

LOUISVILLE METRO COUNCIL

COMMONWEALTH OF KENTUCKY
LOUISVILLE METRO GOVERNMENT
JEFFERSON COUNTY

**IN THE MATTER OF REMOVAL CHARGES AGAINST
DISTRICT 21 COUNCILMAN DAN JOHNSON**

**GREATER LOUISVILLE, INC. AND KENT OYLER'S MOTION TO QUASH SUBPOENA
ISSUED TO KENT OYLER**

Greater Louisville, Inc. ("GLI") and Kent Oyler move to quash the subpoena issued to GLI's President and Chief Executive Officer, Kent Oyler, on the grounds that his testimony is merely cumulative and can add nothing to the removal proceedings. Citing nothing to demonstrate the need for Mr. Oyler's testimony, Councilman Dan Johnson applied for a subpoena to compel the testimony of Mr. Oyler.

On October 27, 2017, the Council Court entered an order approving the issuance of a subpoena to a litany of witnesses, including Mr. Oyler because the witnesses were "parties to this matter, have provided affidavits, were listed as witnesses by both parties, or have been identified in the Complaint or Exhibits tendered by the Charging Committee." [October 27, 2017 Order]. Mr. Oyler did not provide an affidavit, is not a party to this matter, and was listed as a witness only by Councilman Johnson.

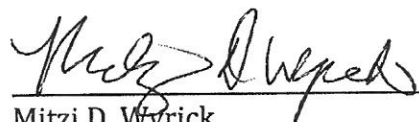
It is true that Mr. Oyler was referenced in an Affidavit of Sarah Davasher, submitted by the Charging Committee. But the reference in the Affidavit of Ms. Davasher, who is the Chief Operating Officer of GLI, does not render his proposed testimony relevant or necessary. Mr. Oyler has no independent knowledge of the events at issue in the removal hearing. Mr. Oyler did not witness the incident that

occurred at GLI's GLIDE event in Austin, Texas. Mr. Oyler's knowledge of that incident is limited to the discussion with Ms. Davasher of the proposed ban of Councilman Johnson from future GLI events, as referenced in Ms. Davasher's Affidavit..

Ms. Davasher discussed the ban with Mr. Oyler, in his capacity as CEO, to determine how to implement the ban. Ms. Davasher—not Mr. Oyler—then contacted Council President David Yates to advise of the ban so that Council President Yates could convey it to Councilman Johnson.

Accordingly, Mr. Oyler's proposed testimony is merely cumulative, will add nothing to the proceedings and will simply prolong matters with duplicative testimony. Therefore, GLI and Mr. Oyler respectfully request that the subpoena for Kent Oyler's testimony (if it is ever served) be quashed on the grounds that Mr. Oyler has no additional, relevant information about the matters at issue in the removal hearing.

Respectfully submitted,



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CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing has been served upon the following, by first class mail, postage prepaid, on this the 30th day of October, 2017:

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