

## Thomas Klemm

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**From:** Diana Lin  
**Sent:** Friday, December 11, 2015 3:03 PM  
**To:** Leron Ben; Shane Creamer  
**Cc:** Maya Nayak; Michael Cooke; Jordan Segall  
**Subject:** Creamer v. Ben Shoshan, Matter No. 1510ET17  
**Attachments:** December 11 2015 Letter to Parties Enclosing Revised Notice of Hearing.pdf

Dear Parties,

In response to Respondent Shoshan's request to reschedule the hearing, Hearing Officer Glazer has rescheduled the hearing in this matter, and the Revised Notice of Hearing is attached.

The hearing is rescheduled for Tuesday, February 2, 2016 at 10:30 a.m. to continue on Thursday, February 4, 2016 at 9:30 a.m. as necessary. If this rescheduling presents an unavoidable conflict, let me know as soon as possible.

Please also note that the new deadline for parties to exchange witness lists and exhibits is Thursday, January 7, 2016. The new deadline for the Board to receive the parties' pre-hearing memorandum or memoranda is Thursday, January 14, 2016.

Please let me know if you have questions about the applicable procedures.

Sincerely,

**Diana J. Lin, Esq.**  
Associate General Counsel  
City of Philadelphia Board of Ethics  
One Parkway Building, 18th Floor  
1515 Arch Street  
Philadelphia, PA 19102  
[diana.lin@phila.gov](mailto:diana.lin@phila.gov)  
215.686.9450 (t)  
215.686.9453 (f)  
[www.phila.gov/ethicsboard](http://www.phila.gov/ethicsboard)

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**From:** Maya Nayak  
**Sent:** Friday, December 11, 2015 9:00 AM  
**To:** Michael Cooke; Leron Ben  
**Cc:** Shane Creamer; Jordan Segall  
**Subject:** RE: Creamer v. Ben Shoshan, Matter No. 1510ET17

I will also let Hearing Officer Glazer know about this request that the hearing not be scheduled for a Monday and will update the parties as soon as possible.

Maya Nayak  
General Counsel  
City of Philadelphia Board of Ethics

One Parkway Building, 18th Floor  
1515 Arch Street  
Philadelphia, PA 19102  
215-686-9450 (ph); 215-686-9453 (f)  
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**From:** Michael Cooke  
**Sent:** Friday, December 11, 2015 8:56 AM  
**To:** Maya Nayak; Leron Ben  
**Cc:** Shane Creamer; Jordan Segall  
**Subject:** RE: Creamer v. Ben Shoshan, Matter No. 1510ET17

Maya,  
If Mr. Glazer changes the hearing date, we respectfully request that the new date not be a Monday.  
Regards,

Michael J. Cooke  
Director of Enforcement  
Board of Ethics  
City of Philadelphia  
1515 Arch Street, 18th Floor  
Philadelphia, PA 19102  
215-686-9459

----- Original message -----

**From:** Maya Nayak <[Maya.Nayak@phila.gov](mailto:Maya.Nayak@phila.gov)>  
**Date:** 12/11/2015 8:42 AM (GMT-05:00)  
**To:** Leron Ben <[rent2158332547@gmail.com](mailto:rent2158332547@gmail.com)>  
**Cc:** Shane Creamer <[Shane.Creamer@phila.gov](mailto:Shane.Creamer@phila.gov)>, Michael Cooke <[Michael.Cooke@phila.gov](mailto:Michael.Cooke@phila.gov)>, Jordan Segall <[Jordan.Segall@phila.gov](mailto:Jordan.Segall@phila.gov)>  
**Subject:** RE: Creamer v. Ben Shoshan, Matter No. 1510ET17

Dear Mr. Shoshan,  
I will let Hearing Officer Glazer know about your request for a different hearing date and will update the parties as soon as possible.

Maya Nayak  
General Counsel  
City of Philadelphia Board of Ethics  
One Parkway Building, 18th Floor  
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Philadelphia, PA 19102  
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**From:** Leron Ben [[rent2158332547@gmail.com](mailto:rent2158332547@gmail.com)]  
**Sent:** Friday, December 11, 2015 12:30 AM  
**To:** Maya Nayak  
**Subject:** Re: Creamer v. Ben Shoshan, Matter No. 1510ET17

dear Maya.  
If possible to change the date to any day besides Friday, since due to my religions its a short working day for me and i may not be able to attend.

thank you

On Wed, Dec 9, 2015 at 12:34 PM, Maya Nayak <[Maya.Nayak@phila.gov](mailto:Maya.Nayak@phila.gov)> wrote:

Dear Parties,

The Board's Hearing Officer Richard Glazer denies the Executive Director's objection to the form of Respondent Shoshan's Response. Respondent Shoshan is therefore not required to amend or re-file his Response.

In response to Respondent Shoshan's request for a hearing, Hearing Officer Glazer has scheduled a hearing in this matter, and the Notice of Hearing is attached. The hearing is scheduled for Friday, January 22, 2016 to continue the following Monday as necessary. If this scheduling presents an unavoidable conflict, let me know as soon as possible.

Please also note that the deadline for parties to exchange witness lists and exhibits is Thursday, December 31, 2015. The deadline for the Board to receive the parties' pre-hearing memorandum or memoranda is Thursday, January 7, 2016.

Please let me know if you have questions about the applicable procedures.

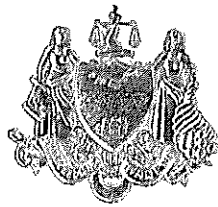
Maya Nayak  
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City of Philadelphia Board of Ethics  
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[www.phila.gov/ethicsboard](http://www.phila.gov/ethicsboard)

*Confidential*

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**Leron Ben**

**215-833-2547**



# CITY OF PHILADELPHIA

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

*Confidential*

December 11, 2015

*Via certified mail and email*

Leron Ben Shoshan  
22 Evergreen Way  
Philadelphia, PA 19115  
rent2158332547@gmail.com

*Via email*

J. Shane Creamer, Jr.  
Executive Director  
Philadelphia Board of Ethics  
1515 Arch Street, 18th Floor  
Philadelphia, PA 19102  
shane.creamer@phila.gov

**Re: Administrative Adjudication Matter #1510ET17**

Dear Parties:

In response to Respondent Shoshan's request today that the hearing in this matter not be scheduled on a Friday for religious reasons, the Board's Hearing Officer Richard Glazer has rescheduled the hearing in this administrative adjudication to begin on **Tuesday, February 2, 2016 at 10:30 a.m.** The hearing will continue as necessary on Thursday, February 4, 2016 at 9:30 a.m. The hearing will be held at the offices of the Philadelphia Board of Ethics, 1515 Arch Street, 18th Floor, Room No. 18-009, Philadelphia, PA 19102. As I explain in detail below, the parties are required to exchange witness lists and exhibits by **January 7, 2016** and to provide the Board pre-hearing memoranda by **January 14, 2016**.

The hearing represents an opportunity for the parties to present their cases and evidence, including calling witnesses, to the Board's Hearing Officer Richard Glazer. The Executive Director will have the opportunity to present evidence to support the allegations in the Notice of Administrative Enforcement Proceeding. Respondent Shoshan will have the opportunity to present evidence to contest the allegations in the Notice. Respondent Shoshan may be represented by an attorney at any point during this enforcement matter. If Respondent Shoshan engages an attorney, he must provide me with counsel's name, address, e-mail

address, telephone number, and attorney number. I would then communicate with Respondent Shoshan's counsel about this matter going forward.

There are also important pre-hearing procedures the parties must observe. Please note that failure to follow pre-hearing procedures may have significant consequences as identified in Regulation 2 and the Board's Memorandum on Supplemental Procedures for Administrative Enforcement Proceedings. The parties may be precluded from offering any contested evidence at the hearing other than from witnesses and documents identified in the required pre-hearing exchange with the opposing party and the required pre-hearing memoranda submitted to the Board. Regulation 2 ¶ 2.17(a)(v).

The procedures that govern the Board's administrative adjudication proceedings are set forth in Board Regulation 2 and the Board's Memorandum on Supplemental Procedures for Administrative Enforcement Proceedings. These documents contain important information about the procedures for all phases of administrative enforcement proceedings, including the required pre-hearing exchange of information and the hearing itself. Please let me know if any party would like additional copies of these documents.

Paragraph 2.17 of Regulation 2 and Paragraph 6 of the Board's Memorandum on Supplemental Procedures describe the required pre-hearing exchange of information between the parties and the required submissions to the Board. Required pre-hearing filings include the identification of a party's witnesses, exhibits, and requested subpoenas, as well as objections to the opposing party's witnesses, exhibits and requested subpoenas. Hearing Officer Glazer has directed that the parties must exchange witness lists and exhibits with each other by **January 7, 2016**. The parties must also file pre-hearing memoranda – jointly or separately – containing information specified in Paragraph 6.B of the Board's Memorandum on Supplemental Procedures. The parties' pre-hearing memoranda in this matter must be received by the Board by **January 14, 2016**.

Unless Respondent Shoshan consents in writing to a public proceeding, the Board's pending administrative enforcement proceeding, including filings and a hearing, must be kept confidential. The confidentiality requirements are described in detail in Board Regulation 2 at Paragraph 2.15.

In administrative enforcement proceedings like this one, General Counsel staff and the Board's Hearing Officer, Richard Glazer, assist the members of the Board to determine whether any violation of law has occurred. Again, neither party may engage in substantive communications concerning the proceeding with General Counsel staff without notice to the other party. General Counsel staff is not informed of communications or possible settlement discussions the parties may conduct. Such discussions would not relieve the parties of their obligation to follow filing deadlines and other procedural requirements set by the Board in this proceeding.

**Re: Administrative Adjudication Matter #1510ET17**

December 11, 2015

Page 3 of 3

Please contact me with any questions about applicable procedures.

Sincerely,

A handwritten signature in black ink, appearing to read 'Maya Nayak', written in a cursive style.

Maya Nayak  
General Counsel

Enclosure: December 11, 2015 Revised Notice of Hearing

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

<hr/>	
<b>J. Shane Creamer, Jr.</b>	:
Executive Director	:
Philadelphia Board of Ethics	:
1515 Arch Street, 18th Floor	:
Philadelphia, PA 19102	:
	:
	<b>Matter No. 1510ET17</b>
v.	:
	:
	<b>Date of Revised Notice of Hearing:</b>
<b>Leron Ben Shoshan</b>	:
22 Evergreen Way	:
Philadelphia, PA 19115	:
	:
	:
Respondent	:
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**REVISED NOTICE OF HEARING**

In response to Respondent Leron Ben Shoshan's December 11, 2015 request that the hearing he requested in this matter be rescheduled, the Board's Hearing Officer Richard Glazer has rescheduled the hearing to begin on **Tuesday, February 2, 2016 at 10:30 a.m.** The hearing will continue as necessary on **Thursday, February 4, 2016 at 9:30 a.m.** Hearing Officer Glazer will schedule additional time as needed to complete the hearing.

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

Pursuant to Board of Ethics Regulation No. 2 and the Board's November 19, 2014 Memorandum on Supplemental Procedures for Administrative Enforcement Proceedings, the rescheduled deadline for parties to exchange witness lists and exhibits is **Thursday, January 7, 2016**. The rescheduled deadline for the Board to receive the parties' pre-hearing memoranda is **Thursday, January 14, 2016**.