

Thomas Klemm

Subject: Re: Creamer v. Ben, Matter No. 1510ET17
Attachments: Hearing Response and finding conclusions.docx

From: Leron Ben [<mailto:rent2158332547@gmail.com>]
Sent: Friday, April 15, 2016 12:09 AM
To: Diana Lin
Subject: Re: Creamer v. Ben, Matter No. 1510ET17

Diana.

This is my response letter.

please let me know if it's good, and if any correction needed.

thank you

On Fri, Apr 8, 2016 at 11:09 AM, Diana Lin <Diana.Lin@phila.gov> wrote:

Please find attached correspondence related to Administrative Adjudication Matter #1510ET17.

Sincerely,

Diana

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Leron Ben

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Hearing Response and finding conclusions

1. My response letter will be divided to three parts. (some fact and some conclusions)
2. **One**- The reason for this hearing.
3. **Two**- the facts and evidence was presented at the hearing follow by conclusions.
4. **Three**- the consistency and accuracy of Mr. St. Vincent.
5. **ONE** –
6. The reason for this hearing according to Mr. St. Vincent was “Attempt to Bribery”
7. The reason for this hearing according to Board of ethics lawyers was A “Gift violation”
8. What was in dispute during the hearing was if money was handed to Mr. St. Vincent (page 132 line 20-24)
9. **TWO**-
10. **FACT**-There was no evidence at the hearing, and Mr. Cooke’s statement (page 138 lines 1-3) are false.
11. **FACT**- there was two testimonies from Mr. St. Vincent and Ms. Weiss (who I consider people of interest)
12. After the initial statement of Mr. St. Vincent he became a person of interest since he had to protect his statement.
13. Mr. Weiss as his direct boss was also involve (since she heard his statement) without questioning him and believed him right away (page 96 line 7,9)
14. **FACT**-From day one of the investigation I asked to prove the allegations by presenting an audio or video recording
15. There was no Video recording, There was no Audio recording, There was no Eye witness to the allegations (page 45 lines 1-20)
16. All three tickets at the hearing was dismissed (page 42 line 8)
17. Mr. Cooke closing statement was full of Hypotheticals facts that doesn’t sit with the true facts of what really happened (page 135 lines 19-24 continue page 136 lines 1-3) and making conditions to facts doesn’t make them real fact.
18. Mr. Cooke “IF” (page 140 lines 3,6) are showing the way he presents facts.
19. The hearing was to find out if money was given/handed to Mr. St. Vincent (page 132 lines 20-24) and during Mr. Ben(me) questioning (page 102-page 129) there was not even ONE question from Mr. Cooke or Mr. Segall if Mr. Ben (me) handed or try to give Mr. St. Vincent Money (or gift).
20. More than that Mr. Ben (me) testified in my defense that I didn’t give Mr. St. Vincent any money (page 116 lines 9-10).

21. There was no question from Mr. Cooke. to Mr. Ben(me) what really happened in that hearing room on 5/21/2015.
22. CVN Hearing takes approximately 5 min (or less)
23. It took Mr. St. Vincent to report "the incident" more than 15-20 minutes.(page 48 lines 17-22)
24. In simple math Mr. St. Vincent oversaw at least 4 people if not more.
25. Since it's a civil case and not criminal (page 156 lines 8-9) my response is: The burden of proof is on the claimant and Possession is nine-tenths of the law.
26. **THREE-**
27. Limited memory-Mr. St. Vincent remembered dismissing the case but can't remember why? (Page 42 lines 4, 8-10) and that's 9 months after the hearing date.
28. Mr. St Vincent can't admit the he made a mistaken statement by saying he was "attempted to be bribe"? Even after he heard the definition by law (page 58 lines 9-24).
29. Mr. Cooke understanding of the law was totally different. (page 156 lines 9-10)
30. Second chance for Mr. St. Vincent to admit (page 60 lines 16-18), and his pride didn't let him do so.
31. Contradictions of the reporting to supervisor (page 45 line 21-24) than (page 48 lines 12-22), than (page 61 lines 16-24).
- 32.
- 33.
34. I'm asking the Board to dismiss this case base on the fact that Mr. St. Vincent made
35. A false statement to his supervisor (maybe hoping to get permanent position) and
36. Not knowing that the outcome will go that far and his pride didn't let him admit that
37. He made mistaken statement.
38. This whole case is filled with inaccuracy, inconsistency and with not even one strong
39. Evidence (video, audio or witness) to support the allegations.
40. The burden of proof is on the claimant (page 135 lines 1-6) and they have not provided
41. Neither evidence nor proof that such incident occurred at all.