

From: Valenta, Val

To: Adams, Marcia S <Marcia.Adams@SCDMV.net>

Lake, Steven/O=SOUTH CAROLINA/OU=DMV-DPS/CN=RECIPIENTS/CN=Lake_Steven

CC: Blake, Trish <Trish.Blake@scdmv.net>

Rock, Marshall O <Marshall.Rock@scdmv.net>

Powers, Shawn M <Shawn.Powers@scdmv.net>

Gaskins, Wendy E <Wendy.Gaskins@scdmv.net>

Date: 10/2/2008 5:03:09 PM

Subject: FW: Clark Mediation Settlement Agreement

Attachments: Clark Mediation Settlement Agreement.doc

Marcia and Steven,

We finished the Clark case mediation sometime after 5 p.m. yesterday. The Plaintiffs' initial offer of settlement was \$180,000; we started at \$20,000 plus the potential for either redirecting the DMV water or filtering it with an oil-water separator tank. As is shown in the attached settlement agreement, we finally settled at \$70,000. The DMV, DHEC, and DOT will each get a waiver of future liability for water runoff, if there are no material changes to our property that would increase the water flow. Each agency also will have an easement on the Plaintiffs' property for our water to flow through. DMV is not obligated to make any improvements or changes to any property.

The \$70,000 is split as follows.

IRF \$40,000
DOT \$10,000
DMV \$10,000
DHEC \$10,000 (out of the SUPERB fund)

In essence, we paid them for devaluation to their property from pollutants flowing off of our property in the past. They are not worried about any future pollutants.

It was a big help to have Wendy there. She was able to explain the situation and suggest possible changes to the water runoff (though we never had to commit to that).

Val

From: Robert Hassold [mailto:robhassold@msn.com]

Sent: Wednesday, October 01, 2008 10:17 PM

To: robbie@sclawhelp.com; john.devlin@devlinparkinson.com; ewhitney@devlinparkinson.com; moorenj@dot.state.sc.us; knoxhaynsworth@bmemhlaw.com; val.valenta@scdmv.net; hightosp@dhec.sc.gov

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Counselors,

Please find attached a copy of the settlement agreement from today's mediation. Thanks again for everyone's hard work in getting this case resolved and if I can be of assistance to you in the future as a mediator or neutral, please give me a call. Many thanks.

Rob

Robert W. Hassold, Jr.
Mediator and Counselor at Law

Post Office Box 8882
Greenville, South Carolina 29604-8882
Phone: (864)370-1070
Fax: (864)370-1078
Cell: (864)325-7467

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