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November 25, 2020

VIA E-MAIL

Jefferson Billingsley
Interim County Counsel
825 5th Street
Eureka, CA 95501

RE: Karen Paz Dominguez – Request for Counsel

Dear Mr. Billingsley:

I am in receipt of your November 16, 2020 letter which purportedly responded to my November 13 correspondence to you regarding your Notice of Investigation to my client Auditor-Controller Karen Paz Dominguez.

I find your response perplexing in light of the special meeting that occurred on Monday, November 23. For the record, your November 16 letter requested that I respond by noon on Friday, November 20 but made no mention of the special meeting that was clearly already in the works and was publicly noticed on Friday, November 20 at 4:30 p.m. without any advance warning to my client or me. It appears that you intentionally omitted that information.

Further, your statement that you do not believe that you, as County Counsel, have a conflict with regard to my client is in direct contravention to your letter of November 16 and to what occurred on November 23 at the special meeting.

First, you state in your November 16 letter that the County Counsel represents the County as a whole and does not provide individual representation to employees or elected officials in investigations. This means that you are clearly adverse to my client during any investigation as you will not be representing her but will instead be representing the County presumably the Board of Supervisors, who hires and directs you. As I stated in my November 13 letter under the Rules of Professional Conduct, the Office of County Counsel has a conflict in this matter. You cannot simultaneously represent and assist the Human Resources Department in this investigation, represent the Board of Supervisors, and represent the Office of the Auditor-Controller. Their interests are clearly adverse.

Second, Monday's special meeting was clearly adversarial to my client. One need only look at how the agenda item was entitled to make that determination. "Fiscal Operations and Financial Condition Arising from the Operational Gaps **Created by the Auditor-Controller's Office.**" Supervisor Madrone made note during his first comments during the meeting of the wording of the agenda item and that it was written to place blame upon my client. As noted by several media outlets, my client found herself the target of scrutiny and desperate pleas, not only from the supervisors but also from multiple department heads and leaders of community agencies. One community member even suggested that there should be a recall. Again, this is a clearly adversarial process created by the Board of Supervisors who is attempting to drum up community support for my client's removal.

If the Board of Supervisors refuses to acknowledge that the Office of County Counsel has a conflict, Ms. Paz Dominguez will apply ex parte to the presiding judge of the Humboldt County Superior Court, requesting that I be appointed as counsel.

I look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, reading "Cyndy Day-Wilson". The signature is fluid and cursive, with a large loop at the end of the last name.

Cyndy Day-Wilson, Esq.

cc: Client