

Diana Lin

Subject: Creamer v. Gordon, Administrative Enforcement Matter #1412MU14 - Pre-hearing exchanges reminder letter
Attachments: 1412MU14_Pre-hearing exchanges reminder letter.pdf

From: Ayodeji K. Perrin
Sent: Thursday, July 02, 2015 11:11 AM
To: Shane Creamer; 'allcourts@comcast.net'
Cc: Michael Cooke; Jordan Segall; Maya Nayak
Subject: Creamer v. Gordon, Administrative Enforcement Matter #1412MU14 - Pre-hearing exchanges reminder letter

Dear Ms. Major and Mr. Creamer:

Please find attached a letter from Ms. Nayak reminding the parties of the deadlines for pre-hearing exchanges and submissions. The deadline for parties to exchange witness lists and exhibits is Friday, July 3, 2015. The deadline for the parties to submit pre-hearing memoranda to the Board is Friday, July 10, 2015. This letter is being sent by certified mail to Ms. Major.

Sincerely,
Ayodeji Perrin

AYODEJI K. PERRIN, ESQ.

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Confidential

July 2, 2015

Via first-class, certified mail and email

Rania M. Major
2915 North 5th Street
Philadelphia, PA 19133
allcourts@comcast.net

Via email

J. Shane Creamer, Jr.
Executive Director
Philadelphia Board of Ethics
1515 Arch Street, 18th Floor
Philadelphia, PA 19102

Re: Administrative Adjudication Matter #1412MU14

Dear Ms. Major and Mr. Creamer:

I am writing to remind you of the upcoming deadlines in this matter. The hearing that Ms. Gordon requested in her February 5, 2015 Response to the Executive Director's Notice is scheduled to take place August 4 through August 7, 2015, from 11:30am to 5pm each day. The deadline for parties to exchange witness lists and exhibits is Friday, July 3, 2015. The deadline for the parties to submit pre-hearing memoranda to the Board is Friday, July 10, 2015.

Failure to exchange lists of witnesses and exhibits with the opposing party and to submit to the Board a pre-hearing memorandum carries significant consequences:

- (1) Pursuant to Board Regulation No. 2, paragraph 2.17(a)(v), the Executive Director and Ms. Gordon shall not offer any contested evidence at the hearing other than from witnesses and documents identified in the pre-hearing exchanges and pre-hearing memoranda required in paragraph 2.17 of the Regulation. (The Board or its Hearing Officer may grant exceptions for good cause shown.)

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- (2) Pursuant to paragraph 6(C) of the Board Supplemental Procedures Memorandum, if the parties cannot agree on the content of a Joint Pre-Hearing Memorandum, each party shall file a Unilateral Pre-Hearing Memorandum that includes all the information required in the Joint memorandum. All facts set forth in the Statement of Undisputed Facts in the Executive Director's Unilateral memorandum will be deemed admitted unless specifically denied by Ms. Gordon in a writing filed with the Board no later than seven (7) days after service of the Executive Director's Unilateral memorandum.
- (3) Pursuant to paragraph 6(D) of the Supplemental Procedures Memorandum, any witness or exhibit offered by a party shall be admissible at the hearing, unless a party objects as required in a Joint or Unilateral Pre-Hearing Memorandum.

If you have questions about the Board's administrative enforcement procedures, please let me know.

Sincerely,



Maya Nayak
General Counsel

cc (via email): Michael Cooke, Director of Enforcement