



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

March 5, 2014

Sent Email and Regular Mail

Jones Law Group, PLLC
11819 NE 34th Street
Bellevue, WA 98005

Re: True Alaska Bottling (TAB) Bulk Water Agreement Request to Allow Assignment

Dear Ms. Jones:

In response to your letter to Mr. Garry White, dated February 20, 2014, I want to clear up any misconceptions you may have on the assignment of this contract. In your letter you state that under the agreement, TAB “has the ability to assign the contract.” While we all wish for this to go forward, both of the companies you represent, True Alaska Bottling and Alaska Bulk Water, Inc. need to know that the contract actually states that, **“neither party may assign the contract without prior written approval from the other party and that the parties have full discretion to grant or withhold such approval...”** (Contract, Section 14.)

We also would like to point out at this time, since you do represent two separate parties, that although the “new” entity, Alaska Bulk Water, is incorporated in Delaware, Section 17 of the contract states that any action or lawsuit shall be brought in the State of Alaska, sitting in Sitka, Alaska, particularly, **“The parties specifically disavow any application under the removal jurisdiction of the federal courts on grounds of diversity of citizenship, any litigation concerning this agreement.”**

I hope this clears up any misconceptions you may have about the contract now and in the future and as always, we look forward to doing business with True Alaska Bottling Company and Alaska Bulk Water, Inc.

Very sincerely,

Robin L. Koutchak

Municipal Attorney

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