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Garrett P. Lent

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File #: 162860

November 6, 2018

***VIA E-MAIL & REGULAR MAIL***

Alan M. Seltzer, Esquire  
Buchanan Ingersoll & Rooney PC  
409 N. Second Street, Suite 500  
Harrisburg, PA 17101-1357

**Re: Giant Eagle, Inc., et al. v. Laurel Pipe Line Company, L.P.  
Docket No. C-2018-3003365**

Dear Counsel:

Before any motion or other pleading further challenging Laurel's designation of documents as "Confidential" or "Highly Confidential" and/or redaction of privileged work product is filed, Laurel recommends that the parties establish a time to meet and confer regarding the Complainants' additional objections to the documents produced in compliance with the ALJ's Order dated October 24, 2018.

Laurel believes this is necessary because Complainants did not notify Laurel that they intended to contest, compel or otherwise challenge Laurel's designation of documents as "Confidential" or "Highly Confidential" prior to service of the November 5, 2018 letter, contrary to the provisions of the Protective Order. Paragraph 14 of the Protective Order states that "[i]n the event that any person or entity seeks to compel the disclosure of Proprietary Information, the non-producing party shall promptly notify the producing party in order to provide the producing party an opportunity to oppose or limit such disclosure."

In addition, Laurel has been and remains willing to confer with the Complainants regarding the designation of documents as "Confidential" or "Highly Confidential," so discovery can proceed in an orderly fashion that applies equally to all parties. Laurel notes that it designated and identified the disputed documents as "Highly Confidential" consistent with the Protective Order in this proceeding, and the parties' course of conduct under an identical Protective Order in the prior Application Proceeding at Docket Nos. A-2016-2575829 and G-2017-25787567. However, Laurel cannot perceive, let alone resolve, discovery disputes prior to the Complainants' seeking relief from the ALJ, if the Complainants do not attempt to communicate with Laurel in advance of filing pleadings or letters seeking relief from the ALJ.

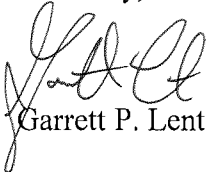
Alan M. Seltzer, Esquire

November 6, 2018

Page 2

Finally, to the extent that the Complainants proceed to file any motion or other pleading contesting Laurel's designation of documents as "Confidential" or "Highly Confidential," Laurel retains all rights to respond to Complainants' filing or otherwise contest re-designation or disclosure of the disputed documents.

Sincerely,

A handwritten signature in black ink, appearing to read "Garrett P. Lent". The signature is written in a cursive style with a large initial "G".

Garrett P. Lent

GPL/skr

cc: Certificate of Service  
Honorable Eranda Vero  
Rosemary Chiavetta, Secretary

## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

### VIA E-MAIL AND FIRST CLASS MAIL

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Date: November 6, 2018

  
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Garrett P. Lent