

MITCHELL, BRISSO, DELANEY & VRIEZE, LLP

CLIFFORD B. MITCHELL (1927—2010)
PAUL A. BRISSO
NANCY K. DELANEY
JOHN M. VRIEZE
WILLIAM F. MITCHELL
RUSSELL S. GANS
NICHOLAS R. KLOEPPPEL

JAY M. HARRIS, Associate
VICTOR M. FERRO, of Counsel

ATTORNEYS AT LAW
814 SEVENTH STREET
EUREKA, CALIFORNIA 95501-1114
www.mitchelllawfirm.com

TELEPHONE (707) 443-5643
FACSIMILE (707) 444-9586
E-MAIL: general@mitchelllawfirm.com

P.O. DRAWER 1008
EUREKA, CA 95502

EMERY F. MITCHELL (1896 - 1991)
WALTER J. CARTER (1949 - 1993)
R.C. DEDEKAM (1929—2011)

February 9, 2012

Sharon L. Wolff
3 Painter St.
Rio Dell, CA 95562

Re; Renewed Public Records Acts Request

Dear Ms. Wolff: This letter follows my correspondence to you dated January 19, 2012. As noted therein, based on a review of applicable law, the City of Rio Dell has determined that the Nancy Flemming Severance Agreement you seek is likely subject to disclosure under the California Public Records Act and intends to produce the document. The party affected by release of the document has asserted privacy interests and may potentially sue the City of Rio Dell for injunctive relief to prevent disclosure. The City is thus in the unenviable position of complying with the Public Records Act disclosure requirements versus violating alleged privacy interests in the document sought to be disclosed. Consistent with my prior correspondence to you, the City does remain committed to producing the document but, under these extraordinary circumstances, has afforded the affected party an additional seven (7) days time to seek declaratory relief to prevent disclosure if deemed warranted under California law.

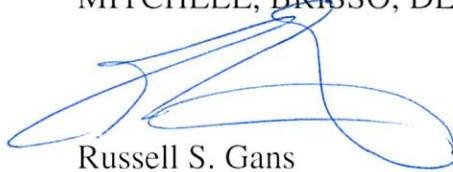
Of note, this protocol was recently endorsed by the California Court of Appeal in *Marken v. Santa Monica-Malibu Unified School District* (Jan. 24, 2012) 2012 WL 182000, 12 Cal. Daily. Op. Serv 960. Since this recently published case may not be readily available to you, I enclose a copy for your review.

Sharon L. Wolff
February 9, 2012
Page: 2

The dates recited in this letter have been calendared accordingly. If you have any questions regarding this correspondence you are encouraged to contact the undersigned.

Very truly yours,

MITCHELL, BRISSO, DELANEY & VRIEZE, LLP

A handwritten signature in blue ink, appearing to read "Russell S. Gans", with a large, stylized flourish.

Russell S. Gans

RSG/jg
Enclosure