

Aaron R. Guenther
2049 White Pine Lane
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March 10th 2023

Honorable Trey Mitchell
Chairman, Personnel and Finance
Member, Common Council

Dear Sir:

Please share this with the members of the Personnel and Finance committee, and add to the record for Common Council, along with those as you see fit. I am writing regarding the current legal demand from Jamie Haack and Ale Guevara and to request that this committee recommend to the Common Council independent legal counsel outside of Charles Adams and von Brisen and Roper.

Mr. Adams has a conflict of interest being named as a party in Wolf v City of Sheboygan along with Jill Hall of von Brisen and Roper.

I was very recently given a copy of Mr. Wolf's confidential letter dated November 7, 2022 which was written to the Common Council and this was the first time I had seen it. I am also familiar with Mr. Wolf's lawsuit and exhibits along with the February 6, 2023 letter from Jill Hall. As you know I saw this from another source prior to it being released this week by Mr. Adams and with it he sent a statement from Mr. Wolf's attorney "I can readily and easily prove that most of Ms. Hall's 'factual allegations' are false."

Ms. Hall states on page five "Wolf verified to this reporter that he never reported this alleged criminal conduct to law enforcement." I want to caution this committee and by extension the Common Council against dismissing the allegation of illegal wrongdoing by these two individuals based on the Hall report. Additionally, there are other statements in this Hall report which are at the very least suspect, and for me personally, I have contradictory evidence and knowledge based on open records requests.

This matter was in fact officially reported to a law enforcement authority, by me, in December, in writing though a proxy with a relationship to an authority that has jurisdiction. I was made aware of evidence regarding the written email request for the city to issue a Request For Proposal, which was in fact written by and included in the same email from Mary Lynne Donohue. She is the self-reported leader of the DEIB group Jamie Haack and Ale Guevara were representing, officially or otherwise on October 5th. I have all the documents here if you want to see them.

Now, to comment on a criminal investigation can be construed as interfering with a criminal investigation. I was not personally given notice if an investigation is underway or not, nor would I expect to be, rather the opposite; but I was given notice that my message was received on January 3th 2023.

A criminal investigator has broad authority to seek a warrant for email and voice communication, or otherwise, now or in the past. Additionally, there were two more city employees at the meeting on October 5th, and Ms. Hall's report indicates that substantial evidence "suggests that Ms. Haack and Ms. Guevara were not seeking money from the city." Yet now they are in fact asking for \$20,000 each. This

point of October 5th will be adjudicated by Wolf v City of Sheboygan, I am sure that you should not be settling any demand to the city until this point is settled.

I believe this committee has the power and responsibility to ask the two city employees on record in paragraph 133 of Wolf v City of Sheboygan, what happened, before you take into consideration any payout.

I remind you that your insurance policy does not cover damages for these two demands or for Wolf v City of Sheboygan if criminal wrongdoing is exposed. Mr. Adams needs to be removed from these negotiations along with von Brisen and Roper, if only for an abundance of caution, and to avoid any hint of conflict of interest. They are both named in the very lawsuit together and directly, and a conspiracy is alleged. You cannot have Charles Adams negotiate a settlement proving or disproving a point in a lawsuit of which both are named. The city of Sheboygan needs to hire a separate outside counsel to ask these employees what happened and this should preferably be under oath with a written affidavit. You can then negotiate a settlement if these prospective suits are not in fact, frivolous. There should be no hurry to settle unless the point is to create another headline and to change the optics publicly of Wolf v City of Sheboygan.

An enforcement authority or attorney may have already spoken to and instructed the attendees of the meeting not to speak about an open investigation, that is certainly within their purview. We had better be sure before paying these two anything at all. Maybe there was criminal extortion, and maybe not, but our city attorney cannot conduct this negotiation and the Hall report is not a trustworthy basis to assume nothing happened on October 5th, that is an actual provable fact.

With respect,

Aaron R. Guenther