

# **Exhibit 146**

**To:** Grant, Schannette (COUNCIL)[sgrant@dccouncil.us]  
**From:** Rahim, Windy (COUNCIL)  
**Sent:** Tue 7/26/2016 3:36:31 PM (UTC)  
**Subject:** RE: FW: Emergency Regulations

Tuesday Aug. 2<sup>nd</sup> or Thursday Aug. 4th – 12:30pm

**From:** Grant, Schannette (COUNCIL)  
**Sent:** Tuesday, July 26, 2016 11:18 AM  
**To:** Rahim, Windy (COUNCIL)  
**Subject:** FW: FW: Emergency Regulations

What is a good day(s) for Jack to have lunch with Don?  
**From:** Donald MacCord [mailto:dmaccord@digioutdoor.com]  
**Sent:** Tuesday, July 26, 2016 11:17 AM  
**To:** Grant, Schannette (COUNCIL) <sgrant@dccouncil.us>  
**Subject:** Re: FW: Emergency Regulations

I am here all next week and would love to meet with Jack and thank you for the feedback. [REDACTED]

Warmest Regards,

**Donald MacCord**  
**Founder and Principal**  
**Digi Outdoor Media Inc**  
**812 6th Street, NE**  
**Washington, DC**  
**206.715.0565**

On Tue, Jul 26, 2016 at 10:55 AM, Grant, Schannette (COUNCIL) <sgrant@dccouncil.us> wrote:

Happy Tuesday!

Hope you are doing well.

Please see the response below. It looks like there was no emergency legislation passed so DCRA must've done this on their own. Not sure if they have the authority to do so – one would assume they do since they did this but I am checking into that. So many people are GONE so finding someone to assist has been a task.

Also, Jack would like to meet with you when he returns from the Democratic National Convention sometime next week. Are you in town? If so, what day(s) would be good for you to meet Jack for lunch?

Let me know.

Schannette

**From:** Westcott, Katherine (COUNCIL)  
**Sent:** Friday, July 22, 2016 1:41 PM  
**To:** Grant, Schannette (COUNCIL) <sgrant@dccouncil.us>  
**Subject:** RE: Emergency Regulations

What you sent is not legislation but notice of emergency and proposed rulemaking expanding what interior signs need permits. I do not believe that this notice was ever published. Emergency rulemaking does not come to the Council for review; however, it does need to be published and I did not find publication of this notice. A new appendix N was added to the Building Code act in 2014, and published at 61 DCR 2782, dated March 28, 2014. Section N101.3.5.3 reads in the DCMR as it did when it was added in 2014. See reference below. (Note the excerpt is current through May 27, 2016.)

I do recall reviewing proposed legislation on this change; I assume from Ruth, but I could not find any drafts in my Evans file (for 2016, 2015, or 2014) or in any Orange legislation [just in case it was his]. And my older emails between Ruth and me are no longer visible [I guess gone with updated outlook!]. If I recall correctly [I review a lot of legislation] I raised a free-speech issue in that the revised N101.3.5.3 would require that a sign that "contains writing that is legible, or an image that is clearly discernible, from property other than the property on which the sign is located shall require a permit and shall be regulated as a sign under this Appendix N." I don't recall anything more on this.

Ruth and I will probably be able to piece back the discussion [REDACTED]. But, my answer to your question is: no the change in the notice did not happen.

Reference (excerpt):

CODE OF D.C. MUNICIPAL REGULATIONS  
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RECORD - 0001565

\*\*\* This file includes all regulations adopted and published through the \*\*\*

TITLE 12A. DISTRICT OF COLUMBIA CONSTRUCTION CODES SUPPLEMENT OF 2013 BUILDING CODE  
APPENDIX N. SIGNS

N101.3.5.3 Signs within a building. Any sign located within a building, not attached directly or painted on a window, and not located within 18 inches (457 mm) of a window or entrance.

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**From:** Grant, Schannette (COUNCIL)

**Sent:** Friday, July 22, 2016 11:57 AM

**To:** Westcott, Katherine (COUNCIL) <[KWestcott@DCCOUNCIL.US](mailto:KWestcott@DCCOUNCIL.US)>

**Subject:** Emergency Regulations

Happy Friday Kay,

I know you are shocked to hear from me...lol! [REDACTED], I need your help. Can you tell me if the attached emergency legislation really happened. I can't seem to find it anywhere.

Thank you very much for your assistance.

Schannette

Schannette L. Grant

Chief of Staff

Office of The Honorable Jack Evans

Councilmember, Ward 2

1350 Pennsylvania Avenue, NW

Suite 106

Washington, DC 20004

[202.724.8058](tel:202.724.8058)

[202.724.6193](tel:202.724.6193) fax

[www.jackevans.org](http://www.jackevans.org)