

1 FISHER: Talking into recorder Unintelligible UI
2 It's Wednesday, calling KEVIN DEAN.
3 Dial tone
4 Clicking sounds
5 Clears throat
6 Telephone rings four times
7 DEAN: "You've reached the voice mail of KEVIN
8 DEAN. I'm either away from my phone or out of the
9 office. Can you please leave a message and the number
10 and I will get back with you. Thank you."
11 Beep
12 FISHER: Uh, hey, KEVIN. It's, uh, BILL FISHER.
13 It's seven o'clock on Wednesday. I was just trying to
14 catch up with you. I'm trying to work on this letter
15 to get back to you guys, so give me a call in the
16 morning if you would, first thing. Nine-seven-two,
17 seven-oh-one, five-five-five-one. Seven-oh-one, five-
18 five-five-one. Thanks."
19 END OF CALL
20 Telephone rings in background
21 DEAN: Hello?
22 FISHER: KEVIN?
23 Music play in background
24 FISHER: BILL FISHER.
25 DEAN: Hey, BILL.

1 FISHER: How are you?
2 DEAN: How you doing?
3 FISHER: I'm good. And yourself?
4 DEAN: Oh, pretty good. Hey, do you have my
5 cell phone number?
6 FISHER: I don't. Go ahead and give it to me.
7 DEAN: Uh, eight-one-seven...
8 FISHER: Right.
9 DEAN: Three-zero-seven, three-four-eight-seven.
10 FISHER: No problem. Great, you got a second?
11 I'm trying to work on your, uh, you know, giving you a
12 response here to your letter, so...
13 DEAN: No problem.
14 FISHER: Um, first of all, when I was over there
15 with VENETTA, VENITA phonetic, is it VENITA or
16 VENETTA?
17 DEAN: Huh?
18 FISHER: VENITA. You know, y'all were,
19 uh, talking about trying to meet today and, you know,
20 at one point she was telling me that I needed to be
21 available, so, are, are we meeting today and where are
22 we meeting?
23 DEAN: Uh, no, we're not meeting today.
24 FISHER: Okay. Alright. Is CO, do you think
25 COMER's just gonna meet with DON by himself?

1 DEAN: Uh, he's gonna meet with DON by himself.

2 FISHER: Okay. Alright. No prob, no sweat. I
3 just want to make sure if they, if he needed me
4 available I know where it is and when I'm supposed to
5 be there.

6 DEAN: Uh, he said what he would do is, uh, talk
7 to DON and then we would have, all have a meeting.

8 FISHER: Okay. Alright. Well, great. Like I
9 said, if you know, just let me know. Um, or when you
10 know.

11 Music plays in background

12 That's my cell phone voice message thing telling me
13 I've got a voice message. Um, the, you know, I was
14 thinking about the money issue. I was looking out of
15 what the excavation and the concrete, uh, work is.
16 Um, and I'm trying to think if it's just better for
17 you guys to bill me, ahh, just bill me separately for
18 whatever you work, you do here with DON on the zoning.

19 DEAN: That's no problem.

20 FISHER: Um, do you guys have any other services
21 or whatever that you, how, how would you suggest we do
22 that?

23 DEAN: Uh, I'd have to talk to COMER about it.

24 I thought we were gonna try to do it like, uh, the
25 invoice goes for the work.

1 FISHER: Yeah, UI depending on how much
2 he's looking for, um, the budget seemed pretty tight.
3 The way DEWEY's explained it to me, and I met with him
4 yesterday afternoon, was you know his working with you
5 guys is he wants you to go ahead and bid the job.

6 DEAN: Mm-hmm.

7 FISHER: He'll get everybody else's bid in, um,
8 you know, then he'll give you kind of the last kiss at
9 the pig, tell you kinda what their price is. I'm not
10 sure that's gonna leave a whole lot of room to add in
11 a whole lot of money for DON on the zoning if that
12 number's tight, so, um, if you all have another
13 service that you provide, another company or whatever
14 that, that, uh, um, could do some alternative billings
15 for those amounts, then we could just, you know, I
16 could put it somewhere else in the budget other than
17 in construction.

18 DEAN: Well, I mean...

19 FISHER: Obviously a lot'll depend on how much
20 it is. If it's fifteen thousand dollars a job, you
21 know, I'm not sure it'll matter that much in the, in
22 the construction, you know, if you've gotta add fifty
23 thousand dollars per deal, it's gonna, uh, you know,
24 it's gonna skew your cons, you know, your, uh,
25 concrete bid and everybody else here'll be looking at

1 it with a raised eyebrow, so...Well, just think about
2 it. And if you guys come up with an idea of, you
3 know, another company you own or whatever that could,
4 ahh, you know, send me a bill for another service or
5 something, um, that'll give us an alternative way to
6 draw it off of the budget and not have to get in the
7 loop here on your construction, uh, related work.

8 DEAN: And I mean, uh, we can do clean-up or,
9 uh, I can also look at flooring, something like that.

10 FISHER: Okay. Well, since it's, since this is
11 really money you guys are just gonna pass on to DON
12 (Laughs) and you're not really gonna do any work for,
13 (Stutters) you know, it pretty much has to be like a
14 consulting fee or something like that, or just a, you
15 know, general service fee, something like that, so,
16 uh...

17 DEAN: Yeah, we have another company out there.

18 FISHER: Okay.

19 DEAN: Okay.

20 FISHER: Yeah, 'cause I think that's gonna be
21 the safest way to do it, I mean, I don't want DEWEY
22 and those guys knowing that there's, you know, money
23 built in for DON into these deals. I don't think you
24 do either, so the best thing to do is probably just do
25 an alternative billing arrangement, so...Think about

1 which company you'd put that in and, uh, and what
2 you'd bill for and I'll just, uh, try and, uh,
3 incorporate that into, uh, you know, how it actually
4 gets handled at the time.

5 DEAN: Okay.

6 FISHER: What else is going on?

7 DEAN: Oh, we're just trying to churn out
8 numbers, uh, trying to pour some concrete before it
9 starts to rain and that's about it.

10 FISHER: Is it gonna rain? They were saying
11 it's supposed to be nice this weekend.

12 DEAN: Well, I hope so 'cause COMER and I were
13 supposed to be going to Corsicana to get on that boat
14 and do some fishing.

15 FISHER: I understand. Remember my zoning case
16 is the thirteenth.

17 DEAN: Thirteenth.

18 FISHER: Coming up, so you do have some time to
19 meet, uh, uh, get with DON and get things worked out
20 with him but, uh, the flip side is, you know, that
21 thirteen days will go quick.

22 DEAN: Oh, I know.

23 FISHER: And, like I said, if you, uh, if you
24 just stay in touch with me on the meeting date, time
25 and place if that's appropriate, uh, obviously I'm

1 kind of on pins and needles, so...

2 DEAN: Laughs I know.

3 FISHER: I'd like to know you guys have it set
4 and, and that it's happening, so...

5 DEAN: Okay. As soon as, well he's supposed to,
6 uh, I know he's doing some stuff with his attorney
7 this morning and I'll call him and ask him when did he
8 schedule that time.

9 FISHER: That's fine. I'll have to get a draft
10 of like a, uh, letter of intent or a memorandum of
11 understanding, something like that out to you here
12 today.

13 DEAN: Yeah, just shoot me something over so I
14 can show it to him and UI.

15 FISHER: Okay.

16 DEAN: Okay?

17 FISHER: Thank you.

18 DEAN: Thank you. Bye.

19 FISHER: Bye, KEVIN.

20 Talking into recorder That was KEVIN DEAN. It's, uh,
21 ten o'clock, ten-oh-eight on my computer actually on,
22 uh, Thursday the thirty-first of March. It's BILL
23 FISHER.

24 END OF CALL

25 FISHER: Yes, it's, uh, BILL FISHER. Is JUNIOR

1 around?

2 UF: Yes.

3 Pause

4 FANTROY: Hello?

5 FISHER: Hey, are those ODYSSEY people stiffing
6 you again on your bill?

7 FANTROY: Yeah, man, and I'm in, I'm in dire
8 need.

9 FISHER: No problem. We'll, we'll have a check
10 for you in the morning.

11 FANTROY: Okay, I appreciate it, BILL.

12 FISHER: Just send somebody out anytime after
13 ten.

14 FANTROY: Okay. Okay, I mean, I appreciate you
15 calling.

16 FISHER: No, no problem. I mean, again, we draw
17 and, uh, just, uh, you know, we're late in these jobs
18 and they're always very slow when it gets toward the
19 end of the job.

20 FANTROY: Okay.

21 FISHER: Um, so, as soon as...

22 FANTROY: And how are we, how are you doing on
23 the other stuff that you were talking about?

24 FISHER: Well, they're just working on trying to
25 a position where I can, uh, get a permit,

1 so...UI If you recall, the way we left it is I'm
2 working on permits and I'm going to continue to do that.
3 We haven't signed up any security work with anybody.
4 Your dad was going to get a meeting going with DON
5 HILL...

6 FANTROY: Right.

7 FISHER: And Pastor JOHNSON to find out how
8 we're gonna do business here going forward. So, um, I
9 just kinda left the door open at this point, I'm not
10 signing up with anybody until I hear back from you
11 guys, I guess is the plan.

12 FANTROY: Okay and, I'll get with him in
13 probably, I'll get with J-L probably about by tomorrow
14 evening or Saturday.

15 FISHER: That's fine. If I need to come down
16 for another meeting or whatever, I'll be happy to do
17 that.

18 FANTROY: Okay, and hope you're doing well.

19 FISHER: I'm blessed. I told you that. I'm,
20 uh, I'm lucky from that standpoint, so, um, yeah, but
21 certainly it would be nice if we can do more and, uh,
22 just looking kinda for a level playing field, uh, out
23 there. Sound like your dad, ah, thought was fair, so...

24 FANTROY: Yeah, well...

25 FISHER: Alright.

1 FANTROY: Okay.

2 FISHER: See you tomorrow.

3 FANTROY: See you tomorrow. Okay.

4 FISHER: Bye.

5 Clears throat

6 END OF CALL

7 FISHER: Talking into recorder Okay it's, uh,

8 noon, twelve-thirty, twelve twenty UI on my computer.

9 On Tuesday the fifth, calling KEVIN DEAN.

10 Dial tone

11 Music plays in background

12 Clicking sounds

13 Three tones

14 UM: "We're sorry. You must first dial..."

15 Dial tone

16 Clicking sounds

17 Telephone rings two times

18 DEAN: Hello?

19 FISHER: KEVIN?

20 DEAN: Yes.

21 FISHER: BILL FISHER.

22 DEAN: Hey, BILL. How are you doing?

23 FISHER: I'm alright. Are you where you can

24 talk?

25 DEAN: Uh, no, I'm in a construction meeting

1 right now. Can I call you back?

2 FISHER: Yeah, give me a call back. I just need
3 to review a couple things on this letter before I send
4 it over.

5 DEAN: Okay.

6 FISHER: I'm at the office, uh, I'm getting
7 ready to go grab a bite of lunch, so just call me
8 after one.

9 DEAN: That's fine, call you back on this five-
10 five-nine number?

11 FISHER: No, no. That's our, that shows 'cause
12 it's our T-one, I think, shows that number. I'm at
13 the office. Nine-seven-two, seven-oh-one...

14 DEAN: Oh, I know that one. I got it.

15 FISHER: Five-five-five-one.

16 DEAN: I got it.

17 FISHER: Okay?

18 DEAN: Okay.

19 FISHER: Thank you.

20 DEAN: Alright, bye-bye.

21 FISHER: Bye.

22 END OF CALL

23 Note: The other party is not heard during the
24 following call.

25 FISHER: BILL FISHER.

1 Pause

2 FISHER: UI How are you?

3 Pause

4 FISHER: You're getting ready to send them back?

5 Pause

6 FISHER: And they're on Port Royal and what other ones?

7 Pause

8 FISHER: That's right.

9 Pause

10 FISHER: Oh, it's dollars?

11 Pause

12 FISHER: So you got a wire for seven hundred and seventy-

13 four dollars on Port Royal?

14 Pause

15 FISHER: And who did it come from?

16 Pause

17 FISHER: Uh, which, all FIDELITY's doing is they're UI, you

18 know, they've settled the transaction out and they're

19 returning any money they have left over after

20 determining final tax prorations, etcetera. The money

21 should just be deposited back into the, uh, tax exempt

22 bond account.

23 Pause

24 FISHER: That's right.

25 Pause

1 FISHER: Send 'em back?
2 Pause
3 FISHER: That's fine. If not, call me and I'll call
4 FIDELITY and have 'em resend it. Great. Bye-bye.
5 Callers hang up
6 END OF CALL
7 FISHER: KEVIN, how are you?
8 DEAN: It's windy outside. My allergies are
9 killing me. Must I say more?
10 FISHER: Uh, it's just that time of year.
11 DEAN: Laughs Yeah, I know it. Laughs
12 FISHER: Just a couple of quick things. I was
13 trying to finish up this draft agreement, uh...
14 DEAN: Okay.
15 FISHER: First of all, this, this is your cell,
16 right?
17 DEAN: Yes.
18 FISHER: Do you, is it hard to talk on your cell
19 or do you want me to wait 'til you get back to the
20 office?
21 DEAN: Oh, no, I'm fine.
22 FISHER: Okay.
23 DEAN: Oh.
24 FISHER: If this is a good number, then this is
25 the one I'll call you on here coming up.

1 DEAN: Okay.

2 FISHER: Um, the, um, you know the issue on the letter
3 is I'm trying to incorporate some language in here
4 about, you know, taking care of the cost related to
5 the, um, you know, politicians involved and I just,
6 you know, my inclination is just to leave it out
7 altogether. Um...

8 DEAN: I would and, uh, or, or it could just say
9 consulting fees.

10 FISHER: That's fine. What I'll, what I'll do
11 is I'm just gonna drop it out. If you wanna put
12 something else in there, that's fine. Um, you know,
13 the, the, the plan here, I guess, is just to, to bill
14 me separately. Is that how you guys are gonna handle
15 it?

16 DEAN: Uh, yes, or like you said, uh, find some,
17 something else that we can do on the project to bill
18 it through.

19 FISHER: Okay. Uh, that's, you know, that's,
20 whatever is easiest for you guys.

21 DEAN: Okay.

22 FISHER: The only thing we need to do is just
23 need to make sure that, uh, I get to approve the
24 budget here. I don't wanna...

25 DEAN: Oh, yeah.

1 FISHER: ...Okay, alright.

2 DEAN: BILL, BILL, we're working together here.

3 FISHER: I understand. I understand. Um...

4 DEAN: Because I want it, I want it to be a, a

5 long lasting relationship, so...

6 FISHER: I mean, if you guys can get these

7 things done through our local confederates here, um...

8 DEAN: Laughs

9 FISHER: You know, frankly, that's been the

10 hold up for me, I mean, I'm just unable to, uh, make

11 much traction. I did three deals in San Antonio and,

12 you know, don't run into this issue, so...

13 DEAN: Mm-hmm.

14 FISHER: Um, so if you guys can, uh, you and

15 COMER can navigate with the, you know, with DON and

16 those folks, uh, that would clear the way for more

17 opportunity, otherwise I'm pretty much done with South

18 Dallas, frankly. Which you, I think you well know.

19 Um, you know, we're running out of time here. I'm

20 gonna send this draft over to you by e-mail, uh, look

21 for it. You and COMER then will quickly get

22 organized here.

23 DEAN: Okay. Uh, because the council date is

24 what, the thirteenth?

25 FISHER: It is actually a week from tomorrow.

1 DEAN: Right.

2 FISHER: Yeah, that's right. So we're running
3 short on time. Do you know whether COMER's had a
4 chance to even talk to him yet?

5 DEAN: Uh, no. COMER had to go to the doctor
6 today. He had some Laughs uh, uh, what do you think,
7 what, what do you do when they check your prostate,
8 man? They have to up in it and shoot these bubbles or
9 something.

10 FISHER: Don't really know.

11 DEAN: Uh...

12 FISHER: Sounds painful.

13 DEAN: Oh, it was very painful. I talked to him
14 about two minutes ago. He wanted to use the bathroom
15 but he couldn't. Laughs

16 FISHER: I understand. No problem. If I need
17 to get a hold of COMER, should I call him at his
18 office?

19 DEAN: Call him at the office. Uh-huh.

20 FISHER: Can, can you give me that number?

21 DEAN: Hold on one second.

22 FISHER: M-kay.

23 Clicking sounds

24 DEAN: Nine-seven-two.

25 FISHER: Mm-hmm.

1 DEAN: Eight-one-eight.

2 FISHER: Right.

3 DEAN: Four-nine-four-eight.

4 FISHER: Okay. Now you've got Helping Hand in this
5 letter you sent and I put them in this, um, you know,
6 memorandum of understanding, this letter agreement,
7 is...

8 DEAN: Well, we talked about that so, uh, we can
9 if, if you want to, if you don't, don't worry...

10 FISHER: Well, I mean, again, that's, I think that
11 was an important component. My question for you, I
12 thought that was VENITA, VENITAS's entity,
13 so...

14 DEAN: No. No, that's, uh...

15 FISHER: Okay.

16 DEAN: That help, I, uh, I, I am the founder of,
17 uh, H-H-P-I.

18 FISHER: Okay. Alright. So she's just a helper
19 for your group.

20 DEAN: Right. Mm-hmm.

21 FISHER: Is she gonna get, be involved at all here
22 in this deal, is it?

23 DEAN: Nope.

24 FISHER: Okay, so she won't be contacting me? I
25 don't need to call her?

1 DEAN: No. 'Cause COMER, uh, was very, like I told
2 you, was upset about her calling DON HILL like that.

3 FISHER: Okay. I understand. Sounded like she had
4 a good relationship, but I guess COMER's the guy with
5 the stroke.

6 DEAN: That's it. Well, he actually introduced her
7 to DON HILL.

8 FISHER: Okay. The, um, trying to think what else
9 I had for you. The, you know, ultimately I'm gonna
10 apply for an allocation of tax exempt bonds to do
11 this, you know, finance this mixed-use development
12 over here, which is at the state level.

13 DEAN: Mm-hmm.

14 FISHER: Um, COMER mentioned that he had a good
15 relationship with, uh, ROYCE.

16 DEAN: Uh-huh.

17 FISHER: Is that something that you all are
18 planning on taking care of here...
19 Cellular telephone rings in background
20 As part of this agreement?

21 DEAN: Uh, we would like to.

22 FISHER: Okay. So, should I put that reference in
23 there and make...

24 DEAN: Uh-huh.

25 FISHER: Okay.

1 DEAN: UI

2 FISHER: Fair enough.

3 DEAN: I also, BILL, when we get a chance, I'd like
4 to come and sit down and talk to you about some stuff
5 that, uh, DART wants to do.

6 FISHER: Okay.

7 DEAN: Doing, uh, mixed-use development on the rail
8 line.

9 FISHER: Right.

10 DEAN: As a matter of fact, uh, I think, uh, end of
11 April, mid-April, I'm supposed to sit down with, um,
12 uh, uh, the executive director...

13 FISHER: Right.

14 DEAN: GARY THOMAS...

15 FISHER: Right.

16 DEAN: Of DART, and I'd like for us to at least
17 have a couple conversations before I go talk to him,
18 and maybe you'd like to come with me.

19 FISHER: Sure. I'd be happy to go with you.

20 DEAN: Uh, he's big on athletes and stuff and he
21 just, uh, I guess kinda liked me, so he wants to tell
22 me what's out there and what we could do, uh, within I
23 think it's a mile to a mile and a half from, uh, the
24 rail.

25 FISHER: Great.

1 DEAN: And there's a lot of federal funding. Plus
2 Fannie Mae wants to get behind it.

3 FISHER: Well, I'm, I'm open to whatever you guys,
4 uh, think might work. I'll be happy to look at it.

5 DEAN: Okay.

6 FISHER: The, you know, CHARLES was over here with
7 you earlier on on KDAT. Is he still with you, or...

8 DEAN: Uh, no.

9 FISHER: Okay. Alright. Well, are, and so you and COMER
10 will jump on this. Look for my, uh, uh, draft, comment on
11 it and shoot it back to me.

12 DEAN: I'll, I'll tell you a little bit about
13 COMER. COMER and I are friends, right? But when he
14 wants to do something, uh, he did not want, um,
15 CHARLES or either VENITA to be involved with it, so...

16 FISHER: Well, frankly, this is stuff that you and
17 I talked about, we cannot be getting a bunch of people
18 involved.

19 DEAN: There, there you go.

20 FISHER: Frankly, that was kind of my question.
21 This needs to be a real tight group. You don't
22 want...

23 DEAN: There you go.

24 FISHER: This to come back to bite us. DON
25 doesn't either. COMER doesn't, so...

1 DEAN: And that's why, that's why we deleted all,
2 everybody from the program.

3 FISHER: Okay. Well let's just, uh, I'll, you make
4 sure you protect me and, uh...

5 DEAN: Oh, yeah.

6 FISHER: ...um, and, uh, I'll...

7 DEAN: Vice, vice-versa.

8 FISHER: Okay.

9 DEAN: Laughs

10 FISHER: Laughs Yeah, no sense in, we wanna be
11 successful here and nobody wants to, uh...

12 DEAN: Oh, no. No. And, and UI...

13 FISHER: ...get a visit from the, from the Feds,
14 so...

15 DEAN: No. And there's a lot of stuff that we can
16 do, I think, and, uh, I'm looking forward to it.

17 FISHER: Well, sounds like COMER's run this trap
18 before, so, uh, sounds like, uh, you've, uh, put it in
19 good hands.

20 DEAN: Oh, yeah.

21 FISHER: Okay.

22 DEAN: Okay.

23 FISHER: Look, check your e-mail here in about an
24 hour.

25 DEAN: Okay.

1 FISHER: Thank you.

2 DEAN: Bye-bye.

3 FISHER: Bye.

4 END OF CALL

5 FISHER: Talking into recorder UI three-thirty on
6 the computer. It's the UI our deal UI project.

7 Dial tone

8 Clicking sounds

9 Telephone rings one time

10 UM1: "Sorry, you must first dial..."

11 Dial tone

12 Clicking sounds

13 Telephone rings four times

14 DEAN: This is KEVIN.

15 FISHER: Hey, it's BILL FISHER.

16 DEAN: BILL. Hey, how are you doing?

17 FISHER: Fine. Can you talk?

18 DEAN: Uh, yeah. Um, my attorney and I, we were
19 trying to put together, umm, everything for DON and he
20 started asking me all these questions and I don't know
21 anything about the project. I don't know what kind of
22 project it is, where it's at, street, nothing. So
23 Laughs...Uh, is there any way that I can give you
24 another number, you call me back and we'll be on my,
25 uh, Nextel?

1 FISHER: Sure.

2 DEAN: Okay. Talking to someone in background Uh, BILL?

3 FISHER: Yes.

4 DEAN: Dial this number. Talking to someone in
5 background What's the number?

6 UNKNOWN MALE 2

7 UM2: Two-one-four.

8 DEAN: Two-one-four.

9 UM2: Seven-five-four.

10 DEAN: Seven-five-four.

11 UM2: Zero-four-six-zero.

12 DEAN: Zero-four-six-zero.

13 FISHER: Do I ask for you?

14 DEAN: Yeah. Ask to speak to JOHN LEWIS.

15 FISHER: JOHN LEWIS. So, is JOHN gonna handle the
16 stuff with DON now, as opposed to COMER?

17 DEAN: No. Uh-uh.

18 FISHER: Okay, uh, he's just going to help.

19 DEAN: COMER's, he, he asked us to put a proposal
20 together and everything. I mean, I wanted to make
21 sure he knew everything about the project.

22 FISHER: No, no problem. Let's, can we talk for a
23 minute about, um, you know, I've drafted this letter,
24 I've got it circulated here. I was in Houston
25 yesterday, so...

1 DEAN: Right.

2 FISHER: ...SALEEM was, SALEEM was looking at it
3 today. I didn't want you to think I was ignoring you.

4 DEAN: No, uh-uh.

5 FISHER: Um, so we're close. We should have
6 something out here shortly. But, frankly, my case is
7 a week from, like, yesterday.

8 DEAN: Right.

9 FISHER: So are you guys gonna have time to get
10 with him ahead of next week, or are we looking at...

11 DEAN: That, that's what we're moving on now.
12 That's why, uh, we're waiting on your letter, but
13 COMER said go ahead on and get with JOHN and put
14 something together, but...

15 FISHER: That's fine. Do you have, do you have a
16 time you have to get with DON, or is that still up in
17 the air?

18 DEAN: That's, uh, no problem. Laughs

19 FISHER: Oh, you're saying he'll respond to you
20 guys in a day?

21 DEAN: Yeah. We're just wait, we just need some
22 information on the project.

23 FISHER: Okay, well I'll call you back right now
24 here on JOHN's line.

25 DEAN: Okay.

1 FISHER: Thanks, KEVIN.
2 DEAN: Okay.
3 FISHER: Bye.
4 DEAN: Talking to someone in background He's gonna
5 call right back.
6 END OF CALL
7 Dial tone
8 Clicking sounds
9 Someone talking in background
10 FISHER: Well, that's a screw up. MARSHALL BERM...
11 UM: UI you told me UI.
12 FISHER: No, never. MARSHALL BERMAN is a loan servicer
13 for a closed transaction.
14 UM: UI
15 Telephone rings one time
16 UF: Attorney's office.
17 FISHER: JOHN LEWIS, please.
18 UF: May I ask who's calling?
19 FISHER: BILL FISHER.
20 UF: Please hold.
21 FISHER: Everything to AMY and STEPHANIE except
22 something to do with the construction draw. So,
23 whatever you sent to him has been a complete waste.
24 UM: UI
25 FISHER: In Jersey City and another town.

1 LEWIS: Hi, BILL?

2 FISHER: Yes, is this JOHN?

3 LEWIS: Yeah, it's JOHN. Let me put you on speaker
4 phone. I have KEVIN in the room, in the office with
5 me.

6 FISHER: Yes.

7 KEVIN DEAN

8 DEAN: Hey, BILL.

9 FISHER: KEVIN, how are you?

10 DEAN: Fine, BILL. BILL, JOHN LEWIS. JOHN LEWIS,
11 BILL FISHER.

12 FISHER: Hi, JOHN. How are you?

13 LEWIS: Good. Nice meeting you, BILL.

14 FISHER: Look forward to seeing you face-to-face.

15 LEWIS: Same here.

16 FISHER: Um, I have been working with KEVIN and
17 COMER here on, uh, uh, they're, they've offered to
18 assist here in, uh, getting some, uh, work that I need
19 done in, uh, southern Dallas, so, uh, KEVIN said you
20 all were looking for some more detail on the project
21 and...

22 LEWIS: Sure. Could you tell me about it?

23 FISHER: I have a, uh, eleven acre site, little
24 over eleven acre site on the northwest corner of
25 Bruton Road and Saint Augustine. It's technically in

1 Pleasant Grove. It's in District Five, it's in DON
2 HILL's district.

3 LEWIS: Okay.

4 FISHER: The site is currently zoned, um, uh, for,
5 you know, local retail. You know, frankly, again, the
6 site's too small now to really do anything, uh,
7 significant from a retail, other than a strip center.

8 LEWIS: Okay.

9 FISHER: The, the site is also deed restricted
10 against residential. So, we have worked with D'ANGELO
11 LEE, who is the planning commissioner out there on re-
12 zoning the site for an M-U-2 designation, a mixed-
13 use designation, which would call for retail on the
14 ground floor up to about twelve thousand square feet,
15 and then the upper floors of the buildings being
16 apartments. The objective is to get between two
17 hundred and twenty and two hundred and fifty
18 apartments on the site, with the ground floors of the
19 buildings facing Bruton and Saint Augustine to be, you
20 know, I frankly, we just, we call it flex space, but
21 it would allow for retail or, um, office-type uses.
22 Um, there are quite a few of, you know, Dallas West
23 Village, uh, is what we call the project, the West
24 Village project, uh, is a mixed-use, you know, ground
25 floor retail, upper residential, over on, uh,

1 McKinney.

2 LEWIS: Right. I'm very familiar with that

3 project.

4 FISHER: Mo-Mockingbird Station would be the same.

5 LEWIS: Right.

6 FISHER: There's a, uh, Jefferson on Forest is a

7 development up there right off of Forest Lane and

8 Central that has a KINKO'S in the ground floor, the

9 ground floors are retail, and office...

10 LEWIS: I was there this weekend.

11 FISHER: Exactly. So, you know, instead of

12 proposing straight multi-family over there, which is

13 very common in southern Dallas and...

14 LEWIS: Right.

15 FISHER: Frankly, they're bowing their neck in a

16 little bit since it was already zoned retail, we're

17 trying to combine the two into a mixed-use, mixed-

18 income development.

19 LEWIS: Okay.

20 FISHER: And...

21 LEWIS: What kind of income level are you looking

22 to try to attract?

23 FISHER: Well, they'll be, this'll be a mixed-

24 income development, so it'll be market rate units and

25 units at or below sixty percent of area median income.

1 Probably sixty, sixty-forty. Sixty percent, uh,
2 market and forty percent affordable. We will use, uh,
3 tax exempt bond financing that we'll source through a
4 statewide issuer to provide financing for the retail,
5 as well as for the, the retail office component as
6 well as for the residential. It is, it's not anything
7 that's really been done in the City of Dallas.

8 Everything here's been, you know, a hundred percent
9 affordable, either nine percent housing tax credits or
10 a hundred percent affordable with four percent housing
11 tax credits and tax exempt bonds.

12 LEWIS: Yeah. I used to do some of that stuff with
13 the R-T-C where we would try to implement the mixed-
14 use.

15 FISHER: Right.

16 LEWIS: Uh, where you, where you have, uh, land use
17 restrictions that would allocate like forty percent of
18 the building being for, uh, moderate to low-income
19 housing.

20 FISHER: That's right. You know, frankly in
21 Dallas, at or below sixty percent of area median
22 income, eight out of every ten people who rent
23 apartments in the city of Dallas meet the sixty
24 percent A-M-I guideline because, uh, median incomes
25 here are high, they're, you know, close to seventy

1 thousand dollars for a family of four. So, then sixty
2 percent is a, you know, couple making forty-two or
3 forty-five thousand dollars a year. So, the income
4 limit's aren't gonna screen out a whole bunch of
5 people, but the council has, and neighborhoods have
6 become more concerned about a hundred percent
7 affordable only developments. There really haven't
8 been any mixed-income deals done here and so we're
9 trying to do both mixed-income as well as mixed-use,
10 you know, as you, as you're recognizing a hundred
11 percent of those developments are all in North Dallas.

12 LEWIS: Of course.

13 FISHER: So this would be the first foray in there.
14 I have met in the past with DON and D'ANGELO LEE.
15 They've been very supportive of the land use.
16 Frankly, I've just added, you know, KEVIN will fill
17 you in on the political challenges that we've had, um,
18 and, you know, if he can get us, he and COMER can get
19 us, you know, through DON's requirements over there,
20 then we'll be able to get the development financed and
21 built. I have about, I have seven projects either
22 under construction or getting ready to be, begin
23 construction all over the state. KEVIN and his group,
24 which I guess COMER is a partner in, you know, in
25 exchange for what they're going to do, um, on the

1 political side, um, are asking for kind of first call
2 on the, um, excavation and concrete work, which, you
3 know, is fine with us. You know, we, within some
4 parameters KEVIN and I have talked about. But the
5 development's kind of unique to South Dallas. It's
6 mixed-income, mixed-use. Certainly that's a
7 successful concept that's been proven in North Dallas.
8 You know, it'll never be proven in South Dallas 'til
9 somebody tries it. I've had opposition from the
10 neighbors directly and nearby, they've withdrawn their
11 opposition. So, frankly, I've had an unopposed
12 project here that is scheduled right now to go before
13 the council on the thirteenth. I don't think from a
14 political standpoint DON intends to zone it at this
15 point without some additional, uh, persuasion from
16 KEVIN and COMER.

17 LEWIS: Okay.

18 FISHER: And he's not told me that, by the way.
19 The only means I've ever had with him, love your land
20 use, don't care if you use white contractors, you've
21 got no problem with me, but I've been delayed now for
22 three months' continuances.

23 LEWIS: What's the name of your company?

24 FISHER: ODYSSEY RESIDENTIAL HOLDINGS.

25 Pause

1 We're a fully-integrated apartment developer. We, uh,
2 have a construction company, management company,
3 development company and an acquisitions company.

4 DEAN: Hey, BILL?

5 FISHER: Yes.

6 DEAN: And the way I put it to JOHN is that we were
7 gonna partner with you guys. Of course we were gonna
8 pick up the concrete work, because you guys were
9 looking at us as a sort of like a mentor protege.

10 FISHER: That's correct. For any UI first of
11 all for the West Village project, which you're gonna
12 handle the, this, uh, you know, political, uh,
13 approach for us. The, your Helping Hand, your C-D-C,
14 subject to the requirements and the, we've talked
15 about getting your CHDO designation, etcetera, and
16 being able to bring the, uh, sales tax exemption.
17 Would participate in some way in the development side
18 as the general, co-general partner and get some
19 experience. And then (Stutters) the objective would be
20 to try and work together on projects going forward in
21 a similar structure.

22 LEWIS: Okay. So it goes in front of the council
23 on the thirteenth?

24 FISHER: It's currently scheduled to go to the
25 council on the thirteenth. That's right. And I met

1 with KEVIN and COMER I guess about a week ago and, uh,
2 COMER was pretty confident that he could work
3 something out with, uh, DON that would, uh, get us
4 through the hurdles in his, um, district and I'm
5 working on a letter for KEVIN on this, you know,
6 contracting and development participation side, which
7 I hope to get out to him here this afternoon or
8 tomorrow. The issue there is I've got my partner
9 here, reviewing it as well and I was just asking KEVIN
10 if you guys, you know, think we can get something done
11 between now and the thirteenth we'll, we'll try and
12 scramble it out tonight or in the morning if you think
13 it's gonna have to be, you know, the case could be
14 extended for a couple of weeks then, yeah, we'd
15 probably take a few, few days to, to grind on it, but,
16 uh, we wanna get you started, I don't know if KEV,
17 KEVIN and COMER have set anything up with DON at this
18 point but, uh...

19 DEAN: Oh we, we need that now?

20 FISHER: Yeah, I, I think you need to, I would
21 hope, would hope we'd run parallel courses. We, we
22 know that, uh, you know, DON will not zone it,
23 obviously, without your all's concurrence. I think
24 KEVIN, KEVIN probably knows more about this, what's
25 going on, than I do, so...

1 LEWIS: No problem. No problem. Uh, if you could
2 get something out to us pretty quickly, uh, I like the
3 project. I understand the concept we see going on,
4 uh, uh, north of the Trinity River all the time and
5 off of I-30. So, let's see if we can, uh, get
6 this into reality.

7 FISHER: I think so. Like I said, and I'd, we,
8 KEVIN works with a gentleman named RON FERGUSON.
9 RON's known me for many years. I've done, you know,
10 thirty affordable housing developments around the
11 state in the last seven or eight years. I have eleven
12 projects already in my new group, which started two
13 years ago. So, they know I know how to structure
14 them, get them financed, get them built and leased,
15 so, the problem I'm having in District Five over there
16 is getting any kind of assistance politically here to
17 get the few things I need done so that I can develop.
18 There's a competitor over there that's, uh, I guess
19 worked things out with DON and it's, I think it's
20 created a barrier that, uh, KEVIN and COMER feel like
21 they can overcome.

22 LEWIS: Oh. Is it safe to say that I represent
23 you, KEVIN, uh, and y'all interest on this project?

24 FISHER: Yeah. Based upon our discussions, we
25 certainly intend to, uh, proceed and we're just trying

1 to make sure you've got the wording here so that it's
2 clear on what, as, you know, we can make it under the
3 circumstances, so...

4 LEWIS: Sure.

5 FISHER: And KEVIN and I have been talking about
6 this draft here over the last couple of days,
7 so...I've added some things in as a result of those
8 discussions, taken some stuff out (Laughs) as a result
9 of those discussions and, uh, and so as soon as my guy
10 down the hall here says he's all right with it, you'll
11 see it here late today or tomorrow.

12 LEWIS: Sounds like a winner.

13 FISHER: And if you would, if you guys will get
14 going, I mean, again, the timing-wise, there's just no
15 sense in either one of us drilling if it's not
16 practical for the thirteenth then I think, you know,
17 get something teed up to meet with DON here at least
18 in the pipeline, uh, you know, we may just be forced
19 to wait another, at least a couple of weeks, so...If
20 you guys will just kind of let me know what the time
21 line is with DON, then I'll try and push things along
22 here.

23 LEWIS: We'll let you know tomorrow.

24 FISHER: And if you really feel like you can get
25 something done and you've got a meeting set with him,

1 it would actually help me. If you call up and say
2 well JOHN and COMER and KEVIN are gonna meet with DON,
3 you know, tomorrow afternoon at two, I know you, I've
4 gotta you something here just A-S-A-P would help light
5 a fire over everybody here.

6 LEWIS: I gotta call DON, we're gonna call DON this
7 afternoon after we get off the phone with you and, uh,
8 we'll get back in touch with you.

9 FISHER: Okay, JOHN.

10 LEWIS: Okay?

11 FISHER: Thanks, KEVIN.

12 DEAN: Talk to you later.

13 FISHER: Bye-bye.

14 LEWIS: Bye.

15 Callers hang up

16 FISHER: Talking into recorder That was JOHN

17 LEWIS. He's an attorney for, uh, KEVIN DEAN and KDAT.

18 Um, it's now three fifty-three on my computer on
19 Thursday UI.

20 END OF CALL

21 END OF TAPE

22

23

24

25