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Office of the City Administrator
Edward D. Reiskin
City Administrator

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April 2, 2021

Phil Tagami
California Capital & Investment Group
300 Frank Ogawa Plaza, Suite 340
Oakland, CA 94612
tagami@californiagroup.com

Vikas Tandon
Insight Terminal Solutions, LLC
205 S. Martell Ave
Los Angeles, CA 90036
vikas@jmbcapital.com

Mr. Tagami and Mr. Tandon:

I am writing on behalf of the City of Oakland to follow up on our prior correspondence and to reiterate the City's offer to engage in mediation of the pending litigation between the City and OBOT and include Mr. Tandon and JMB Capitol/Autumn Wind Lending in that mediation. To date the City has received no response from our prior offers to both of you to engage in such a mediation.

Specifically, following months of conversations between the City and OBOT regarding potential settlement options, on December 4, 2020, I wrote to Mr. Tagami, and reiterated the City's interest in engaging in mediation to attempt to facilitate a resolution of the pending litigation. To date, I have received no response. I was later contacted by Mr. Tandon on behalf of Autumn Wind Lending, after it gained control of Insight Terminal Solutions through its bankruptcy. On February 8, 2021, I responded to Mr. Tandon and explained that the City has offered to mediate to resolve the dispute with OBOT, remains interested in mediation, and would agree to the participation of Autumn Wind/ITS, despite its lack of a direct interest in the pending litigation. To date, I have also received no response to that offer.

It has recently come to the City's attention that information is being provided to City Councilmembers and the public that incorrectly portrays the City as unwilling to engage in dispute resolution, contrary to my direct communications with both of you. This type of misinformation does not help us move this situation forward towards resolution.

The City remains interested in discussing potential forward-looking solutions to this dispute that would both put an end to the pending litigation and advance the development of the West Gateway, including what is referred to as a “no coal settlement,” whether that includes the contemplated bulk terminal or some other productive use that would benefit the people of Oakland. The City is interested in and open to thinking creatively to move forward with the use of this land in the context of resolving the pending disputes. I repeat my offer to set up non-binding mediation in front of a mutually agreeable mediator, such as one of the retired judges the City has previously identified as potential mediators.

Please let me know whether you are willing to move forward and we can work on choosing a mediator and identifying available dates.

Sincerely,

A handwritten signature in black ink, appearing to read 'E. Reiskin', written in a cursive style.

Edward D. Reiskin

cc:
Mayor Libby Schaaf
Oakland City Attorney Barbara Parker
Oakland City Council