


From: Patel, Swati <SwatiPatel@gov.sc.gov>
To: Pisarik, Holly <HollyPisarik@gov.sc.gov>
Date: 9/18/2015 2:57:13 PM
Subject: FW: Resolute Forest Products
Attachments: Political Intervention Files as of 2015-09-17.zip

Let's discuss on Monday.

From: Feldman, Elliot [mailto:EFeldman@bakerlaw.com]
Sent: Friday, September 18, 2015 2:54 PM
To: Patel, Swati; David Wilkins
Cc: Seth Kursman
Subject: RE: Resolute Forest Products

Also for background, the attached zip file contains the recorded political interventions at the Department of Commerce in this case. We have been resisting any such intervention but fear we may now be at risk without any.

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T 202.861.1679 F 202.861.1783 www.bakerlaw.com	Elliot J. Feldman efeldman@bakerlaw.com BakerHostetler Washington Square 1050 Connecticut Avenue, N.W., Suite 1100 Washington, D.C. 20036-5304	



From: Patel, Swati [mailto:SwatiPatel@gov.sc.gov]
Sent: Friday, September 18, 2015 2:44 PM
To: David Wilkins
Cc: Feldman, Elliot; Seth Kursman
Subject: RE: Resolute Forest Products

Ambassador Wilkins - Thanks for reaching out to me; we will follow up with Elliot.

Elliot – I want to make sure our Chief Legal Counsel, Holly Pisarik, is on the call; she and I are available on Monday. Let me know a time that works for you.

Swati

Swati S. Patel
Chief of Staff
Office of Governor Nikki Haley
1205 Pendleton Street
Columbia, SC 29201
DD 803.734.5095

From: David Wilkins [mailto:David.Wilkins@nelsonmullins.com]
Sent: Friday, September 18, 2015 1:41 PM
To: Patel, Swati
Cc: Feldman, Elliot; Seth Kursman
Subject: Fw: Resolute Forest Products

Swati,

I serve on the board of Resolute Forest Products which has a major facility in Catawba, SC which the Governor has visited. We need the governor's assistance.

Will you please reach out to our outside attorney, Elliot Feldman, copied on this email so he can brief you on our current situation. Time is of the essence.

I am in Calgary but also feel free to call me on my cell at 854 704 6548.

Thank you,

David

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: Feldman, Elliot <EFeldman@bakerlaw.com>

Sent: Thursday, September 17, 2015 9:42 PM

To: David Wilkins

Cc: seth.kursman@resolutefp.com

Subject: Fwd: Resolute Forest Products

Sent from my iPad

Begin forwarded message:

From: "Feldman, Elliot" <EFeldman@bakerlaw.com>

Date: September 11, 2015 at 6:54:47 PM EDT

To: "SwatiPatel@gov.sc.gov" <SwatiPatel@gov.sc.gov>, "BethWebb@gov.sc.gov" <BethWebb@gov.sc.gov>

Cc: "Tyson, Jessica-Phillips (L. Graham) (Jessica-Phillips_Tyson@lgraham.senate.gov)" <Jessica-Phillips_Tyson@lgraham.senate.gov>

Subject: Resolute Forest Products

Dear Ms. Patel and Ms. Webb,

Jessica Phillips Tyson of Senator Lindsey Graham's office kindly has shared with me your e-mail addresses. I am legal counsel to Resolute Forest Products, which owns and operates a paper mill in Catawba, South Carolina.

Resolute produces in Catawba, in addition to other paper products, supercalendered paper ("SC paper"), which is the subject of a politicized and controversial trade remedy investigation against SC paper from Canada at the U.S. Department of Commerce. The case focuses on subsidies to a competing mill in Nova Scotia, but the trade law sweeps in all producers in a country and cannot concentrate on only one. Resolute's exports, therefore, have been made part of the case. The case is causing financial harm to Resolute, and the Nova Scotia mill has been impacting adversely operations in Catawba.

One of the issues recently to emerge is an allegation that Fibrek, a wholly-owned subsidiary of Resolute that produces pulp in Québec, benefitted from a provincial manpower training program. There is no connection to SC paper, but there is pressure nonetheless to punish Resolute's exports of SC paper, through Fibrek, for this alleged benefit.

I attended Governor Haley's luncheon address at the National Press Club in Washington on September 2. I was particularly impressed by her commitment to manpower training. I would think she would find it odd, and wrong, to impede international trade because workers received training. Governor Haley extolled the virtues of education and training, and I cannot imagine that she would want foreign countries to impede the sale of South Carolina products because of manpower training.

I am hoping you might agree to a communication from Governor Haley to Secretary of Commerce Pritzker regarding the SC paper case. Resolute is an outstanding corporate citizen of South Carolina. Its

welfare everywhere is in South Carolina's best interest. If the Department of Commerce would adhere strictly to the law in this case, Resolute would have no problem, but there have been political interventions from Governors, Senators and Members of Congress from Maine, Vermont, Michigan, Wisconsin, New York, West Virginia, including even Senators Schumer and McConnell. Resolute has not engaged in this politicization, but could benefit, perhaps, from a reminder to the Secretary of Commerce that the case must be decided on the law, and that manpower training is not something that should be punished. It seems to me no one could deliver that message better than Governor Haley.

I would be pleased to brief you more about this case if you might be interested. Regrettably, we are working in a very narrow window. We would need a communication between now and September 24 (the day of the public hearing), and I will not be in on Monday or Tuesday (September 14-15). If it were convenient for you, I would look forward to a telephonic briefing on September 16. I would also be happy to draft a suggested letter for you that Governor Haley might consider.

I am sorry this message is getting to you so late and with such constraints, but we learned only today that the investigation has evolved in a manner that may warrant some political help. Please let me know whether you think you might be able to help, and when we might speak.

Thank you for your kind attention.

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T 202.861.1679 F 202.861.1783 www.bakerlaw.com	Elliot J. Feldman efeldman@bakerlaw.com	BakerHostetler Washington Square 1050 Connecticut Avenue, N.W., Suite 1100 Washington, D.C. 20036-5304

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