

ATTACHMENT E

Kris Cappel - Seabold Group

From: Kris Cappel [kcappel@seaboldgroup.com]
Sent: Sunday, June 20, 2010 4:11 PM
To: Sid Strong
Cc: Kris Cappel; Eric C. Frimodt; Katherine F. Weber
Subject: Re: Stephanie Simpson/Mayor Gough Investigation - Email 3

Hi Sid: This is the third and, thankfully, last email today. I have recently been informed that Mayor Gough is not willing to waive the attorney-client privilege with respect to conversations identified in my request to Mr Frimodt. I want to advise you that based on all credible information I have received in this investigation to date, my tentative findings on the issue of Mayor Gough's reaction to learning that Ms. Simpson planned to apply (or had applied) for the ACA position and his role in and influence on the ACA process with respect to Ms. Simpson will be adverse findings. I am concerned that the Mayor was willing to waive the privilege with respect to the memo prepared by Robin Hall, a memo that the Mayor believes supports his position, but is not willing to waive the privilege with respect to communications with Mr. Frimodt. That leads me to conclude that the information known to Mr. Frimodt, which is the subject of the privilege, is detrimental to Mayor Gough's positions. I want to afford Mayor Gough every reasonable opportunity to supplement his information with respect to these issues and if that includes revisiting the waiver, I would encourage him to do so. I plan to conclude my work next week and will make factual findings based on information available to me at that time.

Respectfully yours,

Kris

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On Jun 3, 2010, at 10:49 AM, Sid Strong wrote:

Ms. Cappel and Ms. Norberg:

Attached is a letter re investigation issues.

We are faxing you the documents referenced in that letter and you should have them shortly.

Sidney Strong

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