



Kenneth L. Dorsney
302.888.6855
kdorsney@morrisjames.com

February 12, 2024

VIA CM/ECF & HAND DLIVERY

The Honorable Christopher Burke
United States District Court
844 North King Street
Wilmington, DE 19801

**Re: *Midwest Energy Emissions Corp., et. al v. Arthur J. Gallagher & Co., et al.,*
C.A. No. 19-1334-CJB**

Dear Judge Burke:

Pursuant to the Court's November 21, 2023 Oral Order, the parties hereby make the following joint statement on mediation.

The parties participated in good faith in a mediation before a private mediator Lawrence Nodine in Atlanta, Georgia, on January 23, 2024. Mr. Nodine spent several hours with counsel for the parties, individually and jointly, in the weeks leading up to the mediation. Lead counsel at the mediation itself was Brad Caldwell for Plaintiffs and Paul Sykes for Defendants. The duration of the mediation on January 23 was about seven and a half hours. The parties were unable to resolve the dispute. Lead counsel for each of the parties hereby certifies that they engaged in the mediation and settlement efforts in good faith.

Respectfully submitted,

/s/ Kenneth L. Dorsney

Kenneth L. Dorsney (#3726)

cc: All counsel of record (via CM/ECF and electronic mail)