

**From:** [Emily Bremer](#)  
**To:** ["Everett, Sally"](#)  
**Subject:** RE: Intro  
**Date:** Tuesday, August 05, 2014 2:16:00 PM

---

Thank you, Sally.

Best,  
Emily

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

From: Everett, Sally [<mailto:SEverett@nfpa.org>]  
Sent: Tuesday, August 05, 2014 2:14 PM  
To: Emily Bremer  
Subject: RE: Intro

Emily -

Thank you for your note. I'm so sorry for your loss.

I completely understand ACUS's approach with regard to the private litigation; as a consensus-based organization, NFPA is often in the same position.

I appreciate your interest and I'm sure we will speak or meet up at some point in the future.

Best regards,  
Sally

Sally P. Everett  
Vice President and General Counsel  
National Fire Protection Association  
[severett@nfpa.org](mailto:severett@nfpa.org)

CONFIDENTIALITY: This e-mail (including any attachments) may contain confidential, proprietary and privileged information, and unauthorized disclosure or use is prohibited. If you receive this e-mail in error, please notify the sender and delete this e-mail from your system.

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

From: Emily Bremer [<mailto:ebremer@acus.gov>]  
Sent: Tuesday, August 05, 2014 11:21 AM  
To: Everett, Sally  
Subject: RE: Intro

Sally,

I'm sorry for my delayed reply--I was out of the office until this morning because I was out of town to attend a funeral. At the end of last week, I did have an opportunity to discuss this with our Chairman and General Counsel. Although I'm very grateful you thought of me, I won't be able to participate in your case. As I suspected, there are some fairly stringent restrictions on federal employees serving as expert witnesses. Among other things, we would have to secure DOJ's authorization, which would require convincing their ethics officials that my service as an expert witness is in the Government's interests. Beyond that, we believe the most prudent policy is for ACUS employees not to take sides in private litigation. To do so would be in some measure inconsistent with the agency's neutral and consensus-based mission. Our members have a wide diversity of opinions, too, and only recommendations adopted by the Assembly can be understood to be the "views" of the Conference. It would likely be impossible to hew strictly to those views in any kind of expert testimony. And to venture too far beyond our recommendations would be to invite criticism and disapproval from our

members.

Thank you again for reaching me out to about this. It was a pleasure to speak with you last week, and I hope to do so again in the future. And I will continue to follow the litigation with interest.

All the best,  
Emily

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

From: Everett, Sally [<mailto:SEverett@nfpa.org>]

Sent: Tuesday, August 05, 2014 11:08 AM

To: Emily Bremer

Subject: RE: Intro

Hi, Emily -

Just following up on our conversation last week and to see if it would be helpful for you to speak with our litigation counsel regarding your potential participation in our copyright case. Please let me know if there is any information that would be helpful to you.

Best regards,  
Sally Everett

Sally P. Everett  
Vice President and General Counsel  
National Fire Protection Association  
[severett@nfpa.org](mailto:severett@nfpa.org)

CONFIDENTIALITY: This e-mail (including any attachments) may contain confidential, proprietary and privileged information, and unauthorized disclosure or use is prohibited. If you receive this e-mail in error, please notify the sender and delete this e-mail from your system.