

**Diana Lin**

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**Subject:** Notice of Administrative Enforcement Proceeding - Tracey Gordon  
**Attachments:** 12.12.Introductory.Letter.1412MU14.PDF

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**From:** Elizabeth Downey  
**Sent:** Friday, December 12, 2014 5:35 PM  
**To:** MICHAEL COARD  
**Cc:** Shane Creamer; Jordan Segall; Maya Nayak; Michael Cooke  
**Subject:** RE: Notice of Administrative Enforcement Proceeding - Tracey Gordon

Dear Mr. Coard:

I have attached a letter concerning the Administrative Enforcement Proceeding initiated by yesterday's Notice. I will be sending this letter to you by first class mail on Monday morning.

Sincerely,

Elizabeth W. Downey  
Associate General Counsel  
Philadelphia Board of Ethics  
[www.phila.gov/ethics](http://www.phila.gov/ethics)  
(215) 686-9450

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**From:** Maya Nayak  
**Sent:** Friday, December 12, 2014 8:38 AM  
**To:** Michael Cooke  
**Cc:** MICHAEL COARD; Shane Creamer; Jordan Segall; Elizabeth Downey  
**Subject:** RE: Notice of Administrative Enforcement Proceeding - Tracey Gordon

I am writing to confirm I received the Notice filed yesterday in matter #1412MU14.

Maya Nayak  
General Counsel  
City of Philadelphia Board of Ethics  
One Parkway Building, 18th Floor  
1515 Arch Street  
Philadelphia, PA 19102  
215-686-9450 (ph); 215-686-9453 (f)  
[www.phila.gov/ethicsboard](http://www.phila.gov/ethicsboard)

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**From:** Michael Cooke  
**Sent:** Thursday, December 11, 2014 3:13 PM  
**To:** Maya Nayak  
**Cc:** MICHAEL COARD; Shane Creamer; Jordan Segall  
**Subject:** Notice of Administrative Enforcement Proceeding - Tracey Gordon

Maya -

Attached, please find a Notice of Administrative Enforcement Proceeding for the matter Creamer v Gordon, 1412MU14, and related Exhibits.

Ms. Gordon is represented by Michael Coard, Esq. He is cc'd on this email.  
His address information is on the Certification of Service.

Thank you,

Michael J. Cooke, Esq.  
Director of Enforcement  
Board of Ethics  
of the City of Philadelphia  
1515 Arch St., 18th Floor  
Philadelphia, PA 19102  
(215) 686-9459  
(f) (215) 686-9453



# CITY OF PHILADELPHIA

BOARD OF ETHICS  
ONE PARKWAY BUILDING  
1515 Arch Street  
18<sup>TH</sup> Floor  
Philadelphia, PA 19102-1504  
(215) 686 – 9450  
FAX 686 – 9453

*Confidential*

December 12, 2014

*Via first class mail and email*

Michael Coard  
One Liberty Place  
1650 Market Street, Suite 3652  
Philadelphia, PA 19103  
michaelcoard@msn.com

**Re: Administrative Adjudication Matter #1412MU14**

Dear Mr. Coard:

As counsel to the Board of Ethics, I write regarding the administrative enforcement proceeding that the Board's Executive Director Shane Creamer initiated against Tracey Gordon on December 11, 2014. I understand that you represent Ms. Gordon in this matter. Please include the number that has been assigned to this administrative enforcement matter, #1412MU14, on all filings and communications related to this matter.

Ms. Gordon may file a written Response to the allegations of violations in the Notice of Administrative Enforcement Proceeding (the "Notice") and may request a hearing to contest the allegations. The Board must receive Ms. Gordon's Response by December 31, 2014. If more time is required to respond to the Notice, Ms. Gordon must apply for and be granted an extension. Ms. Gordon will waive her right to a hearing if she does not file a Response to the Notice or if she does not request a hearing in her timely Response. Please note that unless Ms. Gordon consents in writing to a public proceeding, the Board's pending administrative enforcement proceedings, including filings and a hearing, are confidential.

If Ms. Gordon does not file a written response to the Notice, the Executive Director may submit to the Board a brief in support of the Notice. Ms. Gordon would have the opportunity to respond to the brief. If the Executive Director does not file a

**Re: Administrative Adjudication Matter #1412MU14**

December 12, 2014

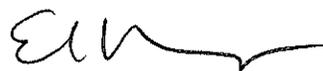
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supporting brief, the Board may make its final determination based on the undisputed allegations in the Notice and the supporting exhibits. The Board will serve Ms. Gordon with notice of its final determination.

In administrative enforcement proceedings such as this, Board members act as the adjudicator with the assistance of General Counsel staff and a Hearing Officer. Neither party may engage in a substantive *ex parte* communication with any member of the Board, General Counsel staff, or the Hearing Officer concerning the administrative enforcement proceeding. The Board, General Counsel staff, and Hearing Officer are not informed of communications or possible settlement discussions you and Ms. Gordon may have with enforcement staff. Such discussions with enforcement staff would not relieve the obligation to follow filing deadlines and other procedural requirements set by the Board in this administrative enforcement proceeding.

The procedures that govern the Board's administrative adjudication proceedings are set forth in Board of Ethics Regulation No. 2 and a Board memorandum containing supplementary procedures for administrative enforcement. You should have received copies of both documents with the Notice. The Board memo on procedures contains important information about the procedures for all phases of administrative enforcement proceedings, including the required format for a Response, how to request an extension, and how to submit filings. If you have questions about the applicable procedures, please contact me.

Sincerely,



Elizabeth W. Downey  
Associate General Counsel

cc (via email): Maya Nayak, General Counsel  
Shane Creamer, Executive Director  
Michael Cooke, Director of Enforcement