

Daley, Frank J Jr

C-2 + RESPONSE

From: Servan, Carlos
Sent: Monday, May 22, 2023 2:31 PM
To: Daley, Frank J Jr
Subject: RE: Sky's the Limit Program

Thank you, Frank.

From: Daley, Frank J Jr <frank.daley@nebraska.gov>
Sent: Monday, May 22, 2023 2:29 PM
To: Servan, Carlos <carlos.servan@nebraska.gov>
Subject: RE: Sky's the Limit Program

Carlos:

This is a follow-up to our telephone conversations and email exchange today. The Nebraska Commission for the Blind and Visually Impaired (NCBVI) has contracted with an organization known as Sky's the Limit to do a training session for approximately 110 NCBVI clients. In connection with this session, the organization wishes to distribute copies of *Running Dreams*, a book which you authored and which was published in December 2022.

Under the circumstances, it is my opinion that this distribution is acceptable. In reaching this conclusion, I note the following:

- NCBVI has been contracting with the organization since approximately 2020 to do this training;
- The organization has been distributing the book in connection with its presentations in other states;
- At the time of entering into the current contract, there was no discussion of distribution of the book;
- You only recently discovered that it is the organization's intent to do so.

The issue is whether there is any sort of quid pro quo in this transaction. That is, was the award of the contract to the organization contingent upon the distribution of the book. The circumstances described indicate that this is not the case. Thank you for your question. If you have other questions, please feel free to contact me.

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From: Servan, Carlos <carlos.servan@nebraska.gov>
Sent: Monday, May 22, 2023 12:51 PM
To: Daley, Frank J Jr <frank.daley@nebraska.gov>
Subject: RE: Sky's the Limit Program

Frank:

Yes, we had contracts for services with Sky's the limit in the past. This new contract was enter on May 15 and discussion of my book was not brought up at all.

Thanks

Carlos R. Serván

From: Daley, Frank J Jr <frank.daley@nebraska.gov>
Sent: Monday, May 22, 2023 9:37 AM
To: Servan, Carlos <carlos.servan@nebraska.gov>
Subject: Sky's the Limit Program

Carlos:

I want to follow-up on our conversation. Has Sky's the Limit done programs in Nebraska in the past or is this its first program? When was the contract between the NCBVI and Sky's the Limit entered into? Was there any discussion at that time about the distribution of your book? Thanks.

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