



## Legislation Details (With Text)

**File #:** 120811. **Version:** 1 **Name:**  
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**File created:** 2/6/2013 **In control:** City Attorney  
**On agenda:** 2/21/2013 **Final action:** 2/21/2013  
**Title:** BAYCORP HOLDINGS LTD.; ENERGY MANAGEMENT, INC.; STARWOOD ENERGY GROUP GLOBAL, LLC; STARWOOD ENERGY GROUP GLOBAL, INC.; RONALD FAGEN; AND DIANE FAGEN, PLAINTIFFS V. THE CITY OF GAINESVILLE, FLORIDA, D/B/A GAINESVILLE REGIONAL UTILITIES, DEFENDANT; NORTHERN DISTRICT OF FLORIDA, CASE NO. 13CV00024-SPM-GRJ (B)  
**Sponsors:** City Attorney

**Indexes:**

**Code sections:**

**Attachments:** 1. 120811\_Baycorp Holdings Consent\_20120221.pdf

Date	Ver.	Action By	Action	Result
2/21/2013	1	City Commission	Approved as Recommended	Pass

BAYCORP HOLDINGS LTD.; ENERGY MANAGEMENT, INC.; STARWOOD ENERGY GROUP GLOBAL, LLC; STARWOOD ENERGY GROUP GLOBAL, INC.; RONALD FAGEN; AND DIANE FAGEN, PLAINTIFFS V. THE CITY OF GAINESVILLE, FLORIDA, D/B/A GAINESVILLE REGIONAL UTILITIES, DEFENDANT; NORTHERN DISTRICT OF FLORIDA, CASE NO. 13CV00024-SPM-GRJ (B)

The City Commission authorize the City Attorney, assisted by special counsel, to represent the City in the case styled Baycorp Holdings Ltd.; Energy Management, Inc.; Starwood Energy Group Global, LLC; Starwood Energy Group Global, Inc.; Ronald Fagen; and Diane Fagen, Plaintiffs v. the City of Gainesville, Florida, d/b/a Gainesville Regional Utilities, Defendant; Northern District of Florida, Case No. 13CV00024-SPM-GRJ.

On February 4, 2013, the City was served with a Summons and Complaint filed by Baycorp Holdings Ltd, et. al. Baycorp Holdings Ltd. and the other plaintiffs allege that they are improperly named as parties in the AAA Arbitration between the City and Gainesville Renewable Energy Center, LLC (GREC) because they were not parties to the Purchase Power Agreement which is the subject of the arbitration. The Plaintiffs ask the Court to enjoin the City from proceeding with the arbitration as to the Plaintiffs or as to any individual or entity other than GREC.