

**UNIFIED CARRIER REGISTRATION PLAN
BOARD OF DIRECTORS**

Explanation for Partially-Closed Meeting

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

August 1, 2019

9:00 a.m.

1. Written Explanation for Closing Portions of the Meeting:

The Board of Directors 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 Board meeting held on August 1, 2019:

- a. The Board has determined that it is necessary to close the portion of the meeting involving further discussion of a data investigation first reported to the Board by the Chief Legal Officer at the Board's June 4th meeting. The Board 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 the Board and/or its agents with respect to the investigation. The Board 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 Board 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 Board 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 Board 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 the Board'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, which was filed by the Department of Justice on behalf of the UCRP on July 12, 2019. The Board 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:

<u>Name:</u>	<u>Affiliation:</u>
Elizabeth Leaman (Acting Chair)	Board Member
Bob Pitcher	Board Member (by phone)
Carol Fallin	Board Member
Alvin Hanson	Board Member
Monte Wiederhold	Board Member
Chris Burroughs	Board Member
Rick Schweitzer	Board Member
Mike Hoeme	Board Member (by phone)
Sandy Bowling	Board Member
Scott Morris	Board Member (by phone)
Jon Krueger	Operations Manager, UCRP
David Scholz	Depository Manager, UCRP
Kellen Chambers	Financial Analyst, UCRP
Alex Leath	Chief Legal Officer, UCRP
Rick Wood	FMCSA
Ken Riddle	FMCSA

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