

From: Andrew G. Celli <acelli@ecbawm.com>
Sent: Thursday, October 15, 2020 1:19 PM
To: Katie Rosenfeld <krosenfeld@ecbawm.com>; Michael Tallon <mtallon@tallonlaw.com>
Cc: jgetz@vaheygetz.com; Judy Deatsch <jdeatsch@tallonlaw.com>; Scout Katovich <SKatovich@ecbawm.com>
Subject: Re: City Council Investigation

Mike --

Thanks for the note. I have no interest in engaging in an academic discussion of the law with you. At this point, I can only conclude that your client is declining to cooperate with our investigation. That is unfortunate, and quite surprising coming from a man who dedicated his life to law enforcement. But so be it. We will proceed accordingly.

Best,
Andy

Andrew G. Celli, Jr.
Emery Celli Brinckerhoff Abady Ward & Maazel LLP
600 Fifth Avenue at Rockefeller Center
New York, NY 10020
212.763.5000

From: Michael Tallon <mtallon@tallonlaw.com>
Sent: Thursday, October 15, 2020 1:04:43 PM
To: Andrew G. Celli <acelli@ecbawm.com>; Katie Rosenfeld <krosenfeld@ecbawm.com>
Cc: jgetz@vaheygetz.com <jgetz@vaheygetz.com>; Judy Deatsch <jdeatsch@tallonlaw.com>; Scout Katovich <SKatovich@ecbawm.com>
Subject: [EXTERNAL] RE: City Council Investigation

This Message originated outside your organization.

Mr. Celli,

I attach my reply to your e mail.

Thank you,

Mike Tallon

From: Andrew G. Celli <acelli@ecbawm.com>
Sent: Tuesday, October 13, 2020 2:36 PM
To: Michael Tallon <mtallon@tallonlaw.com>; Katie Rosenfeld <krosenfeld@ecbawm.com>
Cc: jgetz@vaheygetz.com; Judy Deatsch <jdeatsch@tallonlaw.com>; Scout Katovich <SKatovich@ecbawm.com>
Subject: RE: City Council Investigation

Thanks for the note, Mike; and please call me Andy.

The short answer to your question is that both Charter Section 5-21(g) and the Ordinance authorizing our investigation authorize the collection of testimony and documents without regard to whether the target is or is not a current employee of the City of Rochester. No language in either source of law limits the Council's power to compel to current employees, and in as much your client was a high-ranking City official, I cannot imagine any court holding that he is not subject to a Council subpoena, or that he has not engaged in contempt of the Council for failing to respond to one.

That all said, our interest is in getting to the truth, not in having a court battle -- even one that I believe we are sure to win. If you are willing to discuss the subpoena and the information it requests, let's make a plan to do so, without prejudice to whatever legal position you may wish to assert. If you are unwilling to have a discussion about the subpoena, please let me know so that we can proceed accordingly.

best,
Andy

Andrew G. Celli, Jr.
Emery Celli Brinckerhoff Abady Ward & Maazel LLP
600 Fifth Avenue at Rockefeller Center
New York, NY 10020
212.763.5000
www.ecbawm.com

Please note my new email address: acelli@ecbawm.com

From: Michael Tallon <mtallon@tallonlaw.com>
Sent: Tuesday, October 13, 2020 2:18 PM
To: Andrew G. Celli <acelli@ecbawm.com>; Katie Rosenfeld <krosenfeld@ecbawm.com>
Cc: jgetz@vaheygetz.com; Judy Deatsch <jdeatsch@tallonlaw.com>
Subject: [EXTERNAL] RE: City Council Investigation

This Message originated outside your organization.

Mr. Celli,

I attach my reply to your email this morning.

Be well.

Mike Tallon

From: Andrew G. Celli <acelli@ecbawm.com>
Sent: Tuesday, October 13, 2020 11:52 AM
To: Michael Tallon <mtallon@tallonlaw.com>
Cc: Katie Rosenfeld <krosenfeld@ecbawm.com>
Subject: City Council Investigation

Mr. Tallon –

I hope this note finds you well. My partner Katie Rosenfeld and I would like to arrange a call with you and Mr. Getz concerning the subpoena issued to your client Chief La’Ron Singletary in connection with the City Council’s investigation of the Prude matter. Please let us know some times that work for you over the next couple of days. I could not locate a direct email for Mr. Getz, but I would ask that you loop him in as well, as you see fit.

Thx,
Andy Celli

Andrew G. Celli, Jr.
Emery Celli Brinckerhoff Abady Ward & Maazel LLP
600 Fifth Avenue at Rockefeller Center
New York, NY 10020
212.763.5000
www.ecbawm.com

Please note my new email address: acelli@ecbawm.com