Diana Lin

Subject: Response - Creamer v. Gordon, #1412MU14

Attachments: 2015.2.6.Response.Acknowledgement.1412MU14.PDF

From: Elizabeth Downey

Sent: Friday, February 06, 2015 4:41 PM

To: reachingback@aol.com

Cc: Maya Nayak; Shane Creamer; Michael Cooke **Subject:** Response - Creamer v. Gordon, #1412MU14

Dear Ms. Gordon:

I write to acknowledge that I received your timely Response, which includes a request for a hearing. I have attached an electronic copy of a letter I am sending you via first class mail.

Sincerely,

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



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

Confidential

February 6, 2015

Via first class mail and email

Tracey L. Gordon 6543 Windsor Street Philadelphia, PA 19142 reachingback@aol.com

Re: Administrative Adjudication Matter #1412MU14

Dear Ms. Gordon:

As counsel to the Board of Ethics, I write to let you know that I received your timely Response, which contains a hearing request and responds to the Notice of Administrative Enforcement Proceeding served by the Executive Director on December 12, 2014. When attorney Michael Coard submitted the Response, he informed me that he no longer represents you in this proceeding, that I should communicate directly with you, and that I should no longer communicate with him regarding this matter. If you engage another attorney to represent you, you must let me and the Board's General Counsel Maya Nayak know immediately. We then would direct all communications to your new attorney. Also, we received the additional information related to your Response that Mr. Coard transmitted by email on February 5, 2015, despite his withdrawal from representing you in this matter.

The procedures that govern the Board's administrative adjudication proceedings are set forth in Board of Ethics Regulation No. 2 and a Board memorandum approved in November 2014 that contains additional procedures for administrative enforcement proceedings. The Board memo on supplementary procedures contains important information about the procedures for all phases of administrative enforcement proceedings, such as the procedure for exchange and submission of information, including witness lists, before the hearing. You received copies of both documents with the Notice Administrative Enforcement that was served on you by Executive Director Creamer on December 12, 2014. Please let me know if you would like additional copies of these documents.

Re: Administrative Adjudication Matter #1412MU14

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Please note that unless you consent in writing to a public proceeding, the Board's pending administrative enforcement proceedings, including filings and a hearing, must be kept confidential. The confidentiality requirements are described in more detail in Board of Ethics Regulation No. 2 at Paragraph 2.15 on page 9. Please contact me or Ms. Nayak if you have questions about the procedures that apply to this administrative enforcement proceeding.

In administrative enforcement proceedings such as this, General Counsel staff such as myself, and the Board's Hearing Officer, Richard Glazer, assist the members of the Board, who act as an adjudicator, like a judge, to determine whether violations occurred. You and the Executive Director, who is assisted by the Board's enforcement staff, are the parties in this matter. Neither party may engage in a substantive communication concerning the proceeding with the Board, General Counsel staff, or Hearing Officer Glazer without notice to the other party. The Board, General Counsel staff, and Hearing Officer are not informed of communications or possible settlement discussions you may have with enforcement staff. Such discussions with enforcement staff would not relieve your obligation to follow filing deadlines and other procedural requirements set by the Board in this proceeding.

General Counsel staff will confer with Hearing Officer Glazer and will follow up with you and Mr. Creamer about scheduling the hearing that you have requested.

Sincerely,

Elizabeth W. Downey Associate General Counsel

cc (via email):

Maya Nayak, General Counsel Shane Creamer, Executive Director Michael Cooke, Director of Enforcement