

10/16/2018

Fwd: Re: "The Trade" HIDALGO COUNTY ACCESS AGREEMENT REVISIONS

From: "SGT Rodolfo Salinas 4058" <rudy.salinas@hidalgo.org>  
To: sabrina.rodriguez@hidalgo.org  
Subject: Fwd: Re: "The Trade" HIDALGO COUNTY ACCESS AGREEMENT REVISIONS  
Date: 10/16/2018 10:54:14 AM

Rudy D. Salinas  
Hidalgo County Sheriff's Office  
Office: 1-956-393-6100, Ext 6004  
Fax: 1-956-393-6107  
Cell: 1-956-289-0229

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

From: "SGT Rodolfo Salinas 4058" <rudy.salinas@hidalgo.org>  
Sent: 10/12/2018 6:13:36 PM  
To: "Josephine Ramirez" <josephine.ramirez@da.co.hidalgo.tx.us>  
Cc: "David Friedlein" <david.friedlein@hidalgo.org>, joshua.kaltenbach@hidalgo.org  
Subject: Re: "The Trade" HIDALGO COUNTY ACCESS AGREEMENT REVISIONS

Again Thank You and have a great weekend

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

From: "Josephine Ramirez" <josephine.ramirez@da.co.hidalgo.tx.us>  
Sent: 10/12/2018 3:58:26 PM  
To: rudy.salinas@hidalgo.org  
Cc: "David Friedlein" <david.friedlein@hidalgo.org>, joshua.kaltenbach@hidalgo.org  
Subject: Re: "The Trade" HIDALGO COUNTY ACCESS AGREEMENT REVISIONS

I have reviewed the revised agreement and approve as to form.

**Josephine Ramirez Solis**

*Assistant Criminal District Attorney*

Chief - Civil Division

**Office of Criminal District Attorney**

Hidalgo County, Texas

10/16/2018  
100 E. Cano

Fwd: Re: "The Trade" HIDALGO COUNTY ACCESS AGREEMENT REVISIONS

Edinburg, TX 78539

(956) 292-7609 ext. 8186

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[josephine.ramirez@da.co.hidalgo.tx.us](mailto:josephine.ramirez@da.co.hidalgo.tx.us)

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On Fri, Oct 12, 2018 at 3:19 PM SGT Rodolfo Salinas 4058 <[rudy.salinas@hidalgo.org](mailto:rudy.salinas@hidalgo.org)> wrote:  
Josephine Ramirez

Hey there, so since our meeting on Tuesday, we have sent back the modification of the agreement to Trade. They made the changes and also they'er own modification. Could you please review the attachments for us and insure they are not pulling a fast one. Thank you for your help. If you have any questions, please feel free to call me.

Rudy D. Salinas  
Hidalgo County Sheriff's Office  
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----- Original Message -----

From: "Pagan Danielle Harleman" <[paganharleman@yahoo.com](mailto:paganharleman@yahoo.com)>

Sent: 10/12/2018 1:06:15 PM

To: "Joshua Kaltenbach" <[joshua.kaltenbach@hidalgo.org](mailto:joshua.kaltenbach@hidalgo.org)>

Cc: "LT Rodolfo Salinas 4058" <[rudy.salinas@hidalgo.org](mailto:rudy.salinas@hidalgo.org)>, "CPT David Friedlein 3881" <[david.friedlein@hidalgo.org](mailto:david.friedlein@hidalgo.org)>, "Andrew J. Ungberg" <[aungberg@fkks.com](mailto:aungberg@fkks.com)>, "Brittany Levenbrown" <[blevenbrown@fkks.com](mailto:blevenbrown@fkks.com)>, "Brent Kunkle" <[brentkunkle@gmail.com](mailto:brentkunkle@gmail.com)>

Subject: "The Trade" HIDALGO COUNTY ACCESS AGREEMENT REVISIONS

Sergeant Kaltenbach,

Our legal team has endeavored to make the revisions that your legal team requested on the access agreement. Please note below the specific changes that we made below written in CAPS next to each of your items. Attached is a redline which shows the changed and then a clean copy as well.

Additionally, our counsel Andrew Ungberg has suggested that he is available for a call today, Friday, after 3:30 Eastern, if there are any other questions in order to facilitate the process. (We are anxious to get this over the one yard line and start filming). Please let us know if you would

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like a call and we will set that up.

- Add a stipulation where the HCSO can conduct background checks on producer's personnel. DONE. ALSO PLEASE NOTE THAT ALL OF OUR PERSONNEL WILL HAVE ALSO UNDERGONE HSI'S BACKGROUND CHECK.
- Omit paragraph 7 "release." However a compromise would be to add "To the extent permitted under the Constitution and laws of the State of Texas..." At the beginning of paragraph 7. ADDED "TO THE EXTENT UNDER APPLICABLE LAW"
- Omit paragraph 8 "Remedies." However a compromise would be to leave the last three sentences beginning with "The Department further expressly agrees..." GREATLY SIMPLIFIED THIS CLAUSE SO THAT THE WAIVER OF INJUNCTIVE RELIEF IS CONTINGENT ON YOUR RIGHT OF REVIEW.
- Paragraph 14 "Miscellaneous" change the venue to Texas and delete the second to the last sentence that reads "The indemnification provision under section 8, and all releases herein, shall remain in full force and effect after the termination of this Agreement." CHANGED THE VENUE TO TEXAS. WE BELIEVE THERE MAY BE A MISUNDERSTANDING OF THIS CLAUSE SO WE CLARIFIED WHAT SURVIVES AFTER EXPIRATION OF THE TERMS (OUR RIGHT TO FOOTAGE THAT WE HAD SHOT, NOT ANY ABILITY TO ACCESS PROPERTY OR CONTINUE SHOOTING).

Thank you again for your help.

**Pagan Harleman**  
**SHOWRUNNER, THE TRADE**  
**Our Time Projects**  
[www.ourtimeprojects.com](http://www.ourtimeprojects.com)  
**(917) 287-5164**

On Thursday, October 11, 2018, 7:53:00 AM EDT, Joshua Kaltenbach <[joshua.kaltenbach@hidalgoso.org](mailto:joshua.kaltenbach@hidalgoso.org)> wrote:

Good morning Ms. Harleman and Mr. Kunkle:

i just received feedback from legal on the revisions they require be made to the agreement.

- Add a stipulation where the HCSO can conduct background checks on producer's personnel.
- Omit paragraph 7 "release." However a compromise would be to add "To the extent permitted under the Constitution and laws of the State of Texas..." At the beginning of paragraph 7.
- Omit paragraph 8 "Remedies." However a compromise would be to leave the last three sentences beginning with "The Department further expressly agrees..."
- Paragraph 14 "Miscellaneous" change the venue to Texas and delete the second to the last sentence that reads "The indemnification provision under section 8, and all releases herein, shall remain in full force and effect after the termination of this Agreement."

If you have any questions or concerns please contact me. Also please reply to this group email.

Thank you,

Sgt. Joshua Kaltenbach  
Hidalgo County Sheriff's Office  
711 El Cibolo Road  
Edinburg, Texas 78542  
(956)383-8114 Office  
(956)648-3094 Cell