



# *COOPERATIVE TIME LINE*

## **FEBRUARY TO MAY**

- March 20, 2020, Jonathan Ricketts discussion.
- April 3, 2020 (Friday). First Contact by Beyer. Asked for documents.
- April 6, 2020 (Monday). Provided documents requested.
- April 7, 2020 (Tuesday). Beyer requests additional documents, provided same day.
  
- NO FURTHER CONTACT FROM BEYER UNTIL MAY 29, 2020.

# COOPERATIVE TIME LINE

## MAY TO JULY

- Received a text May 29, 2020, a Friday asking for a Monday call.
- June 1, 2020, Monday call to discuss how to proceed.
- June 2, 2020, all interviews calendared for the following week per Beyer's request.
- 5 hours of interviews conducted June 9, 2020.
- 7 hours of interviews conducted June 10, 2020
- 3 hours of interviews conducted June 11, 2020
- Documents requested June 12, 2020, provided June 12, 2020.
- 3 hours of Board Member interviews conducted June 12, 2020
- 3 hours of Board Member interviews conducted June 16, 2020
- 6 hours of employee interviews on June 17, 2020
- 6 hours of interviews on June 19, 2020.
- 4 hour continued interview on June 24, 2020.
- Documents requested June 24, 2020 and provided June 24, 2020.
- Documents requested July 1, 2020 and provided July 1, 2020.
- Suggested additional documents for review, provided July 1, 2020.
- Beyer cancels meeting scheduled July 1, 2020, which had been set aside for document review.
- NO FURTHER ACTIVITY UNTIL JULY 13, 2020.

**Slide 2**

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**MG1**

Matt Golden, 7/27/2020



# TARC'S CONCERNS

2. Names and contact information of any victims interviewed by or on behalf of TARC;

As I have indicated, we will share those names with you. However, you have stated that you may/will release the names to others at the conclusion of your report. You stated this may include the entirety of Metro Council. TARC's external counsel made a commitment to protect the anonymity of victims and innocent witnesses and I do not believe that there is a legislative purpose for the release of these names broadly. To break this impasse, I propose providing this information to you now and if you still intend to release the names at the conclusion of your report, we will have a public hearing over the matter at Metro Council and they can publically vote on the release *prior* to release of those names. No person, other than you, would receive those names prior to that vote. I would like an opportunity to speak against this action prior to their vote. This will allow you to make sure you did not miss anyone but allow TARC an opportunity to argue for the protection of the victims and witnesses its counsel promised. You indicated you had no objection to this course of action.



## *TARC'S CONCERNS*

TARC HAS RAISED ONLY TWO CONCERNS:

- Protect the unnecessary disclosure of its victims and witnesses.
- Protection of its Attorneys' Papers and Work.



# TARC'S CONCERNS

3. Report of interviews prepared documenting or summarizing the interviews of both victims and witnesses including any documents, text messages or emails provided by the witnesses or victims.

I will break this down into two parts. First, the documents, text messages and emails that TARC or its investigative counsel received were all given to TARC by Plaintiff's Counsel's office. On June 1, 2020, I confirmed with you that this was the same material you received. If you want to compare again, we can do so; it is not a bad idea as I would like to make sure I have everything you have.

On the interview reports or summaries, this is the first time you have requested these materials. Any such reports are the work product of lawyers for TARC. The release and waiver of the privileges afforded these documents and the impressions contained therein is not something I can advise TARC to do. If you want to subpoena them, I will advise fighting this request vigorously in court. Materials arising from the attorney-client relationship including an attorney's work product are constitutionally protected.



## *TARC'S CONCERNS*

A government body who is seeking privileged attorney materials from one side of a matter has an agent that works for the other side of the matter.