

June 18, 2021

VIA E-MAIL (SHANNON.HARNER@NIFA.ORG)

Ms. Shannon Harner
Executive Director
Nebraska Investment Finance Authority
1230 O Street
Lincoln, NE 68508
Attention: Custodian of Records

Re: Nebraska Public Records Act Request

Dear Ms. Harner:

This is a request for public records under the Nebraska Public Records Act, Neb. Rev. Stat. § 84-712 *et seq.* On behalf of our client, Robert Woodling, we request the following records:

1. All records, documents, emails and other correspondences provided by the Nebraska Investment Finance Authority (“NIFA”) to Patrick Turner in response to his June 4, 2021, request for public records. A copy of Mr. Turner’s June 4, 2021, request is attached for your reference.

2. All records, documents, emails and other correspondences in NIFA’s possession that may be, in any way, related to the facts and matters at issue in Robert Woodling’s lawsuit against Robert Ryan, RMR Building Group, LLC, and 1st City Development, LLC, wherein Robert Woodling claims, among other things, that Robert Ryan published defamatory and libelous statements about Robert Woodling.

Please provide the requested records in electronic format by email, if possible. Section 84-712(4) of the Nebraska Revised Statutes requires NIFA to respond to this request within four business days. If you conclude there is a legal basis for denying the requested records, please specify that basis within four business days. You may send all written correspondence by email to nmiller@bairdholm.com, cc: llundholm@bairdholm.com.

Ms. Shannon Harner
June 18, 2021
Page 2

Very truly yours,

A handwritten signature in blue ink that reads "Nick Miller". The signature is written in a cursive style with a vertical line at the end.

Nicholas F. Miller
FOR THE FIRM

DOCS/2649107.1

**Nebraska Investment Finance Authority
Form for Request for Public Records
(Pursuant to Neb. Rev. Stat. §84-712 et seq.)**

This form is intended to assist individuals who wish to request public records from the Nebraska Investment Finance Authority (NIFA) pursuant to the Nebraska Public Records Act.

Requesting Public Records. Please use this form for making a formal request to NIFA for public records pursuant to the Nebraska Public Records Act. Requests for public records submitted to NIFA are open to the public.

NIFA Website. You are urged to view the NIFA website www.nifa.org prior to submitting a formal Request for Public Records. NIFA has posted various records and other information on its website from which you can copy and download. There is no charge for inspecting records on the website.

Charges. In accordance with the Public Records Act, charges may apply for providing public records.
Questions? For questions, NIFA's custodian of public records can be reached at (402) 434-3900, Monday-Friday, 8:00 am – 5:00 pm., (except on state holidays).

**Complete the following and return by U.S. Postal Service mail or hand delivery.
PLEASE NOTE: NIFA does not accept requests by email.**

Name: Patrick Turner Phone: 402-690-3675
Address: 139 S. 144th Street, #665, Omaha, NE 68010 Email: pturner@turnerlegalomaha.com

Record(s) Requested (Describe the Public Records you are requesting. Provide as much details as possible, including the date range, if possible – this will assist NIFA in searching for the records.):

See attached.

Delivery Method: Electronic
 Photocopy/mail
 I will review at the NIFA office in Lincoln, Nebraska

Signature:  Date: 6/4/21

Mail via U.S. Postal Service or hand deliver to:
Nebraska Investment Finance Authority
1230 O Street
Lincoln, NE 68508
Attention: Custodian of Public Records

NIFA reserves the right to determine that a requested Public Record, or portions thereof, is exempt from disclosure pursuant to the provisions of the Public Records Act.



Patrick R. Turner, Esq.

May 25, 2021

Nebraska Investment Finance Authority
Attention: Custodian of Public Records
1230 O Street Lincoln, NE 68508

RE: Public Records Act Request

To Whom It May Concern:

Below is a request for public records pursuant to the Nebraska Public Records Act, Neb. Rev. Stat. §84-712 et sequentes. Pursuant to the same, please provide the following records, communications, correspondence and documents:

REQUEST #1. A copy of the executed LIHTC application submitted to the Nebraska Investment Finance Authority ("NIFA") by Foundations Development, LLC in 2019 or 2020 and related to 210 West Mission Avenue which was award credits at the February 21, 2020 NIFA Board meeting (the "Application"). It is possible the reference number for the Application is 7-0976.

REQUEST #2. A copy of any application for tax credits, whether funded or unfunded, submitted by Foundations Development, LLC to NIFA since January 1, 2018.

REQUEST #3. A copy of any application for tax credits, whether funded or unfunded, submitted by Robert Woodling to NIFA since January 1, 2018.

REQUEST #4. A copy of all emails, correspondence, documents, or the like related to the Application in Request #1, including all emails, correspondence, documents, or the like related to the award of credits based on the Application.

REQUEST #5. A copy of all emails, correspondence, documents, or the like between NIFA (including its Board of Directors, and any staff member or employee of NIFA) and Foundations Development, LLC from January 1, 2020, to the Present.

REQUEST #6. A copy of all emails, correspondence, documents, or the like between NIFA (including its Board of Directors, and any staff member or employee of NIFA) and Robert Woodling from January 1, 2020, to the Present.

REQUEST #7. A copy of all emails, correspondence, documents, or the like related to the changes made to the 2021 LIHTC Qualified Allocation Plan Package and the 2020/2021 Amended and Restated Qualified Allocation Plan. This request specifically includes all emails, correspondence, documents, or the like related to NIFA decision to: (i) alter the *Certification of*



Patrick R. Turner, Esq.

Applicant/Owner to include language regarding material changes to any original LIHTC application; (ii) to alter Section 13 of the 2020/2021 Amended and Restated Qualified Allocation Plan to include language regarding material changes to from any original LIHTC application.

- a) For clarification purposes, documents related to these changes are identified available on the NIFA website listed as: (i) Revised 2020/2021 Amended and Restated 9% Allocation Plan; and (ii) Revised 2020/2021 DRAFT LIHTC Application.

REQUEST #8. A summary of all applications for LIHTC credits submitted for consideration for the award of credits for Round 1 of 2020, including a list of the final scores attributed to each application therein.

Please provide the requested information or objections to the same in electronic format by email, if possible, withing four business days of the receipt of this request as required by Nebraska law. All communication regarding this request may be sent to pturner@turnerlegalomaha.com

Regards,



Patrick R. Turner