

**Grimaldi, John J. (BEGA)**

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**From:** Adams, Eugene (OAH)  
**Sent:** Monday, January 08, 2018 11:18 AM  
**To:** Grimaldi, John J. (BEGA)

J—

Hope all is well with you and the family in this new Year! When you have a moment, can you give me a call? Many thanks!

Eugene A. Adams  
Chief ALJ  
Office of Administrative Hearings  
202/442-5823

**Grimaldi, John J. (BEGA)**

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**From:** Collier, Tameka (BEGA)  
**Sent:** Thursday, January 18, 2018 2:11 PM  
**To:** Grimaldi, John J. (BEGA); Hutcheson, Norma (BEGA); Wade, Shomari (BEGA); Wade, Shomari Brock  
**Subject:** Fw: OOG-0003\_7.03.17 OMA Complaint\_COST\_AO

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**From:** Hughes, Traci (BEGA)  
**Sent:** Thursday, January 18, 2018 1:33:58 PM  
**To:** Adams, Eugene (OAH)  
**Cc:** Natale, Vanessa (OAH); Neal, Louis (OAH); Barton, Johnnie (BEGA); Collier, Tameka (BEGA); Nolen, Shawn (OAH)  
**Subject:** Re: OOG-0003\_7.03.17 OMA Complaint\_COST\_AO

Dear Gene --

I kindly direct your attention to 3 DCMR § 10406.1, making binding the findings of the OOG opinion, and any corrective action needed. Training was determined to be a corrective action. Additionally, DC Official Code § 2-580 requires that only the OOG is to provide annual training of public bodies of the requirements of the OMA. This is part and parcel of the OOG's authority to enforce the OMA as codified and supported by the legislative record before the Council. See, Report on the Committee on Government Operations and the Environment on Bill 18-716, the Open Meetings Act of 2010, Attachment E, Testimony of B. Becker at page 4.

It is my hope that the COST will reconsider.

Traci

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**From:** Adams, Eugene (OAH)  
**Sent:** Thursday, January 18, 2018 12:36 PM  
**To:** Hughes, Traci (BEGA)  
**Cc:** Natale, Vanessa (OAH); Neal, Louis (OAH); Barton, Johnnie (BEGA); Collier, Tameka (BEGA); Nolen, Shawn (OAH)  
**Subject:** RE: OOG-0003\_7.03.17 OMA Complaint\_COST\_AO

T—

I hope all is well in the New Year. Thanks for flagging this—we've discussed this internally and have identified other expertise in the city government on the Open Meetings Act and will reach out to them for the training. We'll keep you apprised of this process.

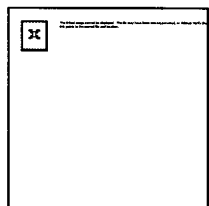
Eugene A. Adams  
Chief Administrative Law Judge  
Office of Administrative Hearings  
Eugene.adams@dc.gov  
202/442-5823

**From:** Hughes, Traci (BEGA)  
**Sent:** Wednesday, January 17, 2018 12:37 PM  
**To:** Adams, Eugene (OAH)  
**Cc:** Natale, Vanessa (OAH); Neal, Louis (OAH); Barton, Johnnie (BEGA); Collier, Tameka (BEGA); Nolen, Shawn (OAH)  
**Subject:** Re: OOG-0003\_7.03.17 OMA Complaint\_COST\_AO

Dear Gene --

I am emailing you to remind the COST to please arrange a training on the Open Meeting Act. The training was to have been conducted by the Office of Open Government by January 15, 2018. To date, no one from OAH or the COST has contacted the office to arrange a training date. I am happy to attend the next meeting of the COST and to conduct the training at that time.

Regards,  
Traci



Traci L. Hughes, Esq., Director  
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**From:** Hughes, Traci (BEGA)  
**Sent:** Thursday, November 16, 2017 10:00 AM  
**To:** Adams, Eugene (OAH)  
**Cc:** Natale, Vanessa (OAH); Neal, Louis (OAH); Barton, Johnnie (BEGA)  
**Subject:** OOG-0003\_7.03.17 OMA Complaint\_COST\_AO

Dear Gene --

The attached final version of the opinion was issued on Monday to the complainant and published to the OOG website. I apologize that I failed to send it to you. Will you please forward to Judge Williams, as I do not have an email address for her.

Please be mindful that as a result of formal issuance, there are time sensitive deadlines that are imposed against the COST (see the last paragraph of the opinion). Since I am forwarding to you and the COST today, the tolling to meet the deadlines will begin as of today.

This version of the opinion was also delivered to the Mayor and the Council prior to public issuance.

Kind Regards,  
Traci



Traci L. Hughes, Esq., Director  
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## Grimaldi, John J. (BEGA)

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**From:** Grimaldi, John J. (BEGA)  
**Sent:** Tuesday, November 14, 2017 12:41 PM  
**To:** Adams, Eugene (OAH)  
**Subject:** RE: RE:

Thanks, Gene.

Btw, just to be clear, given your message below from yesterday, there are no "BEGA regulations" (or statute) giving the Board authority to hear appeals from OOG advisory opinions. OOG's regulation on advisory opinions (3 DCMR § 10406) is silent on the subject of appeals. In any event, that regulation was promulgated pursuant to section 503(a)(4) of the Open Government Office Act (D.C. Official Code § 2-593(a)(4)) to implement, in part, the Open Meetings Act, which the Board has no authority to administer or enforce.

Jack

**From:** Adams, Eugene (OAH)  
**Sent:** Tuesday, November 14, 2017 10:25 AM  
**To:** Grimaldi, John J. (BEGA)  
**Subject:** Re: RE:

Thanks, Jack—it was great seeing you yesterday. Please let me know if I can be of assistance in the months leading up to June:-).

Eugene A. Adams  
Chief ALJ  
Office of Administrative Hearings  
202/442-5823

On Nov 14, 2017, at 9:25 AM, Grimaldi, John J. (BEGA) <[John.Grimaldi@dc.gov](mailto:John.Grimaldi@dc.gov)> wrote:

Good morning, Gene.

I enjoyed the time yesterday to catch up and to discuss current events.

The regulations promulgated pursuant to section 209 of the Ethics Act (D.C. Official Code § 1-1162.09 (Rules)) apply to the Board itself or to the Director of Government Ethics. Re advisory opinions, see 3 DCMR § 5405.3 ("If issued by the Director or an individual Board member, an advisory opinion may be appealed for consideration by the full Board."); see *also* D.C. Official Code § 1-1162.19(c) (providing for appeals to the Board of opinions by the Director).

Hope this helps.

Jack

**From:** Adams, Eugene (OAH)  
**Sent:** Monday, November 13, 2017 3:28 PM  
**To:** Grimaldi, John J. (BEGA)  
**Subject:**

J—

Thanks for the visit. Quick question: the BEGA regulations appears to allow for the appeal of advisory opinions. If so, to whom are those appeals made? Thanks.

Eugene A. Adams  
Chief ALJ  
Office of Administrative Hearings  
202/442-5823