

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

J. Shane Creamer, Jr. :
Executive Director :
Board of Ethics :
of the City of Philadelphia :
1515 Arch Street, 18th Floor :
Philadelphia, PA 19102 :
 :
v. :
 :
Celena Morrison :
[REDACTED] :
[REDACTED] :
 :
Respondent :

Matter No.: 2106ET19

I. MOTION IN LIMINE TO PRECLUDE TESTIMONY FROM AVERY SHAW

The Executive Director of the Board of Ethics, J. Shane Creamer, Jr., and Respondent Celena Morrison, submits the following Motion in Limine to Preclude Testimony from Avery Shaw at the Hearing of this matter and in support thereof alleges the following:

1. By letter dated November 19, 2021, counsel for Respondent Celina Morrison identified Avery Shaw as a potential witness she may call as a witness at the Administrative Hearing scheduled on December 15, 2021.
2. Respondent Morrison is alleged to have violated Philadelphia Code Section 20-604(1) by soliciting, accepting and receiving a monetary gift from Kendal Stephens, a person actively seeking official action from Ms. Morrison as Executive Director of the Office of LGBT Affairs.

3. Friendship is not a defense to a violation of Code Section 20-604(1).
4. It is undisputed that Ms. Morrison accepted and received a \$4,000 no-interest loan from Ms. Stephens in the form of a cashier's check executed on September 23, 2020. It is also undisputed that Ms. Morrison and Ms. Stephens executed a no-interest loan agreement pursuant to which Ms. Morrison agreed to repay the loan over a twelve-month period beginning on October 23, 2020. *See* Amended Notice of Administrative Enforcement Proceeding and Answer to Amended Notice of Administrative Enforcement Proceeding at paragraphs 25 and 26.
5. Avery Shaw is not mentioned in the Amended Notice of Administrative Enforcement Proceeding or the Answer to Amended Notice of Administrative Enforcement Proceeding.
6. Upon information and belief, the Executive Director believes that Ms. Morrison intends to present testimony from Mr. Shaw regarding undisputed facts concerning the loan agreement and/or the former friendship between Ms. Morrison and Ms. Stephens, which is irrelevant to any issues presented in this matter.

Wherefore, the Executive Director respectfully requests that Avery Shaw be precluded from testifying in the Hearing of this matter because he can only offer testimony on undisputed facts and/or irrelevant facts.

Date: December 3, 2021

Respectfully submitted,

/s/ J. Shane Creamer Jr.

J. Shane Creamer, Jr. Esq.
Executive Director

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