



# Hartford Yard Goats



July 25, 2016

The City of Hartford  
550 Main Street  
Hartford, CT 06103

ATTN: Howard Rifkin, Esquire Corporation Counsel

RE: Dunkin Donuts Stadium ("the Stadium")

Dear Howard:

This letter will supplement my letter to you of June 13, 2016.

No later than May 24, 2016, the City of Hartford ("the City") failed to fulfill one of its obligations to Connecticut Double Play, LLC ("the Club") under the Ballpark Development Agreement ("BDA") because Substantial Completion, as defined in the BDA, had not been achieved at the Stadium. Since that time, the City, in the exercise of its rights under the January 17, 2016 contractual agreement as well as various other agreements with the Developer and the GMP Contractor and the performance and payment bonds, has terminated the Developer and the GMP Contractor and made demand on the contractor's surety to fulfill its obligations under the contractor's performance and payment bonds given on the Project. The Club understands that the surety has taken the position that the performance bond does not require the surety to complete the Stadium, but only indemnify the City to the extent the City proves it is entitled to damages on account of the bond principal's default. Since June 6, 2016, no work of any significance has been performed at the Stadium and it now appears that the Stadium will not be completed for many months, at a minimum.

Under the BDA, the City, in these circumstances, has the obligation to take good faith, commercially reasonable efforts to diligently prosecute the completion of the Stadium and to repair or replace work not in conformance with the requirements of the contract documents for the Stadium. Otherwise, the City is in default of its obligations to the Team under the BDA. Further, if the Stadium is not completed within 180 days of my June 13 letter, the City will be in default under the BDA and the Team will have the right to terminate the BDA. There appears no reasonable prospect that the City will avoid going into default.

860-259-1042



Hartford Yard Goats  
Colorado Rockies  
Double A Affiliate



YardGoatsBaseball.com



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The current situation is intolerable. The City cannot tell the Team when or if the Stadium will be completed. The City appears not to have sufficient monies available to fund the completion of the Stadium. The Team does not have a stadium at which to play home games and has suffered substantial seven figure losses as a result. In addition, the Team faces drastic consequences in failing to fulfill its obligations to the Eastern League and the Colorado Rockies baseball club.

The Club now must take such action as is necessary to protect its interests, to fulfill its obligations to third parties and to arrange for a home ballpark for the 2017 season. In the alternative, the Team is willing to consider other options that will insure the ballpark is completed so as not to miss the 2017 season.

This letter is written as a supplement to the Team's prior notice pursuant to Section 14.1.2(a) of the BDA between the City and the Club. The Club specifically reserves all of its rights under the BDA, each other agreement with the City and other rights under law.

Very truly yours,

Josh Solomon

cc: The City of Hartford  
Department of Developmental Services  
Division of Economic Development  
250 Constitution Plaza, Fourth Floor  
Hartford, CT 06103  
ATTN: Sean M. Fitzpatrick, Director