



The City of Lorain, Ohio
Department of Law
Patrick D. Riley

**CIVIL
DIVISION**

R.J. Budway
Asst. Law Director

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Asst. Law Director

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Asst. Law Director

December 2, 2010

Daniel J. Given
Council-At-Large
City of Lorain
200 West Erie Avenue
Lorain, OH 44052

Re: Ohio Ethics Commission Referral
By Lorain County Prosecutor re: CRA Program

Dear Mr. Given:

Please be informed that on Monday, November 22, 2010, I spoke to Paul Nick, department head of the investigative unit of the Ohio Ethics Commission regarding the above-referenced matter at your request.

Based upon information provide to me by you, it was my understanding that the Lorain County Prosecutor had referred matters regarding your involvement in Lorain's CRA Program to the Ohio Ethics Commission for its review. It was my understanding that the referral was made several months ago. It was also my understanding that you wished to know the status of the review of the referral by the Ohio Ethics Commission.

During my phone conference with Mr. Nick, he asked several questions and made several statements to me. He asked whether I had instructed you to refrain from voting on matters regarding the resolution of the CRA lawsuit and new CRA legislation. I responded in the affirmative. He indicated that he believed my advice to you to refrain from voting on the CRA matters was appropriate.

He stated to me that there is no investigation of you being conducted by the Ohio Ethics Commission. He further stated to me that so long as you continue to refrain from official action on the CRA program while employed by a local developer/builder who may benefit from such action, the Ohio Ethics Commission will not commence an investigation of these

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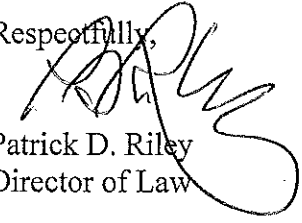
Barry Motsch
Prosecutor

Jeff Szabo
Prosecutor

Linda Webber
Prosecutor
Police Legal
Advisor

matters. It is my belief that the Ohio Ethics Commission has closed this matter at this time.

Please contact me with any questions.

Respectfully,

Patrick D. Riley
Director of Law

PDR/mtb