

Interim Agreement to Stay Pending Lawsuit

April 16, 2020

The City of Portsmouth and SoBow Square, LLC (collectively "the Parties") hereby agree to the following terms:

1. SoBow Square, LLC agrees that it will file an assented-to motion to stay the pending lawsuit, SoBow Square, LLC v. City of Portsmouth, Docket 218-2020-CV-00352, Rockingham Superior Court, agreeing that all pleading, discovery and other deadlines are suspended in the meantime.
2. The Portsmouth City Council subcommittee and SoBow Square, LLC (without lawyers, except Bob Sullivan and Rob Ciandella) will promptly reengage in earnest in good faith negotiations to try to achieve resolution on revisions acceptable to both sides. An element of the negotiations must be who bears the costs of the architectural and other work necessary to get from revised concept to concrete design/plan.
3. The Parties will issue a joint press release, a copy of which is attached hereto.
4. The Parties will agree that the negotiations and events during the stay of the lawsuit will be without prejudice to the parties' rights in the lawsuit.
5. Hopefully, the parties can reach agreement, leading to dismissal of the lawsuit. If not, the lawsuit will resume.

The City of Portsmouth



Karen S. Conard
City Manager
City of Portsmouth
Duly Authorized

SoBow Square, LLC



Michael Kane
Duly Authorized