

1 FISHER: BILL FISHER.

2 REAGAN: BILL, this is DARREN.

3 FISHER: Hey, how are you?

4 REAGAN: I'm fine. How are you?

5 FISHER: I'm alright.

6 REAGAN: Good. I got a, a call that you were trying
7 to reach me?

8 FISHER: Um, you know, we talked at the end of
9 the week and I thought you were getting ready to be
10 out of town, so.

11 REAGAN: Hold on a minute. This is D'ANGELO.

12 FISHER: Okay. Alright.

13 Long pause while REAGAN takes a call from D'ANGELO LEE

14 REAGAN: BILL?

15 FISHER: Yes, sir.

16 REAGAN: Uh, I don't, I don't know where you called and
17 left messages for me.

18 FISHER: Uh...

19 REAGAN: I don't know...

20 FISHER: I didn't.

21 REAGAN: I don't know...

22 FISHER: I didn't.

23 REAGAN: I don't know that you,
24 have a, have something for me. You have not, you have not
25 communicated that you have

1 anything for me.

2 FISHER: Okay. I'm not sure where the confusion
3 is, but let me just bring you up to date. I mean,
4 I've, I've done, uh, what I've said that I'd do and,
5 you know, do, on all these things. I've sent,
6 contacted all the guys on your list and I've got
7 qualification packages going out to 'em. I've
8 spoken with I think every single one of 'em.

9 REAGAN: COUGHS

10 FISHER: Got delivery addresses and I've got a little,
11 nice little cover letter going out that, uh,
12 talks about your recommendation on them
13 and, uh how they'll get some preference in this,
14 uh, process for the work on Pecan Grove and the
15 normal qualification statements and, and I'll be happy
16 to copy you on the letters if you want, certainly tell
17 them if they're having issues...

18 REAGAN: Well UI...Here's, here's, here's, let me,
19 let me, let me just make it real short and sweet,
20 BILL. Uh, our councilman is not happy. Our
21 commissioner is...

22 FISHER: Why not?

23 REAGAN: I'm, let me just finish.

24 FISHER: Okay.

25 REAGAN: Uh, you, obviously you've left messages,

1 uh, on folk voice mails and they are very, very
2 upset about you leaving messages.

3 FISHER: LAUGHS... Okay.

4 REAGAN: And, uh, I, you know, I, its' been clear to
5 you, BILL, it's been, it's been made perfectly clear
6 to you by everybody that you have to deal with me.
7 And trying to go around me is not making them happy
8 at all. So, it's, it's, it's gonna, I mean, you have
9 to decide, uh, how you want, how you want, how
10 you want this story to end. You've had those
11 amended, a- amended contracts before you,
12 you've had, uh, for over a week now. You've had
13 those, you've had the, the, uh, Dallas West contract
14 well over two weeks, almost two weeks now. And
15 I haven't gotten any of those back. So, you know, I,
16 I don't know what else to tell you. Everything that I've
17 said to you is laid out in written form. Hadn't
18 anything changed other than you just made it worse,
19 man. And I told, I've asked you, asked you, I've, I've
20 told you, I've de-, basically demanded of you not to, not
21 to try to circumvent the process, man. And here,
22 and here you are, you screwed, you you've essentially
23 screwed it up. You've essentially screwed it up. And,
24 and I can, I, you know, un, unless, unless I can show
25 that we have some, some deals done, I don't know,

1 I don't know, uh, BILL, where we, how this is gon',
2 well I, I, I can tell you. Uh, it's not gonna end up
3 a pretty situation. And I've worked too hard with you,
4 and I've worked, I've done, I've gone overtime with
5 you. You would rather spend more time trying to
6 argue with me, debate with me, you, you, I mean, COUGHS.
7 FISHER: Well, DARREN, the d, the requirements
8 are, are, I can't do them. I don't, I don't, you want
9 me to tell you something that I can't do. It's too much.
10 REAGAN: You have an amended, you have an
11 amended contract. Listen, listen.
12 FISHER: CLEARS THROAT
13 REAGAN: On, on two, on two deals...
14 FISHER: Mmm.
15 REAGAN: You have two amended contracts.
16 FISHER: And amend, and amendments.
17 REAGAN: Listen, listen, listen, BILL, let me finish,
18 let me, let me finish. You have, you have a, a, a
19 contract on Dallas West that lines up with what we
20 talked about. You have an amendment to Dallas
21 West that lines up with what we talked about with the
22 only exception of the developer's fee. The
23 developer's fee, you were not honest in putting all
24 of the cards on the table. That's negotiable.
25 That's negotiable but you said to me I can't do it.

1 No, you, and you're not gonna do it. So, that's not
2 negotiating with me. So we have, that has to
3 be negotiated. The other, the thing on Pecan
4 Grove, I've given that to, you've had that for, from
5 day one and you, and how you brought it to me,
6 here, look, we're gonna use African-American subs
7 from the neighborhood. I got you the list of 'em.
8 PRENTICE and I sat down and talked about it.
9 PRENTICE said get me the names, get me the
10 names. I'll use, I'm gon' deal directly with you.
11 And what I, what he said to me in dir, dealing
12 directly with me. That's what's in the, in the
13 amended. That you guys would not be micro-
14 managing, you guys would not be interfering,
15 going around me or the BSEAT, through to the prime
16 contractor. That's what, I put all of that in writing
17 based on conversations we've had with you and
18 with PRENTICE. Now, you want to argue and fuss
19 and, fuss with me and then you, you, and then you
20 alienate the only people that, that can help us. And
21 it, I'm, I'm mighty afraid, it's, it's kinda gettin',
22 it's, it's getting late, way in the, in the, in the
23 evening on this one, buddy. And I, I'm just gonna
24 tell you this again, BILL. And you don't, and you
25 have my numbers. You have my numbers. Don't

1 leave any messages. Don't leave no more
2 messages, uh, nowhere else. You can leave, you
3 can call me, but if there ain't a message that's, that
4 lines up with what we're talking about here, it, it
5 goes nowhere. But you're gonna kill the deal.
6 You're gonna kill it. Not me.

7 FISHER: You know, tell me what I need to do here
8 other than negotiate against myself to try and
9 get Dallas West Village across the finish line. I
10 cannot...

11 REAGAN: Okay.

12 FISHER: Give you total control of my development.
13 It requires approval of my investor.

14 REAGAN: COUGHS

15 FISHER: I can't do it if I wanted to do it.

16 REAGAN: You're not giving me, you're not
17 giving me total control. LAUGHS... COUGHS..
18 you're not giving me total control. You're giving,
19 you're not giving me total control. I mean,
20 we have, we, there are provisions there for
21 disputes, if we have a dispute. But, you cannot,
22 you cannot, uh, uh, uh, and we're not gonna
23 be in a position where we're just rubber-
24 stamping and we're just, you know just, uh, uh,
25 basically being used as black faces out on this

1 thing. We're not gonna, we're not gonna do that.
2 That ain't what I signed on for and that ain't what,
3 what these guys expect of me. And I, even if
4 it was expected of me, I wouldn't do it.
5 FISHER: Well, no, nobody's ever...
6 REAGAN: So, so...
7 FISHER: Proposed doing anything...
8 REAGAN: So, okay...
9 FISHER: Other than being...
10 REAGAN: Okay, then, okay.
11 FISHER: Honest in what we agreed...
12 REAGAN: Okay. And that's what we need...
13 FISHER: To do regarding minority contracting, so.
14 REAGAN: And, and, and, and, and so I didn't
15 ask you for, and it's not in there that we have
16 total control over anything. It's that there's
17 protocol and you understand what protocol is.
18 And that's basically protocol. So, you know,
19 you can get off of that about taking over the,
20 over the project, but, but, uh, you know, we're
21 not gonna, we're not gonna micro-manage it,
22 we got, I mean, we're, we're not going to
23 adversely impact it. No, we're not gonna do that
24 because, uh, LAUGHS you know, I wanted, you
25 know, the success of the project coming in, and

1 you know, ours getting paid is based on that.

2 FISHER: No, DARREN, it's not. It says that

3 you will be the project manager, the general

4 contractor and the co-developer.

5 REAGAN: UI.

6 FISHER: I mean, what am I...

7 REAGAN: UI, listen, UI...

8 FISHER: Missing there? You're the general contractor.

9 REAGAN: UI.

10 FISHER: How do you be a general contractor

11 when, when, when you can't, I can't get you

12 approved by the lender and investor?

13 REAGAN: Okay, we're, we're, we're the co-directors.

14 FISHER: CLEARS THROAT

15 REAGAN: We're the, we're the co-G-C. You

16 told, you told, hey, BILL, you told me, you told

17 me, said you're gonna be, y'all, you guys are

18 gonna be the developers. SUZAN went before

19 the, the commission and said that the developers

20 are here. SUZAN said that. When it got passed

21 through Planning and Zoning. So, you know,

22 rather than say we're the, we are the developers,

23 I, we're the co-developers.

24 FISHER: What, what about the...

25 REAGAN: You said, wait a minute, and you said

1 that, you said that. You said that. You said you
2 guys be the developer, y'all, this is y'all's project.
3 on and on and on and on. Okay? So, and
4 that's what's reduced to writing.
5 FISHER: You know, we have a service
6 agreement with you in the original West
7 Village and it begins with passing the zoning
8 case for a fee.
9 REAGAN: Listen, listen.
10 FISHER: And then it begins, then it, then it ends
11 with getting a fee when the financing closes and
12 has a continuing participation in you helping us...
13 REAGAN: Okay, BILL...
14 FISHER: Make sure that we fulfill our min,
15 minority content.
16 REAGAN: BILL, BILL...
17 FISHER: You've now sent me an amended...
18 REAGAN: Okay, BILL, you have...
19 FISHER: West Village deal and a, and a third
20 amendment, a second...
21 REAGAN: UI...
22 FISHER: Amendment for the amend...
23 REAGAN: UI, on those amended, on those
24 amendments, they, they basically, uh, those are
25 basically, uh, uh, stop gap measures based

1 on what our experience has been with you.
2 Those are stop gap COUGHS measures to
3 make sure that the integrity COUGHS of
4 associations is not jeopardized through this
5 project. And those, those are measures that will
6 protect us. And, will, and will protect you, too.
7 FISHER: No, because I can't get the, I can't
8 get this approved post-haste on Pecan Grove,
9 nor can I get you approved...
10 REAGAN: Okay, BILL...
11 FISHER: As the general contractor.
12 REAGAN: UI.
13 FISHER: In other roles that you're calling for
14 in the, in...
15 REAGAN: We're the co-G-C. We're the co-G-C.
16 We're the co-G-Cs. We're co-G-Cs. We're not
17 the G-C. We're the co-G-C based on what
18 you talked about. You said y'all will be, y'all,
19 this was y'all's project. And it LAUGHS...
20 COUGHS UI...
21 FISHER: You, you guys' expertise, you guys are
22 the retail experts in this area.
23 REAGAN: Okay.
24 FISHER: The UI. We're talking about the retail
25 component of the development. You have no

1 housing experience at all.

2 REAGAN: Well...

3 FISHER: Well, this thing's gotten, frankly,

4 DARREN, it's gotten to be what you want

5 versus what we talked about. Since it's really

6 down to what the requirements are, tell me

7 what the requirements are. I'm just trying to

8 tell you what I can and cannot do. You know, I

9 can't give you half the developer fee and give

10 you control of the project. I can't do that. I can

11 pay you certain sums of money at certain points

12 in time as part of the draw process on

13 something that we can agree on.

14 REAGAN: Well, I, I think, I think at this point in

15 time, BILL, that I'm not unreasonable. I'm not

16 unreasonable. But, I think at this point in time, uh,

17 uh, you have an amended agreement there that

18 you need to sign and we can talk about the,

19 all the rest of that. And we can talk about the,

20 we, listen, listen, listen, listen to me, listen to me.

21 We can talk about the legalities, we can talk

22 about all of that other stuff because I'm not, I'm,

23 I'm not interested in putting the BSEAT at risk or at

24 exposure. But, at this point in time, based on what

25 you have said and committed to D'ANGELO, what

1 SUZAN said, and before the public meetings there
2 and that's all public. We have to deal with that right
3 now. And that's what you have in front of you.
4 We, I will commit to you that we will re-look at
5 all of that. But, short of, short of, of signing that,
6 you know, and I'll, I'll be happy to say we'll, we'll,
7 we will re-look at it.

8 FISHER: But let's just, let's walk through what
9 I have to do between now and Wednesday to
10 get my case passed. I, I'm supposed to come
11 up with some, something for something
12 for the RA-MILL guys.

13 REAGAN: No, no, no. No, no, no.

14 FISHER: Okay. I don't?

15 REAGAN: No, no. No, you don't.

16 FISHER: Okay.

17 REAGAN: UI.

18 FISHER: I have to, I'm supposed to come up
19 with yours at ten o'clock you know
20 tomorrow morning.

21 REAGAN: Uh, tom, uh...

22 FISHER: UI.

23 REAGAN: STUTTERS... let me, let me tell you,
24 let me tell you, BILL.

25 FISHER: Okay. I'll just listen to what you tell me I

1 need to do.

2 REAGAN: Okay. Okay. And, and I don't want
3 to be redundant. First of all, you need to sign
4 those contracts. That's the first thing you need
5 to do. Sec, and, and I will be happy to initial
6 on the developer fees that we will make good-
7 faith efforts to renegotiate that part. So if you
8 want to write that in, I'll initial it. We'll make
9 good-faith efforts to renegotiate that. COUGHS
10 But, and you can, and you can scratch through
11 irrevocable letters of commitments and say that
12 we will contact with the following. I will initial that
13 and you initial it. PAUSE

14 FISHER: I'm just taking notes LAUGHS.
15 Fire away.

16 REAGAN: Okay. That's, that's, that, that, that's all
17 we do on both of those. Let's, let's, let's do that
18 on both of those and then you and I, uh, will, will
19 visit, uh, personally on a little separate matter.

20 FISHER: Okay. On the other items?

21 REAGAN: On what other items?

22 FISHER: Well...LAUGHS

23 REAGAN: On, on the other, on, on, on, on a,
24 on a, on a, uh...

25 FISHER: I mean, there's some contract

1 performance in there that's required by like noon
2 tomorrow, I think. No, noon on Wednesday. So...

3 REAGAN: What are, what are, what are you
4 talking about?

5 FISHER: Well, there's some, there's some payment
6 payment requirements in these amendments
7 before Wednesday.

8 REAGAN: Yeah, yeah, yeah, yeah, yeah.

9 FISHER: Okay. Alright.

10 REAGAN: We can talk, you and I can visit, uh, uh,
11 personally.

12 FISHER: Personally about that, not talk about
13 that on the phone.

14 REAGAN: We can visit about that, we can visit
15 about that this evening or, uh, I will, I will be visiting
16 with, uh, public officials in, uh, in the morning.

17 FISHER: Alright. If, if, if...

18 REAGAN: I have a, so...

19 FISHER: If I, if I do these things, can do these
20 things, you're, I...

21 REAGAN: UI.

22 FISHER: Will pass on Wednesday.

23 REAGAN: What I will, what I, what I'm, what I
24 will say is that we need to have a written
25 agreement that re, those agreements in hand

1 and I will make a, I will make, uh, a presentation
2 and saying this is what I have and, and, uh, uh, I,
3 I will encourage passage on it.

4 FISHER: Um, STUTTERS would everything here
5 be contingent on passage? I don't, I don't...

6 REAGAN: SUTTERS... Here's, here's...

7 FISHER: Wanna sign...

8 REAGAN: Here's what I'm...

9 FISHER: I don't wanna sign something on Pecan.

10 REAGAN: Here's what I'm saying, and, and,
11 and don't play me. I've said, I've been very
12 clear in what I've said and you're not, I'm not
13 gonna say anything any different than what I said. I
14 said. I said I need to have those items. I will
15 visit with you this evening, uh, in person about,
16 uh, something that you and I need to discuss and
17 I will make a recommendation, uh, after
18 our after our visit and I have our, our, uh, uh, uh,
19 amendments in hand, I'll make a recommendation.
20 A strong recommendation that's, that I'm, I'm
21 comfortable with. But, so you UI...

22 FISHER: Well, we can, we can talk about it
23 when we get together. You need to think about
24 that, 'cause whatever happens, it's gonna...

25 REAGAN: I don't have to think about nothing.

1 FISHER: Okay.

2 REAGAN: I don't have to think about anything. I
3 don't, I don't have to think about anything. What
4 you need to do, uh...

5 FISHER: Is do what you're asking me to do.

6 REAGAN: Just, just, just, just, let's get it done,
7 man. And I'll meet you at, uh, what time is it?

8 FISHER: Well, my son has baseball tonight,
9 so, which is a holdup. I don't know if it's
10 been raining outside or not, but, uh, let me,
11 let me get back to you on when I can meet. Can
12 you do it tomorrow during the day if that's the only
13 time for me?

14 REAGAN: It's, it's gonna be tough. It's gonna
15 be tough during the day because I'm, I'm
16 committed to, uh, meeting with some public
17 officials in the morning at ten.

18 FISHER: Okay.

19 REAGAN: And, and there's, there's a certain
20 item in that, in that, uh, COUGHS uh, contract
21 with, with um, with Dallas West that's time-
22 sensitive regarding when that, uh, when you
23 need to deliver.

24 FISHER: Okay. Well, today is Monday, though.
25 I think that's like...

1 REAGAN: Mm-hmm.

2 FISHER: Wednesday at ten is the timing in
3 there, so, but UI.

4 REAGAN: Wednesday at ten, Wednesday at ten is the, the
5 the, City Council meets on Wednesday.

6 FISHER: Yeah, but there's something that has
7 to be done like before then.

8 REAGAN: UI.

9 FISHER: Does it say Tuesday before ten?

10 REAGAN: No, it says the, uh, twenty, uh, what
11 is it? Is it twenty-four hours?

12 FISHER: I don't know. Yeah, UI...

13 REAGAN: About ten o'clock.

14 FISHER: I think it's, I think it's ten o'clock the day
15 of, but let me look, I haven't looked yet.

16 REAGAN: Oh, no, it's not ten o'clock the day of.

17 FISHER: It's ten o'clock tomorrow?

18 REAGAN: Yeah.

19 FISHER: Alright. Well let me, let me do this.
20 Let me talk to my son here, find out whether
21 they're really gonna play tonight and I'll call
22 you right back.

23 REAGAN: Okay.

24 FISHER: Alrighty.

25 END OF CALL