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**From:** Hale, Michelle [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=CB99F5247AB8412FA017133839301FEE-HALE, MICHE]  
**Sent:** 4/25/2017 9:48:22 PM  
**To:** Garrison, Jessica [jgarrison@balch.com]  
**Subject:** RE: Lunch Meeting

Sounds good

-----Original Message-----

From: Garrison, Jessica [mailto:jgarrison@balch.com]  
Sent: Tuesday, April 25, 2017 5:48 PM  
To: Hale, Michelle <hale.michelle@epa.gov>  
Subject: Re: Lunch Meeting

Meeting Ryan at 6:30. We will be there. I have a reservation for four, and only three people attending. So we will have an open seat if he gets hungry...

Sent from my iPhone

Jessica M. Garrison, Of Counsel, Balch & Bingham LLP  
1901 Sixth Avenue North • Suite 1500 • Birmingham, AL 35203-4642  
t: (205) 488-5669 e: jgarrison@balch.com www.balch.com

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> On Apr 25, 2017, at 5:47 PM, Hale, Michelle <hale.michelle@epa.gov> wrote:

>  
> Scott just started a meeting and needs to get some paperwork done afterwards. What time are you meeting Ryan? I will let him know just in case he can make it.

> -----Original Message-----

> From: Garrison, Jessica [mailto:jgarrison@balch.com]  
> Sent: Tuesday, April 25, 2017 5:44 PM  
> To: Hale, Michelle <hale.michelle@epa.gov>  
> Subject: Re: Lunch Meeting

> Bummer. OK can he slip over this evening and come join us for a bite to eat or dessert at BLT and Trump Hotel? I will be with Ryan Jackson.

> Sent from my iPhone

> [[image]]

> Jessica M. Garrison, Of Counsel, Balch & Bingham LLP  
> 1901 Sixth Avenue North \* Suite 1500 \* Birmingham, AL 35203-4642  
> t: (205) 488-5669 e: jgarrison@balch.com  
> www.balch.com<http://www.balch.com>

> On Apr 25, 2017, at 5:14 PM, Hale, Michelle <hale.michelle@epa.gov<mailto:hale.michelle@epa.gov>> wrote:

> Jessica, looks like he will need to pick up his own tab. Thanks for checking!!  
> mh

> From: Fugh, Justina  
> Sent: Tuesday, April 25, 2017 5:04 PM  
> To: Hale, Michelle  
> <hale.michelle@epa.gov<mailto:hale.michelle@epa.gov>>  
> Subject: RE: Lunch Meeting

> Thanks for the additional information, Michelle, and I appreciate how everyone wants to be sure to keep the Administrator out of harm's way! I am now revising my advice. Because other people will be present, this lunch now feels more like a business lunch rather than a personal friendship lunch. And the other

people present work for federally registered lobbyists, so now I recommend that the Administrator should pay for his meal himself.

> Justina

>  
> Justina Fugh | Senior Counsel for Ethics | Office of General Counsel |  
> US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton  
> Federal Building | Washington, DC 20460 (for ground deliveries, use  
> 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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> From: Hale, Michelle  
> Sent: Monday, April 24, 2017 12:29 PM  
> To: Fugh, Justina <Fugh.Justina@epa.gov<mailto:Fugh.Justina@epa.gov>>  
> Subject: RE: Lunch Meeting

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> Justina, I checked with you last week about whether or not Jessica Garrison would be able to buy the Administrator's lunch this week - thanks for your answer below. Please see Jessica's question below concerning the other lunch participants. This will be fine, correct?

>

> From: Garrison, Jessica [mailto:jgarrison@balch.com]  
> Sent: Monday, April 24, 2017 11:17 AM  
> To: Hale, Michelle  
> <hale.michelle@epa.gov<mailto:hale.michelle@epa.gov>>  
> Subject: Re: Lunch Meeting

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> Will you make sure that Justina knows that executives from Alabama Power and Power South will also be at the lunch. They will pick up their own tickets and there is no agenda. Just a meet and greet. But since they are interested in EPA actions wanted to be sure that didn't change anything as it relates to me.

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> From: Fugh, Justina  
> Sent: Thursday, April 20, 2017 5:38 PM  
> To: Hale, Michelle  
> <hale.michelle@epa.gov<mailto:hale.michelle@epa.gov>>  
> Subject: RE: Lunch Meeting

>

> Hi Michelle,  
> Thanks for thinking to include Ms. Garrison's resume. I can see that she has worked in a couple of different places that would allow her to intersect with the Administrator, so it's clear that they have known each other for a while. She is not a federally registered lobbyist, by the way. Yes, assuming that she is using her own money (as opposed to charging her firm or a client), she may treat the Administrator to lunch, and he may accept under the "gifts based on personal friendship" exception to the usual prohibition. See 5 CFR 2635.204(b).

> Justina

>

> Justina Fugh | Senior Counsel for Ethics | Office of General Counsel |  
> US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton  
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> 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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> From: Hale, Michelle  
> Sent: Thursday, April 20, 2017 5:21 PM  
> To: Fugh, Justina <Fugh.Justina@epa.gov<mailto:Fugh.Justina@epa.gov>>  
> Subject: Lunch Meeting

>

> Justina, I need to check with you to see if it is ethical for Jessica Garrison to buy the Administrator's lunch next week. They are friends and have known one another since at least 2011. Thank you for your consideration.

>

> Michelle Hale  
> Executive Assistant to the Administrator Environmental Protection  
> Agency  
> 1200 Pennsylvania Ave., NW,  
> WJCS, Suite 3000  
> Washington, D.C. 20460  
> (202) 564-1430

>

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