action or proceeding. The Subcommittee has determined that closing this portion of the meeting is necessary to facilitate the candid exchange of views between client and counsel required for the UCRP's effective participation in discussions relating to this data investigation.
- b. The Subcommittee has also determined that it is necessary to close the portion of the meeting involving a discussion of ongoing litigation in the United States District Court for the District of Columbia involving Twelve Percent Logistics, Inc. as plaintiff. The Subcommittee has determined that conducting an open discussion is likely to disclose matters that involve the UCRP's participation in an ongoing civil action or proceeding, including discussions with UCRP's chief legal officer and outside legal counsel regarding the UCRP's response to the plaintiff's Motion for Contempt filed on May 14, 2019 and its Application and Motion for Attorneys' Fees filed on April 8, 2019. The Subcommittee has determined that closing this portion of the meeting is necessary to facilitate the candid exchange of views between client and counsel required for the UCRP's effective participation in both of these adversarial proceedings with Twelve Percent Logistics, Inc.

2. List of Persons Attending and their Affiliation:

Name:

Affiliation:

Elizabeth Leaman (Chair)

Subcommittee Member

Avelino Gutierrez

Subcommittee Member

Bob Pitcher

Subcommittee Member

Carol Fallin

Subcommittee Member

Mike Hoeme

Subcommittee Member

Sandy Bowling

Subcommittee Member

~~Perfence Mercer~~

~~Subcommittee Member~~

Scott Morris

Subcommittee Member

Jon Krueger

Operations Manager, UCRP

David Scholz

Depository Manager, UCRP

Kellen Chambers

Financial Analyst, UCRP

Alex Leath

Chief Legal Officer, UCRP

John Goodman

Partner, Bradley – Outside Legal Counsel to
UCRP

~~Erin Illman~~

~~Partner, Bradley – Outside Legal Counsel to
UCRP~~

Larry Herald

Subcommittee Member

No other person was allowed in the meeting room during the closed portions of the meeting.