

Diana Lin

Subject: Creamer v. Gordon, Administrative Enforcement Matter #1412MU14 - Second Revised Hearing Notice
Attachments: Second Revised Hearing Notice and Cover Letter_1412MU14.pdf

From: Ayodeji K. Perrin
Sent: Friday, May 29, 2015 3:39 PM
To: Shane Creamer; allcourts@comcast.net
Cc: Michael Cooke; Jordan Segall; Maya Nayak
Subject: Creamer v. Gordon, Administrative Enforcement Matter #1412MU14 - Second Revised Hearing Notice

Dear Ms. Major and Mr. Creamer:

On behalf of Ms. Nayak, I am writing to let you know that Hearing Officer Glazer has rescheduled the hearing in this administrative enforcement proceeding to take place Tuesday, August 4 through Friday, August 7, 2015, from 11:30 a.m. to 5:00 p.m. 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. The hearing will be held in conference room 18-009 at the Philadelphia Board of Ethics, 1515 Arch Street, 18th Floor, Philadelphia, PA 19102. I have attached a letter and a second revised Hearing Notice in this matter that are being sent by certified mail to Ms. Major.

Sincerely,
Ayodeji Perrin

AYODEJI K. PERRIN, ESQ.

Staff Attorney
City of Philadelphia Board of Ethics
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1515 Arch Street
Philadelphia, PA 19102
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Confidential

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

May 29, 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:

Chair Reed's grant of Ms. Major's May 18, 2015 request for a continuance of the hearing in this matter has necessitated a rescheduling of the hearing. On May 21, 2015, I requested that the parties notify me of any dates from July 27 through August 21, 2015 that you would be unable to participate in a hearing for Ms. Gordon. Mr. Cooke provided dates in response. Ms. Major did not respond to this request about availability and did not notify me of any dates in the timeframe that she would be unable to participate in a hearing. In an earlier phone conversation, Ms. Major had indicated that she often has courtroom appearances on Mondays and early mornings, and we have avoided those times when rescheduling Ms. Gordon's hearing.

Hearing Officer Richard Glazer has rescheduled the hearing to take place August 4 through August 7, 2015, from 11:30am to 5pm each day. A second revised hearing notice is enclosed. 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. Please note that these deadlines are earlier than the minimum deadlines indicated in the Board's memorandum on procedures for administrative enforcement proceedings that supplement Regulation No. 2.

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.)
- (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 writing 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

Enclosure

**BOARD OF ETHICS
OF THE CITY OF PHILADELPHIA**

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

v. :

Tracey Gordon :
6543 Windsor Street :
Philadelphia, PA 19142 :

Respondent :

Matter No. 1412MU14

Date of Second Revised Notice of Hearing:
May 29, 2015

SECOND REVISED NOTICE OF HEARING

In response to Respondent Tracey Gordon's May 18, 2015 request for a continuance in this matter, which Board Chair Michael Reed granted, the Board's Hearing Officer Richard Glazer has rescheduled the hearing to take place August 4, 5, 6, and 7 of 2015, from 11:30am to 5pm each day. Hearing Officer Glazer will schedule additional time as needed to complete the hearing.

The hearing will take place in the conference room at the Office of the Board of Ethics, Room No. 18-009, One Parkway Building, 1515 Arch Street, 18th Floor, Philadelphia, PA 19102.

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.