

Diana Lin

From: Diana Lin
Sent: Wednesday, July 15, 2015 12:47 PM
To: allcourts@comcast.net
Cc: Maya Nayak; Shane Creamer; Michael Cooke
Subject: RE: Tracey Gordon - Administrative Adjudication Matter #1412MU14
Attachments: Gordon - Letter to Rania Major 07 15 2015.pdf

Dear Ms. Major:

Please find attached a letter regarding missed deadlines and important dates in Administrative Adjudication Matter #1412MU14 in which you are representing Ms. Gordon. If you have any questions regarding this letter or the Board's procedures between July 20-24, please contact me at Diana.lin@phila.gov or 215.686.9450.

Sincerely,
Diana Lin

Diana J. Lin, Esq.
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Confidential

July 15, 2015

Via E-mail and Hand Delivery

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

Re: Administrative Adjudication Matter #1412MU14

Dear Ms. Major:

I write regarding your failure to observe two important deadlines in this matter. The deadline for parties to exchange witness lists and exhibits was Friday, July 3, 2015. From the Executive Director's Unilateral Pre-Hearing Memorandum, it appears that you did not exchange a witness list or exhibits with Mr. Creamer. Further, the deadline for the parties to submit pre-hearing memoranda to the Board was Friday, July 10, 2015. To date, we have not received your pre-hearing memorandum.

As we have previously informed you in correspondence dated May 29, 2015 and July 2, 2015, failure to exchange lists of witnesses and exhibits with the opposing party and failure to submit to the Board a pre-hearing memorandum carry significant consequences. Pursuant to Board Regulation No. 2, Paragraph 2.17(a)(v), neither party shall offer any contested evidence at the hearing other than from witnesses and documents identified in the pre-hearing exchanges and pre-hearing memoranda as required in Paragraph 2.17.

I have conferred with Hearing Officer Richard Glazer regarding your failure to provide your witness list and exhibits to Mr. Creamer and your failure to submit a pre-hearing memorandum. Hearing Officer Glazer has determined that you will be precluded from offering any contested evidence at the hearing unless you have identified such witnesses and exhibits in a pre-hearing memorandum that you submit to the Board by **July 22, 2015** via e-mail to diana.lin@phila.gov with a copy to Mr. Creamer at shane.creamer@phila.gov. Pursuant to Paragraph 6(D) of the Supplemental Procedures Memorandum, your pre-hearing memorandum must also contain any objections you have to the witnesses or exhibits the

Re: Administrative Adjudication Matter #1412MU14

July 15, 2015

Page 2 of 2

Executive Director has identified in his Unilateral Pre-Hearing Memorandum, or you will be barred from objecting to any witnesses or exhibits offered by Mr. Creamer at the hearing. In your pre-hearing memorandum, you must clarify whether you intend to utilize the exhibits Tracey Gordon previously provided to Mr. Creamer on May 12, 2015 and to which he has objected in the Executive Director's Unilateral Pre-Hearing Memorandum.

Note that all facts set forth in the Statement of Undisputed Facts in the Executive Director's Unilateral Memorandum served on July 10, 2015 will be deemed admitted unless specifically denied in a writing filed with the Board no later than **July 17, 2015**.

As a final reminder, the hearing in this matter is scheduled to take place August 4 through August 7, 2015, from 11:30am to 5pm each day. If you have questions about the Board's administrative enforcement procedures, please let me know. I will be out of the office from July 20-24, so if you have any questions during this interim, please contact Diana Lin at diana.lin@phila.gov or 215.686.9450.

Sincerely,



Maya Nayak
General Counsel

cc (via email): J. Shane Creamer, Jr., Executive Director
Michael Cooke, Director of Enforcement