

FORM LM-20 AGREEMENT AND ACTIVITIES REPORT

Form approved
Office of Management
and Budget
No. 1215-0188
Expires 11-30-2006



This report is mandatory under P.L. 88-257, as amended. Failure to comply may result in criminal prosecution, fines, or civil penalties as provided by 29 U.S.C. 439 or 440. Required of persons, including Labor Relations Consultants and Other Individuals and Organizations, Under Section 203(b) of the Labor-Management Reporting and Disclosure Act of 1959, as amended. (LMRDA)

READ THE INSTRUCTIONS CAREFULLY BEFORE PREPARING THIS REPORT.

1. File Number: C-00532

372507

Person Filing

2. Name and mailing address (include ZIP Code):

Name John De Groot

Title

Organization CounterPoint

P.O. Box, Bldg., Room No., if any PO Box 1176

Street

City Glen Ellen

State California ZIP Code + 4 95442-1176

3. Any other address where records necessary to verify this report are kept:

Name

Title

Organization

P.O. Box, Bldg., Room No., if any

Street

City

State California ZIP Code + 4

4. Date fiscal year ends:

Dec / 08

5. Type of person:

a. ☐ Individual b. ☐ Partnership c. ☐ Corporation d. ☐ Other (Specify): Sole Proprietorship

Nature of Agreement or Arrangement

6. Full name and address of employer with whom made (include ZIP Code):

Name Mr. Charles S Birenbaum

Organization Winston & Strawn, LLP

Trade Name, if any

P.O. Box, Bldg., Room No., if any

Street 101 California Street

City San Francisco

State California ZIP Code + 4 94111-5894

7. Date entered into:

10 / 14 / 2008

8. Name of person(s) through whom made:

Name Charles S Birenbaum

Name

Name

Name

Name

Signatures

Each of the undersigned declares, under penalty of perjury and other applicable penalties of law, that all of the information submitted in this report (including the information contained in any accompanying documents) has been examined by the signatory and is, to the best of the undersigned's knowledge and belief, true, correct, and complete. (See Section VII on penalties in the instructions.)

13. Signed

Title Sole Proprietor

President
(If other title, see
instructions)

14. Signed

Title Controller/Comptroller

Treasurer
(If other title, see
instructions)

On Nov 12, 2008 (707) 575-4835
Date Telephone Number

On _____
Date Telephone Number

Filer: John De Groot CounterPoint

File Number C- 00532

9. Check the appropriate box to indicate whether an object of the activities undertaken, is directly or indirectly:

- a. ☒ To persuade employees to exercise or not to exercise, or persuade employees as to the manner of exercising, the right to organize and bargain collectively through representatives of their own choosing.
- b. ☐ To supply an employer with information concerning the activities of employees or a labor organization in connection with a labor dispute involving such employer, except information for use solely in conjunction with an administrative or arbitral proceeding or a criminal or civil judicial proceeding.

10. Terms and conditions (Explain in detail; see instructions. Written agreements must be attached.):

For a retainer fee of \$2,500 per week, CounterPoint will use its best efforts to assist Winston & Strawn and client Calpine in Middletown, CA to inform employees of their rights under the NLRA, and on the potential consequences of union representation.

Specific Activities to be Performed

11. For each activity, separately list in detail the information required (See instructions):

a. Nature of activity:

Meet with Calpine employees at the Geysers site in Sonoma County, to discuss union representation and the process for recognition under the NLRA.

11.b. Period during which performed:

Oct 14 - Nov 12, 2008

11.c. Extent performed:

On-Going

11.d. Name and address through whom performed:

Name John De Groot

Organization CounterPoint

P.O. Box, Bldg., Room No., if any PO Box 1176

Street

City Glen Ellen

State California ZIP Code + 4 95442-1176

Additional Name and address through whom performed, if any:

Name Garry Gooding

Organization Independent Consultant

P.O. Box, Bldg., Room No., if any

Street 1934 East Rayhan Drive

City Santa Rosa

State California ZIP Code + 4 95404

12.a. Identify subject groups of employees:

Employees identified in NLRB case 20-RC-18202, at Calpine-The Geysers, in Middletown, California.

12.b. Identify subject labor organizations:

Local 1245 of the I.B.E.W.

Item 11 d Additional names and addresses

**Bernard Lishinsky, Independent Consultant
11171 E. Beck Lane
Scottsdale, AZ 85255**

**David Cox, Independent Consultant
4002 Legend Drive
Rocklin, CA 95765**