



# NORFOLK

*Office of the City Attorney*

January 22, 2020

Kevin P. DiGrazia, Esq.  
Cordish and Cordish  
601 East Pratt St., 6<sup>th</sup> Floor  
Baltimore, MD 21202

Re: Waterside District

Dear Mr. DiGrazia:

This is in response to your January 14, 2020 letter wherein you allege that the City has breached a Deed of Lease and Development Agreement between NRHA and Norfolk District Associates, LLC dated October 31, 2013.

I do not agree with your allegation that the City's "relationship with the Pamunkey Indian Tribe...[is] in violation of the Development Agreement."

Sincerely,

A handwritten signature in cursive script, appearing to read "Bernard A. Pishko".

Bernard A. Pishko  
City Attorney

BAP:lm

cc: Dr. Larry Filer, City Manager  
Michelle G. Foy, Deputy City Attorney  
John Kownack, Executive Director, NRHA  
Delphine Carnes, Esq.

BERNARD A. PISHKO  
City Attorney  
ADAM D. MELITA  
HEATHER A. MULLEN  
JACK E. CLOUD  
DEREK A MUNGO  
TAMELE Y. HOBSON  
NADA N. KAWWASS  
ANDREW R. FOX  
MICHELLE G. FOY  
MATTHEW P. MORKEN  
HEATHER L. KELLEY  
ERIKKA M. MASSIE  
ZACHARY A. SIMMONS  
ALEX H. PINCUS  
MICHAEL A. BEVERLY  
MARGARET A. KELLY  
KATHERINE A. TAYLOR  
KRISTOPHER R. McCLELLAN  
BONNIE P. LANE

LAW OFFICES  
**CORDISH AND CORDISH**

DAVID S. CORDISH  
GLENN L. WEINBERG  
CHARLES F. JACOBS\*  
ROBERT C. FOWLER  
HOWARD G. WEINSTEIN\*\*  
TAYLOR E. GRAY  
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AMANDA E. AMOS  
DEVIN T. KITCHELT  
KEITH D. HUDOLIN\*\*  
KEVIN P. DIGRAZIA

PAUL L. CORDISH (1909-2003)

\* ADMITTED IN MARYLAND AND NEW YORK  
\*\* ADMITTED IN MARYLAND AND DISTRICT OF COLUMBIA  
\*\*\* ADMITTED IN NEW YORK

January 14, 2020

Norfolk Redevelopment and Housing Authority  
201 Granby Street  
Norfolk, VA 23510  
Attn: Executive Director

City Manager  
City of Norfolk  
1100 City Hall Building  
810 Union Street  
Norfolk, VA 23510

Norfolk City Attorney  
900 City Hall Building  
810 Union Street  
Norfolk, VA 23510

Re: Waterside District

Dear Sir/Madam:

Yesterday my client sent you the attached Tenant letter that speaks for itself. Please be advised that since sending that letter, my client has learned that the City has formalized its relationship with the Pamunkey Indian Tribe, per the attached newspaper article, in violation of the Development Agreement between the City and our client.

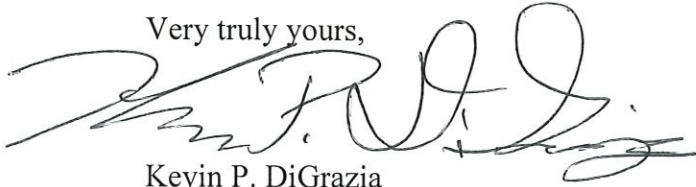
Please be advised that in the absence of the Landlord correcting its breach, we will seek all appropriate legal redress on behalf of Tenant.

RECEIVED  
CITY ATTORNEY'S OFFICE  
601 EAST PRATT STREET  
2020 JAN 17 11:04 AM '20  
6<sup>TH</sup> FLOOR  
BALTIMORE, MARYLAND 21202  
TELEPHONE : (410) 539-4141

FAX: (410) 659-9491

Norfolk Redevelopment and Housing Authority  
Norfolk City Manager  
Norfolk City Attorney  
January 14, 2020  
Page Two

Very truly yours,

A handwritten signature in black ink, appearing to read "Kevin P. DiGrazia". The signature is fluid and cursive, with a large initial "K" and "D".

Kevin P. DiGrazia

KPD/arf  
Enclosures

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# NORFOLK

*Office of the City Attorney*

January 22, 2020

Mr. Joseph Weinberg  
Norfolk District Associates, LLC  
601 E. Pratt Street  
Baltimore, MD 21202

Re: Waterside District

Dear Mr. Weinberg:

This is in response to your January 13, 2020 letter wherein you ask that we "meet to strategize mutual efforts with the General Assembly"... "to obtain all Governmental Approvals necessary to enable the Premises to be utilized as a casino gaming establishment."

For the current session, I understand that the time to introduce legislation has passed. Has Norfolk District Associates requested legislation? Please share whatever you have prepared and if you have not proposed anything, what does Norfolk District Associates plan to seek?

Sincerely,

Bernard A. Pishko  
City Attorney

BAP:lm

cc: Dr. Larry Filer, City Manager  
Michelle G. Foy, Deputy City Attorney  
John Kownack, Executive Director, NRHA  
Delphine Carnes, Esq.

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HAND Fed Ex  
DELIVERED

RECEIVED  
CITY ATTORNEY'S OFFICE

2020 JAN 14 A 10:00

## Norfolk District Associates, LLC

The Power Plant. 601 E Pratt Street. Baltimore, Maryland 21202. 410 752-5444

January 13, 2020

Norfolk Redevelopment and Housing Authority  
201 Granby Street  
Norfolk, Virginia 23510  
Attn: Executive Director

City Manager  
City of Norfolk  
1100 City Hall Building  
810 Union Street  
Norfolk, Virginia 23510

Norfolk City Attorney  
900 City Hall Building  
810 Union Street  
Norfolk, Virginia 23510

Re: Deed of Lease and Development Agreement dated October 31, 2013 ("Agreement") by and between Norfolk Redevelopment and Housing Authority, a political subdivision of the Commonwealth of Virginia, acknowledged and guaranteed by the City of Norfolk (collectively, "City"), and Norfolk District Associates, LLC ("Cordish")

Dear Sir/Madam:

As you are aware, legislation has been introduced [SB 1126] in the Virginia General Assembly to authorize casino gaming in the Commonwealth naming Norfolk potentially as an authorized jurisdiction for a casino gaming establishment. The Cordish Companies is one of the preeminent developers and operators of casino resort entertainment destinations in the United States. Cordish has developed three of the largest and most successful casino gaming destinations in the country – Live! Casino & Hotel in the Baltimore/Washington corridor, Hard Rock Hotel & Casino Hollywood, Florida and Hard Rock Hotel & Casino Tampa, Florida. Cordish is currently under development for opening in 2020 two additional high-profile casino entertainment resort destinations - Live! Casino & Hotel Philadelphia and Live! Casino Pittsburgh.

The Agreement between Cordish and the City contemplated the potential for casino gaming being subsequently approved in the Commonwealth and specifically provided under Section 10.2.1., "Moreover, at the request of Lessee, Lessor and the City shall cooperate with Lessee in obtaining any Government Approvals necessary to enable the Premise to be utilized as casino or other gaming establishment."

Pursuant to Section 10.2.1. of the Agreement, Cordish requests the City cooperate with Cordish in obtaining all Governmental Approvals necessary to enable the Premises to be utilized as a casino gaming establishment. Please let us know available dates that we can meet to strategize mutual efforts with the General Assembly. In addition, we are available to meet at your earliest opportunity to discuss any applicable lease amendment language as provided for in the Agreement. We are excited about the opportunity to add casino gaming as part of the Waterside development and look forward to working with the City on effectuating Section 10.2.1 of the Agreement.

We'd also like to extend an invitation for the City to visit with us at our Live! Casino & Hotel Maryland development to get a first-hand understanding of the quality of our casino developments and to discuss further the opportunities for Cordish and the City to work together on this opportunity. Cordish' Live! projects are consistently the most visited destinations in their respective markets and Live! Casino & Hotel Maryland and Cordish' other casino developments have consistently been recognized by the industry as the top casino entertainment facilities in their regions.

Thank you for your attention to this matter.

Sincerely,



Joseph Weinberg  
Principal

cc: Zed Smith, COO  
Charles Jacobs, General Counsel  
Blake Cordish, Principal