

Scott M. McNair

Phoenix, Arizona

June 28, 2004

Maricopa County  
Attn: Janice Stratton, Merit Systems Administrator  
301 West Jefferson, Suite 219  
Phoenix, AZ 85003

Ms. Stratton,

On June 14 2004 a complaint was filed with your office by myself alleging violation of A.R.S. 38-532 (et. seq.) and other statutes against a number of Maricopa County Officials.

According to A.A.C R2-5.1-104, A.R.S. 41-785, and A.R.S. 38-543 a hearing in this matter must be held within 30 days of the complaint, and, notice of such must be provided at least 20 days prior to such hearing. As of this date, no response has been received from your office concerning this matter. What is the status of this?

If the defendants have retained counsel in this matter, please provide the full name, address, and Arizona State Bar ID of such immediately.

Additionally, since the complaint has been filed against the individual members of the Board of Supervisors, and since the members of the Merit Commission are appointed by such, and since the office of the Maricopa County Attorney has been provided with Notice of Claim(s) against both the individual members of the Board of Supervisors and the individual members of the Merit Commission, it would clearly be a conflict of interest for the Maricopa County Merit System Commission to hear this case.

Therefore, I am hereby demanding a change of venue in this matter to avoid any inappropriate conduct or conflict of interest by the Commission. As I am not an attorney nor currently represented by such in this matter, if you need a formal pleading for change of venue, please advise me of such in writing and an appropriate pleading will be submitted.

The following is a list of items I am hereby requesting under the rules of discovery and disclosure, and demanding that certified, unedited and unaltered, copies are to be provided for free, as provided by A.R.S. 39-122.

- 1) A complete copy of all personnel records concerning my employment with the County, including but not limited to: all files, notes, emails, transcripts, computer files, computer transaction logs, and any and all other materials and documents related to my past and/or possible future employment with Maricopa County.
- 2) Copies of all notes, reports, emails, documents, and policies and procedures related to the selection and evaluation of candidates for employment with Maricopa County.
- 3) Copies of all notes, reports, emails, policies and procedures, and other documents concerning or related to the establishment of qualifications for the position in question, and for similar positions throughout the County during the past six years.
- 4) The full name, home and business address, home and business telephone number, and home and

- business email addresses of all persons involved in the handling, reviewing, and selection or denial of myself as a candidate for the position in dispute, and a description of their involvement in such.
- 5) Copies of all emails, reports, notes, records, letters, and other documents, to, from, or referencing any of the defendants in this action, in relation to my previous and current complaints against County employees and officials.
  - 6) Copies of all emails, reports, notes, records, letters, and other documents, referencing or in relation to my previous complaints against County employees and officials.
  - 7) Copies of all records, notes, email, recordings, transcripts, and other documents related to the general and executive session of the Merit Commission concerning my appearance before such in the fall of 2002 (I believe the date was 11/06/2002).
  - 8) The full names, home and business address, home and business telephone number, and home and business email addresses of all the Merit Commission members as of 11/06/2002. (These persons shall be called as witnesses).
  - 9) A full and complete disclosure of all persons that applied for the position in question, including but not limited any and all information concerning their “scoring” in evaluation for the position, copies of all correspondence with such, any and all notes or other information concerning any interviews and interviewers related to such.
  - 10) The full names, home and business address, home and business telephone number, and home and business email addresses of any and all persons involved in interviewing candidates for the position in question (These persons will be called as witnesses.)
  - 11) The full names, home and business address, home and business telephone number, and home and business email addresses of any and all persons named as defendants in this matter. (These persons will be called as witnesses.)
  - 12) The full names, home and business address, home and business telephone number, and home and business email addresses of any and all of those that acted as my superiors during my previous employment with the County, including but not limited to Kenneth Medlin, Terry Peterson, and Marty Scott (These persons will be called as witnesses.)
  - 13) Copies of all policies, procedures, notes, reports, and other documents concerning the evaluation of my complaints, Notices of Claim(s), and legal actions against the County from the County’s Risk Management and County Attorney’s offices.
  - 14) Copies of all policies, procedures, notes, reports, and other documents concerning any and all recommendations to investigate or not investigations any and all complaints by me against the County or any of its employees or officials.
  - 15) Copies of all policies, procedures, notes, reports, and other documents concerning any and all investigations performed concerning any and all complaints by me against the County or any of its employees or officials.
  - 16) Copies of all policies, procedures, notes, reports, and other documents concerning the employment, re-employment or denial of employment of persons that have filed complaints or legal actions against the County.
  - 17) A full copy of any and all Human Resources policies and procedures, and any such related manuals.
  - 18) A full copy of the County Administrative Manual
  - 19) Copies of all notes, reports, emails, and other documents concerning any investigations and or subsequent personnel actions or recommendations concerning Kenneth Medlin, Terry Peterson, Jennipher Ramsey, and any other persons related to my previous complaints against such.
  - 20) Copies of all notes, reports, emails, and other documents concerning the creation of any positions held by Jennipher Ramsey during her employ with the County.
  - 21) Copies of all notes, reports, emails, and other documents concerning any salary increases, awards, financial reimbursements, training, advancement, and position assignments of Jennipher Ramsey during her employ with Maricopa County.

- 22) The full names, home and business address, home and business telephone number, and home and business email addresses of any persons currently or previously related to Jennipher Ramsey currently or previously employed by the County, and the nature of that relation.
- 23) The full names, home and business address, home and business telephone number, and home and business email addresses of Jennipher Ramsey's biological parents, and any/all step-parents, and their relationship to any current or previous County employees or officials.
- 24) Copies of all notes, reports, emails, and other documents concerning the selection and assignment of the "interim director" of the MCDOT ITC department. Including but not limited to all persons submitted as candidates for the interim or permanent position. Including but not limited to the full disclosure of the employment history, relationship to the previous director, contracts for goods and services, and any other information of persons holding said position.
- 25) Copies of all notes, reports, instructions, emails, and other documents concerning those that testified or were asked or directed to testify in the hearing before the State of Arizona Personnel Board, docket number 02-056, and the full names, home and business address, home and business telephone number, and home and business email addresses of such.
- 26) Copies of all notes, reports, instructions, emails, contracts, and other documents concerning the employment of Roseanne Osborne-Perez with the County.
- 27) Copies of all notes, reports, instructions, emails, bids for goods or services, and other documents concerning submission of any bids for goods or services by Reliant Systems for the period of July 1 2002 through December 31 2002. This shall include but not be limited to any and all information related to the award of contracts for contract employees and a full disclosure of the party receiving such award, the person employed for any such contract positions, and all those involved in the selection of such, including a description of their involvement.
- 28) Copies of all notes, reports, emails, and other documents related to any contact with any persons outside of the Maricopa County organization concerning myself or any complaints or inquiries filed by myself against Maricopa County or any of its employees or officials, including but not limited to the full names, home and business address, home and business telephone number, and home and business email addresses of any and all persons contacted, persons directing or making any such contact, the date and time of such contact, the nature of such contact, and any action taken, or any recommendation to take or not take subsequent action.
- 29) The full names, home and business address, home and business telephone number, and home and business email addresses of any and all former employees which have filed appeals or suits against the County in relation to their termination for the last 10 years, and a description of those actions.
- 30) The full names, home and business address, home and business telephone number, and home and business email addresses of any and all former employees which have filed appeals or suits against the County in relation to their termination for the last 10 years, that subsequently applied for re-employment with the County, to include a list designating those that were rehired and a list designating those that were not.
- 31) Copies of all notes, reports, emails, policies, procedures, and other documents related to the interference with and/or denial of discovery by the County against those persons or entities that file complaints or actions against the County.
- 32) Copies of all notes, reports, emails, and other documents related to handling of my allegations of identity theft against Jennipher Ramsey and/or any other County employee.
- 33) Copies of all notes, reports, emails, and other documents related to my complaints/letters to the Board of Supervisors, Richard Romley, and/or any other County personnel concerning my notification of and request for prosecution of Daniel Brenden for his attempts to extort monies from me for copies of free public records.
- 34) Copies of all notes, reports, emails, policies, procedures, and other documents related to my complaints/letters/motions concerning the failure of Daniel Brenden to remove himself as counsel due to a conflict of interest.

- 35) Copies of all notes, reports, emails, policies, procedures, and other documents related to or concerning any instructions or attempts to deliberately interfere with discovery, public record requests, and/or “stonewalling” of parties that seek actions against the County.
- 36) Copies of all notes, reports, emails, complaints, and other documents concerning the resignation, termination, retirement, of Lyndon Thatcher, Thomas Buick, and Kenneth Medlin.
- 37) Copies of all notes, reports, emails, contracts, and other documents concerning the employment and termination of employment of Espy Gamez.
- 38) Copies of all notes, reports, emails, policies, procedures, and other documents related to or concerning any instructions or attempts to deliberately “cover-up” the misdeeds or any complaints against Kenneth Medlin, Terry Peterson, or Jennipher Ramsey.
- 39) Copies of all notes, reports, emails, policies, procedures, and other documents related to or concerning altering of public records, destroying or secreting public records, refusing to disclose public records, failure to perform diligent and impartial investigations, or in general performing “cover-ups” of the misdeeds of County employees.
- 40) Copies of all notes, reports, emails, policies, procedures, and other documents related to or concerning the decision process of placing county personnel on leave when complaints are filed against them.
- 41) A full and complete disclosure of the status of all public record requests and/or discovery/disclosure requests by myself to the County, including but not limited to, copies of all notes, reports, emails, policies, procedures, and other documents related to or concerning such, and the full names, home and business address, home and business telephone number, and home and business email addresses of those involved in or contacted, in relation to such.
- 42) Copies of all notes, reports, emails, policies, procedures, rules, regulations, statutes, and other documents related to or concerning County employee identifying themselves to the public, signing or officiating correspondence or documents on behalf of the County, and all policies and procedures for disciplinary or other actions for failing to properly do so.
- 43) Copies of all notes, computer records, reports, emails, policies, procedures, rules, regulations, statutes, and other documents related to requests for payment of fees to myself in relation to the civil action in superior court (LC2003-000539-001 DT), including but no limited to the full names, home and business address, home and business telephone number, and home and business email addresses, and computer login, of any person involved in such.
- 44) Copies of all notes, reports, emails, and other documents concerning or related to this action.

Considering the extensive list of requested items, it would seem doubtful that you would be able to compile, copy, and deliver such to me prior to July 14 2004. Also, I will need ample time to review such and prepare for the pending hearing. With this and my motion for a change of venue in mind, if you would like to discuss a continuance in order to complete this process, please feel free to contact me.

You should also be aware, that if you, anyone within your office, or within the County fails, refuses, or interferes with this discovery request or my rights to pursue these complaints, I shall seek civil and criminal prosecution against the County and the specific individuals involved.

Sincerely,

Scott M. McNair

P.S. You (Janice Stratton) will be called as a witness in this case.