

Exhibit 32

In The Matter Of:
D.C. Council Investigation
Interview of Tina Ang

October 9, 2019

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D.C. Council Investigation

Interview of Tina Ang

By

David R. Fitzgerald, Esq.

Rahul Kohli, Esq.

Also present:

Pamela Bresnahan, Esq.

Stephanie Gardner, Esq.

Teresa Shoemaker, Legal Assistant

Wednesday, October 9, 2019, 12:59 p.m.

O'Melveny & Myers

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P R O C E E D I N G S

12:59 p.m.

MR. FITZGERALD: Good afternoon.

For the record, this is an interview of Tina Ang. The date is October 9th, 2019. My name is David Fitzgerald of O'Melveny & Myers, and I'm joined by my colleague, who I will ask to introduce himself.

MR. KOHLI: Rahul Kohli from O'Melveny & Myers.

MR. FITZGERALD: And then I would just appreciate it if you guys could all introduce yourselves for the record.

MS. BRESNAHAN: Pam Bresnahan from Vorys.

MS. GARDNER: Stephanie Gardner from Vorys.

MS. SHOEMAKER: Teresa Shoemaker, Litigation Assistant at Vorys.

THE WITNESS: Tina Ang from Manatt Phelps.

MR. FITZGERALD: Thank you all for coming in. We very much appreciate it.

1 BY MR. FITZGERALD:

2 Q. Ms. Ang, if we could just start with
3 your kind of personal and professional background.
4 We don't need a deep dive, just some high-level
5 kind of resume bullets would be helpful. So if you
6 could just start by describing your education and
7 professional background.

8 A. Okay. I have a bachelor's of science in
9 journalism from Ohio University, and I did a master's
10 in international affairs, poli science, really, also
11 from the same university.

12 And I have been at Manatt for about 17
13 years. I was hired by John Ray from the City
14 Council, is where I worked.

15 And I ran into John up on the Hill.
16 He was lobbying, a lobbyist, and then he came to
17 me and asked me to go work for him. So I've been
18 there.

19 Q. After you graduated, what year did you
20 graduate from college?

21 A. '91.

22 Q. Do you have any advance degrees?

1 A. You mean like master's --

2 Q. Yes.

3 A. -- or an advanced degree?

4 Q. Well, yeah. Are you an attorney? I'm
5 sorry.

6 A. No, I'm not an attorney. No.

7 Q. So then after your master's, did you
8 come to D.C.?

9 A. Yes, and got a job with a medical
10 non-profit, the Association of American Medical
11 Colleges, and I worked there for five years. Then
12 I went to work for City Council.

13 Q. What year was that when you first went
14 to the City Council?

15 A. That would be '97 to 2002, yeah. And
16 then I left in 2002 and have been at Manatt since.

17 Q. What was your position at the City
18 Council?

19 A. I was Deputy Budget Director for Linda
20 Cropp, the chair. So I was in the budget office.

21 Q. What sort of activities were within
22 your portfolio in the budget office?

1 A. Oh. So the budget is in the Council
2 committee of the whole, so my role was to work with,
3 you know, all the 13 Council Members and make sure
4 that their legislative priorities are funded and
5 implemented, yeah.

6 Q. So you worked for the Council as a
7 whole?

8 A. Right. The committee of the whole.

9 Q. The whole thing?

10 A. Right. So any Council Member who
11 wants to initiate a program, be it an entitlement
12 or a one-time, they have to run it by my office,
13 my shop.

14 And then we're like, Okay. It's going
15 to cost you so much. Can we do it or can we not do
16 it?

17 Q. And then, and you left the Council in
18 2002?

19 A. '02.

20 Q. Did you go straight to Manatt?

21 A. Yeah. Yeah. I was actually hired by
22 Manatt.

1 Q. And what sort of matters do you work on
2 with Manatt?

3 A. So I was lobbying my ex-coworkers. So
4 I was on the Council, so I lobby the Council and
5 the Mayor -- that was Tony Williams at that time --
6 and then I also did some Hill lobbying, Federal
7 lobbying, because we had Federal clients.

8 So I was on the Hill lobbying only the
9 Democrats. Because you know lobbying, we lobby
10 according to the party affiliation, and Manatt is a
11 very staunch Democratic law firm, so we only lobby,
12 like the House side, we would lobby the Democrats, or
13 the Senate side, we would lobby only the Democrats.

14 Q. If you could, this would be helpful
15 just for me to get a general understanding of what
16 sort of activities would constitute lobbying the
17 city government, the Council. Is it similar to
18 Congressional lobbying, or what sort of things do
19 you do when you say lobbying?

20 A. Lobbying means like -- so we represent
21 clients in their matters. So most of it we would
22 have to go to the Council staff and like educate

1 them on the issues, you know?

2 Like right now, electronic cigarettes,
3 you know, Juul cigarettes. That would be a good one,
4 because there's a lot of misinformation and a lot of
5 stress out there. It's a health crisis.

6 So our clients generally would give us
7 some -- a lot of data that we actually have to study
8 and then we'll go and educate the staff.

9 Q. Do you focus on particular industries,
10 or is it just anything that comes before the City
11 Council you may work on?

12 A. No. We basically lobby anything and
13 everything that is controversial, yeah.

14 Q. How large is Manatt's lobbying -- I
15 guess how large -- let me ask more precisely.

16 Who do you work with within Manatt
17 that focuses on city lobbying?

18 A. It would be John Ray. So we are sort
19 of the local state practice group. So it's very
20 small. It's just me and John Ray, and then we have
21 our Federal lobbying group, who goes to the Hill.

22 Q. And that's much bigger. It's just you

1 and John Ray --

2 A. Oh, yeah. Yeah.

3 Q. -- who focus on the city stuff?

4 A. Like if we need something from Eleanor,
5 then John or myself would go and not the Federal.

6 MS. BRESNAHAN: Eleanor would be?

7 THE WITNESS: Eleanor Holmes Norton, who
8 is our -- yeah.

9 BY MR. FITZGERALD:

10 Q. Sure. I guess taking a step back, then,
11 turning to kind of your relationship with Council
12 Member Evans, when did you first meet Council Member
13 Evans?

14 A. In 1997.

15 Q. And that was through your position --

16 A. Correct.

17 Q. -- in the budget office on the Council?

18 A. Uh-huh.

19 Q. How would you characterize your
20 relationship with Council Member Evans? Is it
21 strictly professional or are you personal friends?

22 A. It would be both, you know. Because

1 I've known him for a long time, and I would consider
2 him also, you know, a friend, uh-huh.

3 Q. At Manatt, are you a partner or are
4 you a salaried employee?

5 A. I'm a salaried employee, yeah.

6 Q. And we'll get more into this, but when
7 Council Member Evans was a coworker of yours or a
8 colleague of yours at Manatt, was he also a salaried
9 employee --

10 A. Yeah.

11 Q. -- or was he a partner? Okay.

12 Focusing on the time frame of beginning
13 in 2014, which is the period that we're interested
14 in as far as our investigation, 2014 to the present,
15 mostly, do you have any sense of how many clients
16 you've represented in lobbying activities before the
17 Council, just number?

18 A. More than ten, less than 20.

19 Q. Do you have any sense of -- this kind
20 of goes back to my earlier question, but are they
21 primarily from a particular industry or does it just
22 vary on whatever the hot button issues are at the

1 time?

2 A. Most of, the majority of the clients
3 are like, we've been lobbying and representing them
4 for a long time, you know.

5 And then we have some new business, you
6 know, like pertaining to, like you say, whatever is
7 hot, yeah, hot button issues. And sometimes we will
8 get new clients, yep.

9 Q. So is it fair to say that some lobbying
10 involves sort of omnibus type issues, budgetary, just
11 city budget type stuff and then there's other issues
12 that are more discretely focused on a particular
13 client or a particular industry?

14 A. So what is the question again, Dave?
15 So --

16 Q. Yeah. Sorry. I may not have worded it
17 well.

18 I guess as far as the lobbying.
19 matters --

20 A. Right.

21 Q. -- that you've handled specifically
22 since 2014, do you have a sense of the breakdown?

1 Are you handling matters that are generally
2 applicable, omnibus type matters, like just people
3 that may be interested in budget provisions, or are
4 you handling more discrete legislation that would
5 specifically impact a particular client or a
6 particular industry?

7 A. Okay. So it would be more specific,
8 so it would be specific to a piece of legislation
9 that a client is concerned about being over-
10 regulated. It could be, yeah. So those kind
11 of things.

12 Q. So for omnibus issues, if there's like
13 a large Council budget that you have clients that
14 are interested in various tax abatements or specific
15 provisions of a large omnibus type Council bill, how
16 does a conflicts analysis generally work in that
17 scenario if you can't identify a particular client
18 that may be impacted by a piece of legislation?

19 A. I'm not sure if I --

20 MS. BRESNAHAN: I'm not sure that she
21 would know that.

22 THE WITNESS: Yeah.

1 MS. BRESNAHAN: I mean, that's more John
2 Ray. That's what John Ray did. I think from his
3 interview, you can glean that.

4 The better question is, who decides
5 that at Manatt? Because she's not a lawyer.

6 MR. FITZGERALD: Right. Right.

7 MS. BRESNAHAN: She works for John, so
8 he makes those decisions.

9 BY MR. FITZGERALD:

10 Q. We'll get more into Manatt's kind of
11 conflicts or decision-making process later.

12 Turning to Council Member Evans' role
13 on the finance and revenue committee, F&R committee,
14 could you just talk a little bit about whether or not
15 or I guess if you've lobbied Council Member Evans or
16 the committee specifically in their recommendations
17 to the broader Council on specific pieces of
18 budgetary issues?

19 MS. BRESNAHAN: Is this -- when are we
20 talking?

21 MR. FITZGERALD: From 2014 on.

22 MS. BRESNAHAN: Okay.

1 **THE WITNESS:** Yeah. So the committee
2 on finance and revenue handles all tax-related
3 legislation.

4 So if we represent Scottish Rite Temple
5 and there is a tax abatement, yeah, then I would
6 lobby. The bill would be referred to the committee
7 on finance and revenue, and this way I would start to
8 engage the committee on why they should support the
9 tax abatement for my client.

10 **BY MR. FITZGERALD:**

11 **Q.** And the purpose of that is you want to
12 influence a recommendation that the committee would
13 make to the Council of the whole or --

14 **A.** No. We have to make, I have to make
15 a compelling case why my client needs this tax
16 abatement, you know? And you have to lay out like
17 a lot of rationale for them, yeah. So it's not
18 just like, Do this, you know? No.

19 **Q.** But the F&R committee --

20 **A.** Right.

21 **Q.** -- cannot unilaterally decide whether
22 or not to implement that tax abatement that you're

1 making the case for, correct?

2 A. Correct.

3 Q. The most the committee can do is make a
4 recommendation --

5 A. Recommendation.

6 Q. -- to the Council of the whole?

7 A. Yes.

8 Q. In your experience generally, are those
9 recommendations persuasive to the Council of the
10 whole?

11 A. It depends, because there are a lot of
12 parties, so the CFO has to weigh in on that. And
13 then the Ward Council Member has to, you know, is
14 very critical whether he or she supports the
15 abatement, the project.

16 Then you have the local, what they
17 call the ANCs, the Advisory Neighborhood Commission,
18 which is very grass root, you know, and you have to
19 like listen to them, too.

20 So it's not just -- it's a lot of --
21 and then the Mayor has to also be supportive of it.

22 Q. If you could, could you just walk me

1 through the sequencing of that? Is the first stop
2 the committee to make the recommendation? Are those
3 things going on in parallel, where you're getting the
4 Mayor to weigh in, the CFO to weigh in, or is there
5 a sequence to those events?

6 A. There is no sequence. Some Council
7 Members will try to initiate but -- like let's talk
8 about tax abatement, right, a tax abatement for a
9 project because he or she feels very passionate
10 about it.

11 And then the Council Member will shop
12 around, get support and then maybe go to the Mayor
13 and ask for her blessing. So that's one way to do
14 it.

15 The other way is the Mayor herself
16 would buy into the tax abatement for the project,
17 and then the Mayor would send down the legislation
18 with what she wants to see in the project. So it,
19 both the Council and the Mayor can initiate.

20 Q. Then focusing just on the Council
21 piece and taking for granted that the CFO and the
22 Mayor and all these other people will have to weigh

1 in, if the finance and revenue committee makes a
2 recommendation on an issue within its purview to
3 the Council of the whole --

4 A. Right.

5 Q. -- how frequently in your experience
6 has the Council of the whole gone against that
7 recommendation?

8 A. Now and then it would happen, yeah.
9 It has happened before.

10 Q. And since 2014, can you think, how many
11 instances can you think of where that would have
12 happened?

13 A. I could think of one, which is the
14 New York Avenue tax incentive. That was not an
15 abatement. It was just to incentivize them with
16 tax relief and all that. So that one didn't go
17 anywhere, yeah.

18 Q. And that was, the committee recommended
19 it but then the Council went against the
20 recommendation?

21 A. No. I don't think the committee even
22 recommended it, recommended favorably, yeah. Because

1 it was, it was like too complicated and not --

2 Q. Right. But that's my question, is if
3 the committee made a recommendation either in favor
4 of or against --

5 A. Right.

6 Q. -- a tax abatement, just hypothetically,
7 how many instances in your experience since 2014
8 has the Council of the whole gone against that
9 recommendation where the committee says we're for
10 this tax abatement but then the Council votes against
11 it?

12 A. That would be the, just that one
13 incident that I can -- the tax incentive for New York
14 Avenue corridor, yeah.

15 Q. But the committee on that one didn't
16 recommend that, right?

17 A. No. No. Yeah. It's just it could
18 not get support from the other Council Members or
19 committee of the whole, so if the committee on
20 finance and revenue feels like it's a very, a lot
21 of heavy lifting and they couldn't get it through,
22 then they wouldn't recommend it favorably.

1 Q. So even that instance, the New York
2 Avenue instance, wasn't a case where the committee
3 recommended favorably the --

4 A. No, they didn't.

5 Q. -- the provision?

6 A. They didn't.

7 Q. And then the Council went against that?

8 A. Yeah. Yeah.

9 Q. So then is the answer, then, you can't
10 think of any instances since 2014 where the Council
11 went against the recommendation?

12 A. No.

13 Q. Turning to Council Member Evans'
14 employment at Manatt, were you involved at all
15 in the process, his recruitment or the hiring
16 decision?

17 A. Not the recruitment or the hiring,
18 but I was involved in the sense that sometimes John
19 Ray would need some information, and I would call
20 Schannette, who is Jack's chief of staff, and she
21 would provide me the information.

22 Q. So just like more of administrative

1 type information or what kind of information?

2 A. No. So, you know, so John is trying
3 to make a case for Jack in my LA office, and for
4 example, John would ask me like -- because we
5 know Jack has triplets, right, and John says,
6 Where are the triplets now? Are they in college,
7 or where are they going to college or where have
8 they applied?

9 So I would ask Schannette, like where
10 is John going to school? Where is Catherine and
11 where is Christine going to college and that sort
12 of thing.

13 Q. And what would Mr. Ray use that kind
14 of information for?

15 A. I don't know. He told me --

16 Q. Rapport with Mr. Evans or --

17 A. Maybe. Also, he and Jack are very good
18 friends, and sometimes he wants to know where the
19 kids are. I mean, are they in college and where are
20 they going?

21 Q. So then is it fair to say that you
22 weren't involved in the substantive decision to hire

1 Council Member Evans --

2 A. No. No. No.

3 Q. -- at Manatt?

4 A. No. No.

5 Q. Do you recall like when you first
6 learned that Mr. Evans was either soliciting or
7 being considered for employment at Manatt?

8 A. I cannot remember exactly, but I
9 probably did hear from John Ray, yeah. I mean, he
10 may have told me like, you know.

11 Q. Do you remember when he first joined
12 Manatt, officially when he was employed?

13 A. Was it like 2015?

14 Q. I think we have documents.

15 A. Yeah.

16 Q. Just to be clear, I'm not trying to
17 play like a memory game.

18 MS. BRESNAHAN: If she gets it wrong,
19 you'll know.

20 BY MR. FITZGERALD:

21 Q. Yeah. We'll refresh your memory. I'm
22 not trying to like --

1 A. 2015. 2015. Yeah.

2 Q. Like fall of 2015?

3 A. Roundabout, yeah.

4 Q. I'm just trying to get a sense of, do
5 you recall like whether you knew six months before
6 that that we were looking, that we being Manatt, is
7 looking at hiring Mr. Evans, or was it more of a,
8 Hey, we hired Mr. Evans?

9 A. No. No. I knew. I mean, sort of like
10 office -- yeah, I knew, you know, Jack was, might
11 join us, that sort of thing. But I'm not involved
12 in the details of recruiting him, yeah.

13 Q. When you became aware that Manatt was
14 considering hiring Mr. Evans, were there also any
15 directions from Mr. Ray or others saying, We're
16 going to have to -- let me just ask, would that
17 have affected the way that you lobbied his office
18 specifically? Were there any changes to your
19 processes that were implemented?

20 A. No.

21 Q. After he was being considered for
22 employment?

1 A. No.

2 Q. Do you recall whether internally there
3 was the sentiment amongst your colleagues and
4 specifically in the lobbying section were generally
5 pro or against hiring Mr. Evans?

6 A. I'm not sure. I mean, I know John was
7 all for it, yeah. And to a certain extent myself,
8 but I don't know about the office in general.

9 Q. Did you get the sense that Mr. Ray
10 had to make the case to hire Mr. Evans or --

11 A. Oh, yeah.

12 Q. -- if he had concerns about it that
13 would in any way affect your ability to lobby on
14 issues before the Council?

15 A. I know John Ray has to make the case
16 why we should hire Jack, but, you know, the lobbying
17 part of the question is -- yeah.

18 Q. Was this also true after Mr. Evans was
19 officially hired? Was there any sort of conflict
20 avoidance procedures that were put in place now that
21 he was an official employee of Manatt? Did that in
22 any way affect what you could and couldn't do with

1 the Council?

2 A. No. No. I still lobby the Council
3 like usual, yeah.

4 Q. And that includes Mr. Evans' office
5 specifically?

6 A. Yeah. Yeah.

7 Q. You would still lobby his office?
8 Mr. Ray never gave you any instructions on, We have
9 to stay away from, if not generally, we have to stay
10 away from these specific topics because Jack's going
11 to be working on them at Manatt?

12 A. No. If it is specific to, right, Jack's
13 Ward, we would give him heads-up, like, We are doing
14 this. We are talking to Phil Mendelson about this,
15 yeah.

16 We would give him heads-up, but we
17 wouldn't like ask him, How should we lobby.

18 Q. When you say if Jack was working on
19 it, Jack in his capacity as a Manatt employee, if
20 he was working on something, a particular matter
21 for Manatt and you were separately meeting with
22 Chairman Mendelson about it, you would give him a

1 heads-up?

2 A. No. There weren't any matters that
3 Jack would be working and we would be lobbying,
4 because I think John would make sure that Jack is
5 not involved if we were representing a client,
6 yeah.

7 Q. Was Mr. Evans, was he part of the
8 Federal lobbying practice at Manatt or what sort
9 of things did he do at Manatt?

10 A. No, he wasn't part of the Federal. I
11 don't remember any, yeah.

12 Q. Did he work on matters that concerned
13 the city and the City Council?

14 A. The question, did he work on matters
15 that concerned -- like can you be more specific?

16 Q. And this may just be maybe we didn't
17 dig down in this deep enough, but my understanding
18 was that Manatt's lobbying practice was focused,
19 there's a large Federal lobbying practice and then
20 it was more or less just you and Mr. Ray that handled
21 city matters --

22 A. Right.

1 Q. -- local matters. Where did Mr.
2 Evans kind of fit into that picture? Was he doing
3 something entirely differently?

4 A. No. I saw very little of Jack in
5 the office, so yeah. So he wasn't like coming in
6 to, you know, meet with us and to work together, no.
7 He was still being like a full-time Council Member,
8 yeah.

9 Q. How were you made aware of what matters
10 Mr. Evans was working on for Manatt?

11 A. You mean like Manatt's matter that Jack
12 would be working on or --

13 Q. Right. Like a client matter for Manatt
14 that Mr. Evans was working on for a Manatt client.

15 MR. KOHLI: As a Manatt lawyer.

16 BY MR. FITZGERALD:

17 Q. As a Manatt lawyer. Were you --

18 A. No. I'm not aware if there was any,
19 no.

20 Q. So there was no, you don't recall
21 receiving any sort of guidance, formal or otherwise,
22 that Mr. Evans is working on these client matters

1 that could implicate his, I guess, co-position as a
2 Council Member and we need to be careful about what
3 information is shared with them?

4 A. No, not to my knowledge.

5 Q. Was there any sort of, any guidance
6 at all about conflicts of interest that Mr. Evans
7 could encounter or that other attorneys at Manatt or
8 personnel at Manatt needed to be aware of to ensure
9 that Mr. Evans wasn't working on a matter that would
10 present a conflict for him as a sitting Council
11 Member?

12 A. I'm sure Mr. Ray would be very cognizant
13 of that and would make sure that not be any sort of
14 conflict.

15 Q. So it never came down to you?

16 A. No.

17 Q. It was just sort of Mr. Ray --

18 A. Right.

19 Q. -- would handle all that?

20 A. Correct.

21 Q. If you didn't hear differently from
22 Mr. Ray, presumably, it was okay for you to work

1 on?

2 A. Correct.

3 MR. KOHLI: Can I ask one quick
4 question?

5 MR. FITZGERALD: Please, go ahead.

6 BY MR. KOHLI:

7 Q. You don't have to reveal any client
8 names, but I'm interested to the best of your
9 recollection if you can sort of identify the issues
10 that you lobbied the D.C. Council on from the start
11 of 2014 until now. So like any discrete piece of
12 legislation, maybe like a tax abatement in the budget
13 or whatever. As many as you can sort of remember
14 would be great.

15 A. You mean 2014?

16 Q. 2014 and onwards until 2018, let's say.
17 So those four years.

18 A. There is a gas station issue where the
19 Council passed a law that was very flawed, and we
20 worked on trying to get that repealed, so that would
21 be one matter.

22 There is a tax abatement for a client.

1 Q. Can you tell us more about that tax
2 abatement? Like do you know what? Was it in
3 like the budget or was it a standalone piece of
4 legislation?

5 A. No. It was a standalone, and it's
6 been reported in the papers, so it's not -- it is
7 a standalone tax abatement of 25 years for the
8 Scottish Rite Temple.

9 And then we did another standalone
10 tax abatement for Randall School in Southeast. I
11 mean Southwest.

12 What else? We also -- and then we
13 do what you call Certified Business Enterprise
14 recertification matter.

15 Q. What is that?

16 A. It's like a company needs to be
17 certified as a CBE in order to be able to work on
18 local contracts.

19 MS. BRESNAHAN: Government.

20 THE WITNESS: Yeah, government.

21 MS. BRESNAHAN: Government contracts.

22 THE WITNESS: Yeah. Yeah.

1 BY MR. FITZGERALD:

2 Q. With the city?

3 A. Yes. It's sort of like SBA --

4 Q. Right. Okay.

5 A. -- in the Federal, so D.C. has its own
6 CBE, so I would work on things like that.

7 BY MR. KOHLI:

8 Q. Does that come before the Council, that
9 issue?

10 A. No. That would be working with the
11 Executive Branch.

12 Q. Great.

13 Are there any issues that you remember
14 lobbying the Council on while Evans worked at Manatt,
15 so either tax abatements, discrete budgetary issues
16 or individual pieces of legislation?

17 A. Those were the issues.

18 Q. Those are the ones?

19 A. Yeah. Yeah. Uh-huh.

20 Q. Those are everything that you can
21 remember?

22 A. Yeah. Uh-huh. Yeah.

1 MR. KOHLI: That's it for me.

2 MR. FITZGERALD: Good?

3 MR. KOHLI: Yeah.

4 BY MR. FITZGERALD:

5 Q. I guess we'll go ahead, and I think
6 we'll probably start getting into some documents here
7 soon, but the first thing we're going to talk about
8 is the PEPCO-Exelon merger.

9 A. Uh-huh.

10 Q. Can you just describe at least your
11 involvement in Manatt's representation of Exelon and
12 PEPCO from 2014 forward?

13 A. So we did an amendment in the budget
14 for PEPCO where the Council wanted to direct 250,000
15 for a study whether the electricity should be owned
16 by locally in a municipal ownership.

17 So Council Member Cheh proposed, she
18 directed money for that, 250,000, and so we lobbied
19 and brought an amendment through to redirect the 250
20 to -- for senior citizens and that sort of thing. So
21 that would be one.

22 Q. And then did you have any involvement at

1 all with the PEPCO-Exelon merger?

2 A. No, not really.

3 Q. Do you know if Mr. Ray and Mr. Evans
4 worked on that?

5 A. I know John was very involved. I don't
6 know about Jack.

7 Q. Do you recall what Mr. Ray's involvement
8 with it was?

9 A. He was, you know, helping PEPCO, like
10 maybe strategizing, telling them, you know, This is
11 a good idea.

12 That's what we do, you know. We provide
13 advice. So yeah, John would do that.

14 Q. Was Manatt lead counsel on the merger?

15 A. I don't --

16 Q. Or did you just handle the kind of
17 lobbying piece?

18 A. No. We just handled the lobbying.

19 MS. BRESNAHAN: There were, it was
20 the lawyers relief act of 2016 for corporate lawyers
21 in the District of Columbia. There was probably 100
22 lawyers that worked on that merger. I mean --

1 MR. FITZGERALD: All right. Fair
2 enough.

3 MS. BRESNAHAN: I'm not going to
4 disclose any client confidences about my client,
5 but I'm telling you there was, because there was so
6 much opposition to it. So there was a lobbying piece
7 and then there was the legislative piece and then
8 there was the actual document piece for the merger,
9 the documents for the merger.

10 MR. FITZGERALD: Right.

11 BY MR. FITZGERALD:

12 Q. Did Mr. Evans work on it? Do you recall
13 discussions --

14 A. No.

15 Q. -- with Mr. Ray that would --

16 A. You mean when he was at Manatt?

17 Q. When he was at Manatt.

18 A. No.

19 Q. If you want to turn to Tab 4, you have
20 a binder there in front of you. The blue sheet in
21 the middle denotes an attachment, so the document
22 after that is the attachment to that cover email.

1 Some of these print up a little weird at times, but
2 that's what's happening here.

3 Let me know once you've had a chance
4 to kind of look it over. It's just those two for
5 Tab 4.

6 A. (Witness reviewed document.)

7 Okay.

8 Q. It is a December of 2014 email from
9 Schannette Grant, who is Mr. Evans' chief of staff,
10 to you, and then there is a letter attached to it
11 that is addressed to [REDACTED]

12 [REDACTED] of Exelon, I believe,
13 from Mr. Evans. And that letter, the draft letter,
14 is dated December 16, 2014.

15 Do you have any -- and then the cover
16 email from Schannette says, Tina, please get this to
17 John Ray for his review per Jack's request.

18 The letter itself is proposing Squire
19 Patton Boggs represent Exelon in the merger.

20 Do you recall receiving this email
21 from Ms. Grant, and that's from her official Council
22 email?

1 A. Yeah. Uh-huh. Yes.

2 Q. What was your understanding of why
3 she was forwarding you this letter for Mr. Ray's
4 review?

5 A. I'm not sure. Sometimes she would
6 send me stuff, and I'll print it out and I'll --
7 or I'll forward it to John Ray.

8 Q. And did you forward this one to
9 Mr. Ray?

10 A. I don't remember. It's either I
11 forwarded it or I print out the attachment and
12 said -- yeah.

13 Q. Do you recall having any discussions
14 with Mr. Ray about it?

15 A. No.

16 Q. Do you recall if you looked at the
17 letter that Schannette attached to the email at
18 the time?

19 A. I probably sort of glanced at it, yeah.

20 Q. Did it strike you at all as odd that
21 she was sending you a letter about a different law
22 firm representing Exelon and asking you to send it

1 to Mr. Ray?

2 A. No.

3 Q. At Mr. Evans' request?

4 A. No. She said, you know, per Jack's
5 request. Schannette will, yeah.

6 Q. Mr. Evans was not a Manatt employee at
7 that time, correct, in December of 2014?

8 A. Right. So that was before he joined us.

9 Q. Do you recall if he was in the process
10 of applying or seeking employment from Manatt at that
11 time? Were you aware of that?

12 A. No, I wasn't.

13 Q. Do you want to flip to Tab 5?

14 A. Okay.

15 Q. Just that one page. That's a January
16 27, 2015 email from you to Sherri Kimbel, who is in
17 Mr. Evans' office, correct?

18 A. Correct.

19 Q. Is that her Council email? And then
20 Mr. Ray is cc'd, and you're asking if you can stop by
21 and talk to PEPCO merger. It's time sensitive.

22 Do you recall why you were looking to

1 discuss the PEPCO merger with Mr. Evans' office at
2 that point?

3 A. No, I don't.

4 Q. Do you recall anything about the
5 meeting, who attended or what the discussion was?

6 A. No, I don't.

7 Q. You can go to Tab 6, then. I think this
8 one is another one that prints off a little weird.
9 The earliest in time email is on the next page. If
10 there is no blue, that is just an email chain kind
11 of printed in reverse order.

12 If you look at the first one, the
13 earliest in time email, January 28th from Mr.
14 Johnson to members of the Council, it's discussing
15 a Committee on Business Consumer and Regulatory
16 Affairs Public Roundtable the next day. And then
17 the next email up from Ruth Werner, this is January
18 28th at 3:01 p.m. Are you following me?

19 A. Uh-huh.

20 Q. Sorry. So that's from Ruth Werner,
21 who is Mr. Evans' staff, to you copying Ms. Grant.
22 Agenda shows PEPCO on panel 9. Council Member Evans

1 has a meeting in the building, but we'll try to get
2 him there.

3 You can skip up to the last or the top
4 most email on that second page, January 28th at 4:43,
5 emailing the three questions to provide to Council
6 Member Evans.

7 And then on the front page, you
8 basically end up copying and pasting those three
9 questions into an email so that they can format them
10 for Mr. Evans.

11 Do you remember what the BCRA public
12 roundtable was concerning the PEPCO merger that
13 Mr. Johnson referenced in his first email? Do you
14 remember anything about that? Was it a Council
15 hearing?

16 A. Yeah. It is a Council committee
17 hearing.

18 But it's more than the merger, though.
19 It's, they talk about the underground, the grid
20 project, the plant project. So if you look at the
21 email from Peter Johnson, it's a roundtable to
22 discuss a bunch of things. Delivery of services

1 by public utilities.

2 Q. Right.

3 A. Reliability, undergrounding of
4 the power lines, Exxon-PEPCO merger and the
5 implementation of the accelerated pipeline, it
6 was the --

7 Q. It's a lot of stuff.

8 A. Yeah.

9 Q. But then the next email up from Ruth
10 to you is focusing on the PEPCO panel.

11 A. Right.

12 Q. Right? So that's just kind of
13 specifically the merger part of the broader
14 roundtable topics in Mr. Johnson's email; is that
15 right?

16 A. PEPCO would be the number 9th witness
17 on the list.

18 Q. Right.

19 A. But the roundtable would be --

20 Q. So it's PEPCO discussing all of these
21 things --

22 A. Oh, yeah. Yeah. Yeah.

1 Q. -- on the roundtable?

2 A. Uh-huh. Yeah.

3 Q. So PEPCO number 9 panel just means
4 they're the 9th one to go?

5 A. Yeah, the 9th witnesses, and they have
6 to answer, not, it was not just specifically on the
7 merger. It's the whole, you know, a lot of things,
8 yep.

9 Q. And then the questions that you sent,
10 if you look back at the first page, to Ms. Werner,
11 and you can read the emails, but essentially they're
12 giving those questions to Council Member Evans to
13 ask presumably PEPCO as the 9th witness at this
14 roundtable these three questions. Is that's what's
15 going on in this email?

16 A. Yes. There are some suggested
17 questions.

18 Q. And then at this time, January 28th,
19 2015, Mr. Evans was an employee at Manatt, correct?

20 MS. BRESNAHAN: Was or was not?

21 MR. KOHLI: No. Was not.

22 MR. FITZGERALD: Oh, I'm sorry. Was

1 not.

2 MS. BRESNAHAN: Was not, not until
3 October.

4 MR. FITZGERALD: Not until October. I'm
5 sorry.

6 THE WITNESS: Not.

7 BY MR. FITZGERALD:

8 Q. But is that generally what's going on
9 here, is the BCRA covering all these topics?

10 A. Right.

11 Q. Mr. Evans is on the Coun -- or is at
12 least --

13 A. A committee member.

14 Q. -- at least participating as a Council
15 Member at the roundtable, and these questions are
16 provided to him from you to his staff so that he
17 can ask them from the dais or whatever?

18 A. Yeah. We can suggest that, but
19 whether -- yeah.

20 MS. BRESNAHAN: Well, finish your
21 answer. You can suggest them, but do they give
22 them --

1 THE WITNESS: Yeah.

2 MS. BRESNAHAN: If you do this work,
3 I mean --

4 BY MR. FITZGERALD:

5 Q. Do they go off script?

6 A. Oh, yeah.

7 Q. Oh, my goodness.

8 MS. BRESNAHAN: All the time.

9 THE WITNESS: All the time.

10 BY MR. KOHLI:

11 Q. One quick question. You were talking
12 about the undergrounding of power lines, and I was
13 wondering. I saw some document that said like the
14 [REDACTED]. Do you know if
15 that had anything to do with PEPCO's undergrounding
16 of power lines?

17 A. No, I don't.

18 Q. You don't?

19 A. No. Unh-unh. I mean, we represent --
20 PEPCO is our client, so yeah.

21 Q. Do you know if the undergrounding of
22 power lines issue ever came before the Council in

1 terms of like legislation or anything?

2 A. Oh, yeah. Yeah. Between the Council
3 and the Mayor, this is a big city-wide project, so --

4 Q. Do you know when that came before the
5 Council?

6 A. No, I don't. But it's ongoing, the
7 project, so -- they want to underground all the
8 electricity so we won't have, you know, like if
9 we have a hurricane or storm, we would not have a
10 power outage. So that was the city-wide project,
11 yeah.

12 And Mary Cheh has held a lot of
13 hearings. I think it started all in Ward 3,
14 because Ward 3 doesn't have a lot of underground,
15 the electricity underground. So no, it's a big,
16 it's a big, city-wide project.

17 Q. So they hold hearings and stuff, but
18 is there any sort of Council action that you can
19 identify in terms of like a vote on like a specific
20 piece of legislation that pertains to this, or is
21 it --

22 A. No, there would be legislation.

1 Q. There would be legislation?

2 A. Yeah. Yeah. Uh-huh. Yeah.

3 Q. Do you remember like the names of any
4 of those bills or any of those pieces of legislation?

5 A. No. If you, let's say, Google search
6 on the Council, P-L-U-G, you will come up with a lot
7 of like the city guidelines, what they have to do,
8 what they cannot do, yeah.

9 Q. What were those letters?

10 A. P-L-U-G.

11 MS. BRESNAHAN: Plug.

12 THE WITNESS: Yeah. Plug. Yeah.

13 MR. KOHLI: Okay. I should be good on
14 that.

15 BY MR. FITZGERALD:

16 Q. One last question. So the purpose of
17 the roundtable, is that to come away, to inform some
18 sort of legislative agenda, or what is the, what is
19 the end state of that process? Is it just purely a
20 public information forum, or is there some sort of
21 action items that come out of that?

22 A. I'm not sure, because this was the

1 committee on Business Consumer and Regulatory
2 Affairs.

3 Q. Right.

4 A. No. I mean, it's the Council
5 Members. Sometimes they feel like they need to
6 have a roundtable to talk about stuff, and that's
7 what they would do. Yeah. Uh-huh.

8 Q. You can go ahead and flip to Tab 7,
9 please.

10 A. Yeah. I think I discussed this earlier,
11 the Cheh's language to direct the 250,000. And so we
12 got Anita Bonds to move an amendment and redirect
13 the money.

14 Q. What was the 250,000?

15 A. To study whether the District should --

16 Q. Should put them underground?

17 A. No, no, no. Whether the D.C. government
18 should be running the electric for the citizens,
19 yeah. Yeah.

20 Q. Whether that's like an issue that's
21 properly within the purview of the city?

22 A. And not, not a private entity. Yeah.

1 Q. Right.

2 A. Yeah.

3 Q. The Office of the People's Council,
4 the OPC?

5 A. Uh-huh.

6 Q. What is that or what does that do?

7 A. Because the money would be given to
8 the office, the 250,000 would be given to the Office
9 of People's Council for people, the OPC, to go out
10 and solicit a study. That's all.

11 Q. Is that a part of the Council? Is that
12 like a --

13 A. No. It's the, I would say a quasi-
14 independent.

15 Q. Sort of like a private-public
16 partnership type thing?

17 A. Right. Right. Uh-huh.

18 Q. Tab 8, please.

19 MR. KOHLI: One quick follow-up.

20 MR. FITZGERALD: Oh, sorry. Go ahead.

21 BY MR. KOHLI:

22 Q. How exactly were the funds diverted? I

1 know you said that they passed a different amendment.
2 Did that require a council vote in order to divert
3 those funds?

4 A. Yes. So it was in the city's budget.
5 That would be the 2016 budget, right? Because this
6 is done in 20, this study was proposed or the budget
7 item was discussed in June of 2015 so it would be
8 250,000 in the 2016 budget, right? In the Budget
9 Support Act.

10 So we got Council Member Bonds to
11 move an amendment. We line up our votes and we got
12 that through and we redirect the money somewhere
13 else.

14 Q. Do you know like the timing of that?
15 You said in 2015 was when Cheh proposed the study.
16 When did Bonds sort of propose the amendment later
17 on?

18 A. So it would be at the second meeting
19 of the Budget Support Act. So that would be around
20 June, early July.

21 Q. So it would have been very close in
22 time to this?

1 A. Oh, yeah. Yeah. Yeah. Uh-huh.

2 BY MR. FITZGERALD:

3 Q. And when you say the money was diverted
4 somewhere else, does that mean that the study was
5 never conducted?

6 A. Correct.

7 Q. The study of whether it would be better
8 to have the government take over the electric
9 utilities was never conducted?

10 A. Right. So the 250 in the fiscal
11 year 2016 budget was redirected for some seniors,
12 electricity incentives and so on and so forth, yeah.
13 So it never happened. The money was not there in
14 20 -- in the fiscal year 2016.

15 Q. Has Council Member Cheh proposed that
16 or anybody else proposed a similar study since then?

17 A. Yeah. She did. She did in the fiscal
18 year 20 -- I want to say the fiscal year 2017 budget.

19 So she brought the study money back.

20 Q. And then was it -- did you have any
21 action on that one?

22 A. No. No. We, you know, sometimes you

1 got to -- you can't fight everything, so yeah.

2 Q. So did that study move forward?

3 A. I believe it's in progress, yeah.

4 Yeah. But they have the money to do it, the same
5 thing, 250,000. Yeah.

6 Q. And with the same sort of mandate to
7 figure out --

8 A. Right. Right.

9 Q. -- whether the government would be
10 better.

11 A. To see whether the D.C. government
12 should be running electricity.

13 Q. So now Tab 8, as I alluded a moment
14 ago. This is a fairly dense letter. You don't have
15 to read the whole thing. Just the key point is the
16 date, October 16th, 2015. Now Council Member Evans
17 is an employee of Manatt, correct, at that time?

18 A. He would have just started.

19 Q. Right.

20 A. Yeah.

21 Q. And then the letter is writing to
22 express their hope that the commission is going to

1 approve the merger of PEPCO and Exelon.

2 And then on the third page it's signed
3 by seven Council Members, including Mr. Evans.

4 A. Okay.

5 Q. Do you recall any discussions before --
6 well, I guess, do you recall this letter generally?

7 A. No, I don't.

8 Q. Do you recall any discussions internally
9 at Manatt, whether or not he could, could or should
10 sign the letter as a Manatt employee?

11 A. No, I don't.

12 Q. Because he had just joined, had there
13 been any sort of conflicts memo or anything that
14 went out firm-wide?

15 I know we get them all the time where
16 a new attorney joins, and the conflicts counsel for
17 the firm will say so and so just joined in this
18 department and they, because of past employment,
19 they can't work on ABC matters. Anything like that
20 that you recall?

21 A. No. This is a Council letter.

22 Q. So then after it came from the Council,

1 do you recall any discussions at Manatt like
2 retrospectively about whether or not as a Manatt
3 employee while also a sitting Council Member, he
4 could sign on to these sorts of things?

5 A. No.

6 BY MR. KOHLI:

7 Q. Before we move on to a different
8 topic, I just want to ask you if you can identify
9 any other legislative issues related to PEPCO and
10 Exelon that came before the Council, let's say, from
11 October 2015 until Evans left Manatt. Do you have
12 any recollection of any? So it could be like
13 budgetary issues. It could be --

14 A. No. The OPC study was --

15 Q. OPC study was one?

16 A. Yes.

17 Q. Okay. And the underground powers lines,
18 you said that that was another one?

19 A. No. We didn't do specific work on the
20 plug project.

21 Q. You didn't do any work on the plug
22 project?

1 A. No. No.

2 Q. Do you remember any other legislative
3 issues maybe related to the merger that came before
4 the Council?

5 A. No, I don't.

6 MR. FITZGERALD: Are you all good?

7 MR. KOHLI: Yes.

8 BY MR. FITZGERALD:

9 Q. I think you alluded to, if you want to
10 go ahead and flip to, I guess we'll come to it in a
11 minute, Tab 9.

12 But just turning to the Scottish Rite
13 and Perseus Realty, can you just describe generally
14 your involvement with that matter with the Supreme
15 Council and Perseus Realty?

16 A. So we represent, we actually represent
17 both Perseus, the developer, and the Scottish Rite
18 Temple or the Supreme Council.

19 Supreme Council has been a long-time
20 client of John Ray, and we help Supreme Council on a
21 lot of matters.

22 And then this was a tax abatement

1 legislation, standalone legislation, that they want
2 to see if the D.C. Council and then the Mayor would
3 support.

4 Q. I'm actually -- this is even just more
5 kind of background questions right now. We'll get to
6 the document in a minute.

7 A. Uh-huh. So background, like --

8 Q. I guess, what do -- so Perseus is a
9 developer.

10 A. Right.

11 Q. The Scottish Rite organization, that's
12 an offshoot of Masonic activities, right?

13 A. Yeah.

14 Q. And long-time clients of Mr. Ray.
15 What sort of activities are they involved in in the
16 District, or what sort of lobbying activities did
17 you do on their behalf?

18 A. No. We don't, really like lobbying,
19 but this is, abatement was a lobbying matter.

20 Q. Right.

21 A. We would do things for the Temple.
22 For example, they -- like alley closing. So I helped

1 them out with closing the alley, and that involves
2 the government, because the alley is public space so
3 you have got to go to the Council.

4 Q. The alley behind their building?

5 A. Yeah, right. Get a piece of what we
6 call alley closing legislation done. And so I did
7 some work on that.

8 And then when we closed the alley, like
9 13 years ago, one of the conditions was we -- my
10 client, the Scottish Rite Temple, would let the
11 DuPont Circle neighborhood use the back garden as a
12 community garden, because, you know, in exchange for
13 the public alley space, right?

14 So it's a fair deal. So my client
15 says, All right. You can use this garden for five
16 years, okay? So my client did that and then more.

17 Then we had to close the garden, because
18 they were getting ready to renovate the 110-year-old
19 building, so they need to have a staging ground,
20 yeah. So that's one.

21 Q. So it was just sort of not -- sounds
22 like it's mostly just kind of one-off discrete

1 issues that come up more or less pertaining to
2 their location here in the District?

3 A. Right. So we closed the garden. Then
4 my client wants to consolidate the record lots for
5 taxation purposes. So we consolidate the whole thing
6 into one lot. So you have to deal with Office of Tax
7 and Revenue. So I would help them out because we
8 know people at OTR.

9 Then when we consolidated the lot,
10 part of the lot was tax exempt, but the new lot
11 that we combined was not. So we had to go to
12 Phil Mendelson and ask him to tax exempt the new
13 consolidated lot. So it's more like administrative.
14 Yeah. And Phil Mendelson did that for us, because
15 it's a non-profit.

16 Q. And is that what the tax abatement issue
17 that you are looking at --

18 A. No. No. No.

19 Q. This is before this?

20 A. This is before, yeah.

21 Q. You mentioned the alley was like 13
22 years ago.

1 A. Yeah.

2 Q. What kind of time, what time frame are
3 we talking about on the --

4 A. It will be late 2000.

5 Q. Leading up to the 2014 time frame, are
6 you handling more or less the same kind of things,
7 just one-off for Scottish Rite Temple?

8 A. Yeah. Whenever they need help, uh-huh.

9 Q. And then for Perseus Realty, what sort
10 of matters are you assisting them with?

11 A. It would be on this tax abatement
12 legislation.

13 Q. Just this tax abatement?

14 A. Yeah. Uh-huh.

15 Q. So they were a new client at this time?

16 A. Right. Right.

17 Q. When Mr. Evans joined Manatt, did he
18 work with you at all on any of these matters, the
19 Scottish Rite stuff, or the tax abatement?

20 A. No, he didn't.

21 Q. Can you just kind of describe what
22 the working dynamic was? I mean, Mr. Ray wanted

1 Mr. Evans there, but you, I think you stated earlier
2 that you didn't really see Mr. Evans a lot around
3 the office.

4 A. Uh-huh.

5 Q. Was your impression that Mr. Ray was
6 working with Mr. Evans on one-off matters? Just what
7 kind of involvement did you ever have with Mr. Evans
8 at Manatt?

9 A. No involvement at all.

10 Q. You never worked with him on anything?

11 A. Yeah. Yeah.

12 Q. Did you get any sort of like second-hand
13 information on stuff that he was involved in from
14 Mr. Ray?

15 A. Nope. No.

16 Q. So then turning to the document at Tab
17 9, the tax abatement, can you just describe what,
18 like the process to getting that introduced and
19 approved?

20 Where did you start on that? What was
21 the process, if you can just kind of walk me through
22 it as sequentially as you can?

1 How does one get a tax abatement
2 approved by the Council, I guess is the question.

3 A. You have to draft a piece of tax
4 abatement legislation with specifics, how many
5 years, which lot, so you have to do that.

6 And you have to make a rationale for
7 why we need -- my client needs the tax abatement,
8 yeah, so there's legislation.

9 Q. And who does that go to?

10 A. So this one, by then Jack was at Manatt.

11 Q. Right.

12 A. So we couldn't get him to -- normally
13 you get the Ward Council Member to introduce. That's
14 how it's done. So --

15 Q. Oh, the Ward Council Member?

16 A. Yeah. So the temple is in Jack's Ward,
17 2, but then we couldn't, because he was working at
18 Manatt, right?

19 Q. Why did you think that he couldn't
20 because he was working at Manatt?

21 A. Public perception, just to be safe.

22 Q. Was that your idea, or who told you we

1 should be careful of public perception?

2 A. It's common sense. Like why would you
3 ask Jack to introduce?

4 So we got some other Council Member to
5 introduce the legislation.

6 Q. But there was no official guidance that,
7 You can't use Mr. Evans for this?

8 A. Official guidance like what? Like --

9 Q. So nobody told you that you couldn't
10 have Mr. Evans, who normally would introduce it,
11 introduce it because he was now a Manatt employee?

12 A. No. I'm sure John Ray has, you know,
13 discussed, some discussion like, you know, we should
14 not get Jack to introduce even though it is in his
15 Ward, yeah.

16 Q. I'm just trying to understand, because
17 I thought earlier you said that you didn't have any
18 discussions, informal or otherwise, about changing
19 the process that one would normally follow when
20 working with the Council because Mr. Evans became
21 an employee.

22 A. Right. But because this was in his Ward

1 and you have to let the Ward Council Member know that
2 we are going to do this, we represent this client,
3 we're going to do this. So you have to sort of give
4 him heads-up, you know.

5 Q. So then fair to say, I guess I would
6 call it the WAPO test, where it may not be -- there
7 may not be any sort of rule against it, but just
8 optically, it would look bad if we had an employee
9 introducing this legislation for our client, so we're
10 going to go with a different Ward member?

11 A. Correct.

12 Q. So then who introduced this ultimately,
13 then?

14 A. We got McDuffie to introduce it.

15 Q. And then so the Ward member introduces
16 it to the full Council?

17 A. The Ward 5 Council Member.

18 Q. And then does it get referred to a
19 committee or does it just go straight to the full
20 Council? What's the process from there?

21 A. No. It would be referred to the
22 committee on finance and revenue, because it's a

1 tax abatement legislation.

2 Q. Right. And so was there any sort of
3 different process followed because -- was Council
4 Member Evans on the finance and revenue committee
5 at that time?

6 A. He was the chair.

7 Q. Right.

8 A. Yep.

9 Q. So was there any sort of different
10 process followed on the committee since he was also
11 a Manatt employee?

12 A. No. I can't speak for the committee.

13 Q. Do you remember him recusing himself,
14 or were there any sort of discussions internally
15 on --

16 A. Internally like at my law firm?

17 Q. At Manatt, yeah.

18 A. No. No. No.

19 Q. Do you remember if he recused himself
20 in his official capacity as chair of the F&R
21 committee?

22 A. It was just --

1 MS. BRESNAHAN: Well, wait a minute.
2 Recused himself meaning what?

3 THE WITNESS: Yeah. Because there
4 wasn't a vote on anything. It was just introduced,
5 so it was what we call under consideration, you know,
6 or under review by committee. So there was no action
7 other than, you know, you introduce a bill and it
8 goes to the committee and then it just stays there
9 until the committee decides what to do with it.

10 BY MR. FITZGERALD:

11 Q. So under review just means it's been
12 introduced --

13 A. Right.

14 Q. -- by the Council Member?

15 A. Right, and it's been referred.

16 Q. And it is referred to the committee,
17 and then it sits there?

18 A. Right.

19 Q. And then what happened from there with
20 this tax abatement?

21 A. It died in committee.

22 Q. So no action was ever taken?

1 A. No action, yeah.

2 Q. Has it been reintroduced or any more
3 efforts to get the tax abatement?

4 A. Yeah.

5 Q. And who introduced the or I guess when
6 does those happen?

7 A. We're working on it.

8 Q. Oh, it's undergoing right now?

9 A. Yeah. Uh-huh.

10 Q. So the first one introduced early mid
11 2017 --

12 A. Yep.

13 Q. And then it died in committee at what
14 point?

15 MS. BRESNAHAN: Jack Evans is no longer
16 the chair.

17 MR. FITZGERALD: That's my
18 understanding.

19 THE WITNESS: Yes. It just died in
20 committee, what we call didn't get any action. So
21 you've got to reintroduce it again.

22 BY MR. FITZGERALD:

1 Q. What does it take to die?

2 A. Two years.

3 Q. Two years?

4 A. Yeah.

5 Q. So the whole Council cycle?

6 A. Yeah. So two years. If there's no
7 action, it -- poof.

8 Q. So then that would have just expired
9 like mid-2019; is that right?

10 A. Right. Yeah.

11 MR. FITZGERALD: Anything else on that
12 one?

13 BY MR. KOHLI:

14 Q. So as far as you know, did Evans himself
15 ever take any sort of official action related to the
16 tax abatement throughout the process of its --

17 A. On this?

18 Q. Yes.

19 A. The first one?

20 Q. Yes.

21 A. No.

22 Q. No, as far as you know?

1 A. No.

2 Q. And then my other follow-up question
3 is, do you know how Perseus became a client? Do you
4 know who brought them to the firm?

5 A. Mr. Ray.

6 Q. Mr. Ray did?

7 A. Uh-huh. Yeah. We did work for Perseus
8 before.

9 MR. KOHLI: That should be it.

10 BY MR. FITZGERALD:

11 Q. I don't know if you have Tab 10 or not,
12 but you can skip that.

13 Tab 11 should be a July 24th, 2017
14 email.

15 A. Right.

16 Q. Have you got it? Yes.

17 A. (Witness reviewed document.)

18 Okay.

19 Q. So that's referencing Bill 22-361,
20 Perseus - Supreme Council. Is this concerning the
21 tax abatement that we just discussed?

22 A. Uh-huh. Yes.

1 Q. What is a TAFE meeting?

2 A. So a TAFE is a Tax Abatement Financial
3 Analysis that is done by the CFO.

4 So any tax abatement legislation when it
5 is introduced, right? The next step is the CFO. So
6 the CFO has to look at the project, look at the
7 numbers, you know, and Perseus, my client, has to
8 provide a lot of like financials and costs of the
9 project and all that to the CFO.

10 And then the CFO would do this TAFE, we
11 call it, okay? And they would either conclude yes,
12 the project needs the tax abatement to be viable or
13 the project did not need the tax abatement.

14 Q. And so the way that you described
15 that, I'm showing my ignorance here of the workings
16 of the city government, but you said the next step
17 was the CFO's office after it's introduced. And then
18 earlier we had said that it's introduced by a Ward
19 member normally, whoever's Ward it concerns.

20 A. Right.

21 Q. But here it was Ward 3. Goes to the
22 committee or -- excuse me -- goes to the Council

1 and then is referred to the committee.

2 A. Committee, yep.

3 Q. Is next stop from there to the CFO,
4 or is the CFO doing its analysis in parallel to the
5 Council process?

6 A. No. The CFO only does analysis on tax
7 abatement. Yeah. So other legislation, they don't.
8 It's only for tax abatement, because --

9 Q. I'm sorry?

10 A. Yeah.

11 Q. I'm specifically in the context of the
12 tax abatement --

13 A. Right.

14 Q. -- that we were just talking about.
15 It's getting referred to the Committee On Finance
16 and Revenue because it's tax abatement.

17 The CFO is charged with doing an
18 analysis of the tax abatement.

19 A. Correct.

20 Q. Does the committee, do they coordinate
21 with the CFO?

22 A. Yes.

1 Q. To do the analysis or is it just
2 automatic with the CFO?

3 A. It's automatic. The CFO would --
4 they do a lot of TAFE for a lot of tax abatement
5 legislation, yeah.

6 Q. Right. Got it. And so why are you
7 emailing Mr. Evans' staff to schedule the meeting
8 with the CFO on the Scottish Rite tax abatement?

9 A. Because if I -- because the CFO staff
10 have a lot of work, right? A lot of tax abatement
11 legislation.

12 So I email Ruth, and I told her, Can
13 you look me -- sometimes it helps if Ruth goes to
14 the CFO. Can you like, you know, expedite this?

15 That's all. Instead of waiting and
16 waiting around. I mean -- yeah.

17 Q. And so that's going to Ruth because
18 she's the committee director?

19 A. Yeah. She's the committee clerk so,
20 and she's the sort of the point person between her
21 and the CFO where this bill is concerned, because
22 it's in the Committee on Finance and Revenue. Yeah.

1 Q. Right. So I think my question was going
2 to be, why Mr. Evans' staff, if we have to introduce
3 it through a different Ward member because of just
4 the optics, was there a different analysis for
5 working through Mr. Evans' office for the rest of
6 the process to get the CFO meetings scheduled?

7 MS. BRESNAHAN: Well, she's the clerk
8 for the committee.

9 MR. FITZGERALD: I understand, but she's
10 also --

11 MS. BRESNAHAN: Not personal staff.

12 MR. FITZGERALD: Right. But she works
13 for Council Member Evans.

14 THE WITNESS: No, she works for the
15 committee.

16 BY MR. FITZGERALD:

17 Q. Right.

18 A. Yeah. I mean she's -- yeah. She's the
19 committee clerk for the Committee on Finance and
20 Revenue, which is chaired by Evans.

21 Q. Right.

22 A. Yeah. So she would be the point person.

1 You know, you couldn't go to Schannette because, you
2 know -- or Sherri Kimbel, so it would be Ruth.

3 Q. And then do you recall if that meeting
4 was scheduled? Did Ruth work to schedule that
5 meeting or did it --

6 A. No. So once -- then we would hear
7 from the CFO, but the CFO would deal with Perseus
8 directly. Because, you know, all they want are
9 numbers. Yeah. So they're not going to deal with
10 Ruth or myself, so they would ask for pro formas
11 and, you know, the project design and all that, the
12 numbers, the economic analysis.

13 And then for them -- because they need
14 all this information to put together the TAFE.

15 Q. And so what is the purpose of the TAFE
16 meeting?

17 A. Just to get the TAFE going so we can
18 see where the CFO comes out on this legislation or
19 project.

20 Q. Will the CFO conduct a TAFE regardless
21 of whether there's a -- I mean, is a meeting a
22 necessary part, or is that just beneficial to help

1 expedite the process and get them information that
2 would be helpful?

3 A. You could get work through the process,
4 and sometimes we would ask the committee to help, you
5 know, get the CFO to move on this. That's all.

6 Q. But if you as representatives of the
7 parties interested in the tax abatement, as legal
8 Council, if you just email the CFO directly, that
9 would -- I guess you sound like your view was that
10 that wouldn't really get you anywhere?

11 A. No. The TAFE request has to come
12 from the Committee, yeah, on Finance and Revenue.
13 Yeah.

14 Q. So you have to work through the
15 committee to get that?

16 A. Yeah. Yeah. Yeah. The CFO doesn't
17 listen to us, you know.

18 MS. BRESNAHAN: That's for sure.

19 BY MR. FITZGERALD:

20 Q. So, again, this may be just me
21 being ignorant of the processes of the government,
22 but if, just like a citizen, an unsophisticated

1 citizen, wanted a tax abatement on their property
2 and they somehow got that introduced as a piece
3 of legislation, would that also go, and it was
4 referred to the committee, would that also go for
5 a TAFAs?

6 A. Yeah. Oh, yeah.

7 Q. And an individual citizen, could they,
8 would they have to work through the committee, or
9 could they have direct coordination with the CFO to
10 submit their own information?

11 A. No. So let's say hypothetically,
12 right, your tax abatement for your property, personal
13 property, you get a -- no Council Member would
14 introduce that. But let's say you.

15 MS. BRESNAHAN: Let's say you were
16 special, very special.

17 THE WITNESS: And then the Council --
18 anybody can introduce a bill.

19 MS. BRESNAHAN: You're the nephew of
20 Phil Mendelson.

21 THE WITNESS: Right. Right. So that's
22 a good one.

1 So Phil will introduce it, and then it
2 gets referred, you know. But there's Finance and
3 Revenue Committee right now.

4 BY MR. FITZGERALD:

5 Q. Right.

6 A. So right now it would go to the
7 committee on business and economic development.
8 That's where the CFO's shop is under the jurisdiction
9 of the committee.

10 So McDuffie's clerk, for you to --
11 you would have to -- so you would have to go to
12 McDuffie's staff and say, you know, This tax
13 abatement is really important to me. Can you ask
14 the CFO to do a TAFA?

15 So that's how.

16 Q. And again, maybe I may have just missed
17 the answer to this, but do you recall if this meeting
18 occurred? Did the committee schedule that, and if
19 so, did it occur?

20 A. The meetings did occur, but they
21 contacted the developer, because that's who they
22 want to talk to, not -- yeah. And I think maybe

1 John Ray was involved in a few meetings. Yeah.

2 Q. So even though the meeting to get
3 the CFO's attention has to come from the committee,
4 they wanted to talk to the underlying parties?

5 A. Right.

6 Q. The clients?

7 A. Yeah. The clients. The developers,
8 yep.

9 Q. So Mr. Ray sounds like he may have
10 participated in the meeting?

11 A. Yeah. Yeah. I'm sure.

12 Q. Did anybody from the committee
13 participate?

14 A. No. No. That would be just the CFO,
15 Perseus and Supreme Council, because they want to
16 look at the Supreme Council's books, yeah.

17 Q. So then the extent of the committee's
18 involvement was just --

19 A. Yeah. Like please, this is a request.

20 Q. -- the schedule?

21 A. Yeah.

22 Q. Understood.

1 BY MR. KOHLI:

2 Q. So there's no input from the committee
3 then to the TAFA?

4 A. No.

5 MS. BRESNAHAN: I'd like to take a
6 break.

7 MR. FITZGERALD: Yeah. Please. We've
8 been going for a while.

9 (Recess at 2:15 p.m., resuming at
10 2:21 p.m.)

11 MR. FITZGERALD: We are resuming the
12 interview with Ms. Ang.

13 BY MR. FITZGERALD:

14 Q. I think we had left off, we were kind
15 of finishing up on some of the Scottish Rite's
16 legislation, and you were educating me on the
17 processes of tax abatements in the District.

18 Are you on Tab --

19 A. 12.

20 Q. Flip to Tab 13. Skip 12. This is a
21 September 5th, 2017 email you sent to Ms. Werner
22 copying Schannette, just an FYI. I'll let you

1 read it, if you want.

2 A. (Witness reviewed document.)

3 Okay.

4 Q. I don't think there's an attachment
5 to that. The first line, I guess we were talking
6 about B. This says 21-361. I think the last email
7 was B 22-361, but this seems like this is the same --

8 A. Same bill.

9 Q. -- the same bill, correct?

10 And then you, the next sentence,
11 you talk about you met with Phil, John and you,
12 presumably Mr. Ray and you met with Phil, presumably
13 Mendelson.

14 A. Uh-huh.

15 Q. And you talked about why Council Member
16 McDuffie introduced the bill instead of Council
17 Member Evans.

18 I assume that is the reason you
19 discussed earlier, which was why? Why was that,
20 because there was concerns internally at Manatt that
21 Mr. Evans as an employee of Manatt, just optically,
22 that would look bad?

1 A. Uh-huh.

2 Q. And I think you'd said that you thought
3 that that idea originated with Mr. Ray; is that
4 right?

5 A. Yeah. I think so.

6 Q. Do you remember what Phil Michelson or
7 -- excuse me. Phil --

8 MS. BRESNAHAN: There are no golf clubs
9 in this case, thank goodness.

10 BY MR. FITZGERALD:

11 Q. Do you remember what Chairman
12 Mendelson's reaction was to the discussion? Did
13 he have any concerns?

14 A. No.

15 Q. Any recommendations on different process
16 with it getting referred to Mr. Evans' committee that
17 he was the chair of?

18 A. No. I don't think that even came up
19 at the time. So when McDuffie introduced the bill,
20 Phil did refer it to the Committee on Finance and
21 Revenue.

22 Q. When it says, Ditto for bill's public

1 hearing, in the parenthetical right after that?

2 A. Right. So that means the Committee
3 on Finance would be the logical committee to hold
4 the hearing because, you know, the bill is in that
5 committee.

6 Q. Did it have a public hearing?

7 A. No. We never got there.

8 MR. KOHLI: I have a quick question.

9 BY MR. KOHLI:

10 Q. What was sort of the end goal with
11 this and Evans being on the Council? Because,
12 presumably, this bill would eventually have to
13 come before the Council to be approved on, which
14 was your guys' goal.

15 Do you know if there was a plan
16 for Evans to recuse himself eventually at that
17 point, when the bill came before the Council for
18 a vote?

19 A. Yeah. I think that would make sense.
20 Yeah.

21 Q. Do you remember any discussions about
22 that?

1 A. No. No. It's no different than Mary
2 Cheh recusing herself when there are contracts or
3 legislation related to George Washington, because
4 she's a professor there. So she would obviously
5 recuse herself.

6 Q. That makes sense. I was mainly just
7 wondering if you guys had talked about when you were
8 talking about processing legislation, like oh --

9 A. No.

10 Q. It was never brought up like, Jack will
11 eventually have to recuse himself?

12 A. No.

13 BY MR. FITZGERALD:

14 Q. And so on the last one, where you were
15 emailing Ms. Werner about setting up a TAFSA meeting
16 with the CFO --

17 A. Right.

18 Q. -- that was just to Ms. Werner, and you
19 explained that that was because she's the --

20 A. Committee clerk.

21 Q. Council or -- excuse me. The committee
22 director, and so that makes sense.

1 This one, we're copying Ms. Grant. Why
2 are we copying Ms. Grant on this one?

3 A. I always do that. If I email Ruth --
4 because, you know, if Schannette is the chief of
5 staff, she needs to be in the know.

6 Q. Right.

7 A. Yeah.

8 Q. So was that just your initiative --

9 A. Yeah.

10 Q. -- to copy her?

11 A. Yeah. Uh-huh. Yeah. I generally do
12 when I email Ruth anything.

13 Q. But you didn't copy her on the last
14 email that we looked at when we were scheduling the
15 TAFAs meeting?

16 A. Right, I didn't, because it was a --
17 you know, it was not like -- it was like the real
18 committee sort of task.

19 But this one was to give them heads-up,
20 like, you know, we met with Phil, and Schannette
21 would want to know that John and Tina met with Phil,
22 yeah.

1 Q. I'm just trying to understand --

2 A. Right. Yeah.

3 Q. -- your thought process, that's all.

4 A. Uh-huh. Yep.

5 Q. I'm not trying to insinuate anything

6 here.

7 MR. FITZGERALD: Have you got anything
8 else on that one, Rahul?

9 MR. KOHLI: I don't think so.

10 BY MR. FITZGERALD:

11 Q. I think that does it for the Scottish
12 Rite stuff.

13 If you want to flip to Tab 14, we're
14 going to talk about gas station transfer tax. I'll
15 give you a minute to read it.

16 A. (Witness reviewed document.)

17 Okay.

18 Q. The first question is, what was the or
19 what is the legislative or other mechanism by which
20 the transfer tax would be repealed? So specifically
21 because it was introduced in a Budget Support Act,
22 does that mean that it has to be repealed the same

1 way or does it have to be voted on? Is it generally
2 repealed the same way, or is it through some sort of
3 discrete legislation that specifically just targets
4 the transfer tax?

5 A. No. This transfer tax was slipped in
6 the budget, the Budget Support Act, the BSA.

7 And a lot of us were caught by surprise,
8 because there was no hearing, and some Council
9 Members do that.

10 So it went into effect and raised the
11 transfer tax just on gas stations. All right?

12 So it's not a, sort of a very fair
13 way of, you know, implementing a tax on real
14 property.

15 So that happened in 2009. So this is
16 2015. So we had worked for a long time to get this
17 thing repealed.

18 And finally, finally Phil Mendelson,
19 because he's the committee of the whole, he's like,
20 Okay, I agree with you. This is not a fair tax.
21 It's not good government.

22 So he said, you know, he will help us

1 repeal this in the BSA, because you don't want it to
2 be a standalone. Then you have to have a public
3 hearing and a lot of people will come and say, you
4 know, how could Council do things like that. You
5 don't legislate that way.

6 So that would be the logical way for --
7 and that would be up to Phil. I mean, we can suggest
8 it. You know, this tax was slipped in very quietly.
9 To repeal it, if you want to do it through the BSA,
10 that would great, and so it was done.

11 Q. Do you remember what the response from
12 Council Member Evans' office was to this outreach?
13 Were they generally supportive or --

14 A. He was supportive, but, you know, he had
15 told us, You need to get Phil on board, because it
16 was, you know, in the BSA. So nothing gets in there
17 without the Chairman's permission.

18 Q. And that's the Chairman, not the golfer,
19 right?

20 A. Yeah.

21 Q. I guess I'm going to skip ahead to Tab
22 17. There are some attachments behind this one.

1 A. Yeah. Okay.

2 Q. Does this legislation or the talking
3 points, I guess the issue that you're pushing here,
4 is this the takings issue, does it relate to the gas
5 station transfer tax or is that different?

6 A. No. This is a gas station law that Mary
7 Cheh amended in the Budget Support Act, and with no
8 public hearing. And we've been fighting her, and
9 we're still fighting her on this today. So we were
10 trying to get it amended, yes.

11 Q. So this was slipped -- so this is
12 different than the transfer tax?

13 A. Oh, yeah. This is -- yeah.

14 Q. But it was enacted in more or less the
15 same way, it was slipped into a --

16 A. Right.

17 Q. -- omnibus Budget Support Act?

18 A. Right.

19 Q. And that's how it came up.

20 Was Council Member Evans, either in
21 his capacity as Council Member -- well, I guess
22 we'll focus on Manatt first. Did he, after he

1 came to Manatt, was he at all involved in this
2 project?

3 A. No.

4 Q. Did any of the -- what ended up
5 happening legislatively with this issue? Were you
6 able to introduce draft legislation, or did it just
7 stay talking points or what ended up happening with
8 this issue?

9 A. No. We tried to get a few Council
10 Members to move an amendment to the budget into some
11 other legislation that is germane to gas stations,
12 but we weren't able to get the votes.

13 Q. Do you remember which Council Members
14 were trying to gather the necessary votes?

15 A. We tried to get Anita Bonds. We tried
16 to get Brandon Todd. Because it's a very complicated
17 issue so --

18 Q. How long of a timeline are we talking
19 about from you introduce or you send around these
20 talking points? What sort of actions transpire
21 subsequent to this email? Is this just, is this
22 getting it on their radar and then there's a more

1 sustained campaign to try to generate support, or
2 what was the process?

3 A. No. No. When we look at the
4 legislative agendas and if I see like a gas station
5 related bill that is going through second reading,
6 that would be a germane bill that we can attach this
7 amendment to. So that's how. Yeah. You can't
8 just --

9 Because if we move an amendment, a
10 germane amendment to some legislation that is
11 related, we only need seven votes. If not, we
12 need nine.

13 So occasionally I would look at the
14 agendas and say, Oh, this could be a good one. You
15 know, let's try this.

16 Q. And when you say when we move it, you
17 need a Council Member to move --

18 A. Yeah.

19 Q. -- the legislation, correct?

20 A. Yeah. Yeah. And then we need to get
21 the votes, correct.

22 Q. And the method that we had discussed

1 earlier, where it's normally the person whose
2 Ward it is, is there -- what is the procedure
3 for something like this, where it's generally
4 applicable to businesses or interests throughout
5 the District?

6 A. No. This would not be applicable to
7 a Ward member. This would be a Council Member who
8 is knowledgeable in the issue, is willing to take
9 the heat for it.

10 Q. Right.

11 A. Can defend it on the dais, yeah.

12 Q. Do you normally have like a target
13 or an ideal Council Member like that in mind, or is
14 the purpose of an email like this to just kind of --
15 is it a sensing email where you're just trying to
16 test people's temperatures on interest and then
17 you'll maybe identify somebody from there?

18 A. No. So if you look at the To column,
19 I have staff for all the Council Members.

20 Q. Right.

21 A. Right? All 13 of them.

22 Q. Right.

1 A. Generally, we would need one Council
2 Member to move it and then we need, you know, six,
3 seven votes.

4 Q. I understand.

5 A. Right.

6 Q. That's what I'm saying, is like an
7 email like this, where you're sending out the issue
8 to the staff of every Council Member, are you trying
9 to identify somebody who would be willing to move
10 it for you, or what is the point of an email like
11 this?

12 A. No. We would have a general idea of
13 somebody moving it.

14 The point would be to give them
15 heads-up, and then I'll go talk to them and tell
16 them, you know, get your Council Member to support
17 this amendment.

18 Q. Did anybody support the amendment here?

19 A. No. No. This, it was a very difficult
20 task, so we could never get more than five votes.

21 MR. KOHLI: I have a question.

22 MR. FITZGERALD: Go ahead.

1 BY MR. KOHLI:

2 Q. Council Member Evans in the summer
3 of 2016 passed two different pieces of legislation
4 on gas stations that, from what we understand,
5 exempted a few select gas station locations from
6 those amendments that Mary Cheh introduced?

7 A. From the takings? Right.

8 Q. Yeah. For the new Columbia amendments?

9 So I was wondering, what can you tell
10 us about those two pieces of legislation? Because
11 we don't really have that much information about
12 them.

13 We don't know why those were passed,
14 what they intended to achieve or anything like that.

15 A. So Jack moved a piece of legislation
16 to -- so right now, for a full-service gas station
17 to be developed into a residential or mixed-use
18 project, it has to go to the Council and get an
19 exemption from this takings law. So I think Jack
20 did one for the Georgetown gas station. That is --

21 Q. What is the Georgetown gas station?

22 A. The gas station that is right across

1 the Four Seasons. So it's a full service gas
2 station, and they want to build like --

3 MS. BRESNAHAN: It's on the island
4 right across from Four Seasons.

5 MR. KOHLI: Right.

6 THE WITNESS: They want to build like
7 a mixed-use, but then it got caught in this law.

8 BY MR. FITZGERALD:

9 Q. That makes sense.

10 A. Yeah.

11 Q. Was that a Manatt client?

12 A. No. No.

13 Q. That gas station?

14 A. No.

15 Q. Do you know if any Manatt clients had
16 a gas station that was sort of covered by this
17 legislation?

18 A. That was caught in it? Yeah. The
19 withholdings? [REDACTED],
20 yeah.

21 Q. What I meant to say is, was any Manatt
22 client sort of affected by these two pieces of

1 emergency legislation, like were they exempted?

2 A. You mean by Jack?

3 Q. By Jack?

4 A. No. No. That was specifically for
5 that station.

6 Q. For that one station?

7 A. Yeah. Yeah. It's not --

8 Q. Do you know if there's any other gas
9 stations that you can remember that were exempted by
10 Mr. Evans' piece of legislation?

11 A. No. No.

12 Q. Besides that one?

13 A. Yeah. Only the one in Georgetown.

14 Q. Then I had a question about the Gas
15 Station Advisory Board Abolishment Act. What exactly
16 did that piece of legislation accomplish? That was
17 introduced by Cheh and Evans in October of 2017.

18 A. I'm not sure. I think they're trying
19 to reinstate the Gas Station Advisory Board.

20 Q. They're trying to reinstate it?

21 A. Yeah. Uh-huh.

22 Q. Why did they call it the Abolishment

1 Act? If you want to look at it, it's on Tab 16, if
2 you go to like the very last -- bill 22-515?

3 A. Right.

4 Q. Introduced by Cheh and Evans. Do you
5 know if any Manatt clients had any sort of interest
6 in this legislation?

7 A. Yeah. [REDACTED].

8 Q. What was their interest?

9 MS. BRESNAHAN: I just want to correct
10 one thing that you said. The way it's phrased which
11 it's the Gas Station Advisory Board Abolishment
12 Amendment Act.

13 THE WITNESS: So it didn't really
14 abolish the board. It replaced the --

15 BY MR. FITZGERALD:

16 Q. Yes. So what did it do?

17 A. It replaced the advisory board with the
18 department of environment.

19 Q. Okay.

20 A. Yeah.

21 Q. But is that something that any Manatt
22 client sort of desired or benefited from?

1 A. No.

2 Q. You don't think so?

3 A. No.

4 MS. BRESNAHAN: No.

5 THE WITNESS: Nope.

6 BY MR. KOHLI:

7 Q. If you go to Tab 20, and then if you
8 flip to the second sort of letter to Chairman
9 Mendelson, December 12, 2018, it says that, a couple
10 of lines down, This Gas Station Advisory Board
11 Abolishment Act was sort of a positive step forward
12 that will create a forum for a property owner and
13 an operator.

14 And then it goes on to say that the
15 bill doesn't go far enough.

16 A. Right.

17 Q. Does that imply that at least on some
18 level, there's kind of an interest there on behalf
19 of whatever Manatt client this letter is sort of
20 referring to?

21 I believe this is written by John Ray.

22 I don't know if this is for [REDACTED] or

1 for another gas station or just generally.

2 A. No. So this letter from John was
3 to sort of tell them that, Okay. It's great.
4 You took away the board, and now you have the
5 department of environment making a determination
6 whether a gas station should be waived from the
7 takings law, right?

8 But then the law still has to work,
9 that no full-service gas station can be discontinued.
10 So that means -- you know, we represent [REDACTED]
11 [REDACTED] so who has full-service gas stations. So
12 it's still the same problem. It doesn't solve the
13 problem.

14 Q. So even to some degree, it doesn't
15 solve the problem?

16 A. No.

17 Q. So their situation you would say is
18 completely unchanged?

19 A. Yeah. So this, this abolishing of the
20 board is, it's just --

21 Q. How would you kind of explain his
22 language about how this piece of legislation was a

1 positive step forward? Is that just sort of --

2 A. It's just trying to butter.

3 Q. Yeah. Just trying to butter him up?

4 A. Yeah.

5 Q. So, in actuality, this didn't really do
6 anything?

7 A. Do anything, yeah.

8 Q. That's all I wanted to know.

9 A. Yeah.

10 BY MR. FITZGERALD:

11 Q. Can you flip back to Tab 18 for me
12 very quickly? So here we're looking at some emails
13 between you and Ms. Werner, Ms. Grant and Ms. Kimbel
14 discussing the development plan for the P Street gas
15 station, which I think is at 2200 P Street.

16 A. Yeah.

17 Q. I remember reading that somewhere. And
18 then Ms. Werner in the next email up, October 20th,
19 2016, loops in Tom Lipinsky, discussing he may have
20 more information on the neighborhood.

21 And then the top-post email, you reply
22 the developer, Marx Realty, wants to convert this

1 1936 limestone --

2 A. Right.

3 Q. -- into a nine-story building.

4 Underground tanks will be removed.

5 Do you recall this exchange generally?

6 A. Uh-huh. Yes, I do.

7 Q. And then you're referring to Marx
8 Realty? Was that a Manatt client?

9 A. No. It wasn't.

10 Q. Do you know --

11 A. But --

12 Q. I'm sorry. Go ahead.

13 A. But I read about this developer.

14 MS. BRESNAHAN: Where the link is at
15 the bottom.

16 THE WITNESS: Right.

17 BY MR. FITZGERALD:

18 Q. Was the P Street gas station, was
19 that --

20 A. Yeah.

21 Q. -- that was your client? That was the
22 interest?

1 A. No. The P Street gas station is not
2 my client, either. But it's a full-service gas
3 station.

4 Q. So then what was your interest in the
5 development of the P Street gas station?

6 A. Because the takings law is in place,
7 so I was curious, how could they, you know, didn't
8 the developer know this law, you cannot discontinue
9 a gas station? So how are they going to develop
10 it?

11 Q. And so you were just bringing this
12 issue, because it's in Ward 2, to the attention of
13 Evans' staff or what was your motivation in starting
14 this conversation?

15 A. Right. And it was in Ward 2, so I,
16 you know, emailed Ruth, like, Do you know that this
17 is a full-service gas station? And then the takings
18 law is still on the book. How can they proceed to
19 develop it?

20 Yeah. That was it.

21 Q. Did anything come of this, or did you
22 have any further discussions with Council Member

1 Evans or his staff?

2 A. No.

3 Q. On this?

4 A. No.

5 Q. Did you ever, I guess in your capacity
6 as a co-employee of Manatt, did you have any
7 discussions with Evans as a Manatt employee about
8 this issue?

9 A. No.

10 Q. Or try to get him involved from the
11 client side?

12 A. No.

13 Q. You had no discussions at all with him?

14 A. No.

15 Q. So you never knew if he was conflicted
16 or had sought to get more deeply involved and could
17 not or just no involvement at all?

18 A. No involvement at all.

19 Q. Did you work with Mr. Ray on this?

20 A. No. I mean, I may have like told
21 him.

22 Q. Yeah. So I guess more generally,

1 did you work with Mr. Ray on the takings issue
2 generally?

3 A. Oh, yes. Yes. Yes.

4 Q. And did Mr. Evans work on that matter?

5 A. No.

6 Q. With you?

7 A. No. I mean, as a Manatt --

8 Q. As a Manatt?

9 A. No. No. No. It was always me and
10 John Ray, yeah.

11 Q. And Mr. Ray never had any discussions
12 with you about, I wonder what Jack thinks about this?

13 A. No.

14 Q. Or getting Jack involved?

15 A. No.

16 BY MR. KOHLI:

17 Q. Did this gas station qualify for the
18 exemptions, those emergency exemptions?

19 A. No, it doesn't.

20 Q. This one did not. Okay.

21 And you might have actually already
22 answered this, but do you know why Evans wanted to

1 exempt specific gas stations? Do you have any sort
2 of idea?

3 A. The one in Georgetown?

4 Q. Yeah. Why did he want to specifically
5 exempt that one?

6 A. I think the developer went to Jack and
7 asked him to help him.

8 Q. So it was just specifically for one
9 developer?

10 A. Yeah.

11 Q. Through Jack?

12 A. Uh-huh. Yeah.

13 BY MR. FITZGERALD:

14 Q. You already touched on 20.

15 We're going to move to the lightening
16 round and just like touch on a couple of sort of
17 miscellaneous or emails that discuss sort of
18 miscellaneous issues and just try to briefly touch
19 on each of them.

20 So if you want to flip to Tab 21, it's
21 printed on both sides, but the last email is probably
22 the bottom most one, where you're asking Ms. Grant

1 about anything in Council Members Evans' office that
2 deals with the [REDACTED]. You're trying to gather
3 star institutional info on their rooftop [REDACTED]
4 bar?

5 A. Right.

6 Q. And then there is an exchange about
7 that. What was your interest in that institutional
8 knowledge or what was Manatt's interest here?

9 A. [REDACTED] was a client. We had a
10 client who was [REDACTED], so you
11 have to do a lot of due diligence.

12 So the Manatt partner had some
13 question about the [REDACTED]. I can't remember
14 the specifics. And I didn't know they had a [REDACTED]
15 [REDACTED] That's why I asked Sherri like, you know, Do
16 you know there's a [REDACTED]

17 So that's what the exchange was about.

18 Q. So [REDACTED] is the Manatt client?

19 A. Correct.

20 Q. And then is, what --

21 MS. BRESNAHAN: Well, the developer that
22 was going to buy it.

1 THE WITNESS: Right, the investor who
2 was going to buy [REDACTED].

3 MS. BRESNAHAN: It wasn't the present
4 owner. [REDACTED].

5 MR. FITZGERALD: [REDACTED].

6 THE WITNESS: Yes. Yes.

7 MR. FITZGERALD: Understood.

8 MS. BRESNAHAN: I guess it was a little
9 unclear.

10 BY MR. FITZGERALD:

11 Q. So the institutional knowledge that's
12 bolded and starred, what did you mean by that?

13 A. Like historical? Do you know, when
14 was [REDACTED], you know, set up? I mean, have they
15 been there? Yeah. So I didn't know there was [REDACTED]
16 so I thought I would ask them.

17 Q. Is there another source for that kind
18 of information, or why are you coming to Council
19 Members Evans' office to ask that question?

20 A. Because it's his Ward and Sherri is
21 the Ward liaison or the neighborhood liaison. That's
22 why the section that says, Ask Sherri, you know.

1 Because she would, if there are
2 community meetings at [REDACTED], Sherri
3 would be there, so she might know something. That's
4 all.

5 Q. Tab --

6 MR. FITZGERALD: Go ahead.

7 BY MR. KOHLI:

8 Q. I had one quick question.

9 Do you represent generally any other
10 hotel clients, and have those clients had interest
11 in taxation related to hotels, abatements or
12 incentives since 2014 until now?

13 A. We did some work for [REDACTED] up
14 in [REDACTED].

15 Q. And it was not related --

16 A. It was not tax abatement.

17 Q. It was not a tax abatement issue?

18 A. No.

19 Q. So have you represented any hotels in
20 connection with issues before the Council?

21 A. You mean general issues?

22 Q. Yeah. General issues before the

1 Council.

2 A. That [REDACTED] would be one of them
3 and --

4 Q. What was the issue before the Council?

5 A. It was to do with first source
6 compliance where the hotel owner has to hire --
7 like the employees, more than 55 percent have to
8 be D.C. residents. So that was --

9 Q. Do you know when that was?

10 A. It was just a couple years ago.

11 Q. Was Evans at Manatt when you guys were
12 doing that? Is that the empowerment zones?

13 A. No. That's not empowerment.

14 Q. No? Different?

15 A. First source is a local, sort of a tool
16 to guarantee employment for D.C. residents in like
17 Ward -- who live in the Ward, you know? So yeah.
18 No, I don't think Jack was involved, yeah. And it's
19 in Ward 1, so he -- anyway.

20 Q. Well, yeah. If it was in Ward 1,
21 maybe he wouldn't have been involved at like
22 the introducing stage, but don't all these bills

1 eventually come before the Council and then everyone
2 sort of votes on it?

3 A. No. This first source was sort
4 of a, it's not a bill. It's sort of like an
5 administrative, regulatory compliance issue where
6 you have to, you know, like submit lists of
7 employees, where they live, D.C., Ward 1, to the
8 Department of Employment Services that you have
9 kept your, you know, in good faith, that you have
10 tried to do that.

11 And I think [REDACTED] was a little
12 short or they were counting, you know, like it
13 was just a big sort of mess. And we tried to sort
14 of get -- help them clean up the reports and all
15 that.

16 Q. So what did the Council have to do
17 with that, with [REDACTED]? You said it
18 was like an administrative issue, but then you also
19 said it was an issue before the Council, so I'm just
20 a little confused.

21 A. Some like residents who did not get
22 hired would go to the Ward 1 Council Member and said,

1 You know, I wasn't hired by [REDACTED], you know,
2 and tried to make it an issue.

3 And then the Ward 1 Council Member
4 would try to get involved. Because, you know, it's
5 their constituents.

6 Q. Okay. So this is like related more so
7 to a constituents services activity?

8 A. Right.

9 Q. Rather than --

10 A. Right. Right.

11 Q. -- legislation --

12 A. Right. Yeah.

13 Q. Or legislative action?

14 A. Yeah. Yeah.

15 Q. That makes sense.

16 MR. KOHLI: We can keep going.

17 MR. FITZGERALD: Thank you.

18 BY MR. FITZGERALD:

19 Q. Tab 22. November 2015 you're emailing
20 with Ruth, again, Ms. Werner. There's an attachment
21 that she -- actually -- excuse me -- Ms. Werner
22 starts the email exchange with you, says Council

1 Member Evans will introduce today -- technically CE.

2 A. Right.

3 Q. Do you understand that to mean Council
4 Member Evans?

5 A. Uh-huh.

6 Q. And then the attachment --

7 MR. KOHLI: This isn't an attachment.
8 It's just, this is just the bill --

9 THE WITNESS: The notice. Yeah.

10 MR. FITZGERALD: Oh. All right.

11 MR. KOHLI: There was no actual
12 attachment. I just put them at the same time.

13 BY MR. FITZGERALD:

14 Q. Okay. The title of the proposed
15 legislation that Council Member Evans is introducing
16 that day is the accessible for higher vehicle --

17 A. Right.

18 Q. -- tax credit amendment act. I have
19 learned that the Council's legislation is really, it
20 just rolls off the tongue. I think the titles --

21 A. It's basically a tax credit for
22 taxicabs. Yeah.

1 Q. For accessible for hire. So that's just
2 any taxicab or is it --

3 A. Just taxicab.

4 Q. -- disability accessible or there's no
5 special requirements?

6 A. Yeah. Accessible. If you have, like if
7 your taxicab is equipped to transport people with
8 wheelchairs, yeah, you would get a tax credit.

9 Q. You would get a special tax credit?

10 A. Yeah. Uh-huh. Yeah.

11 Q. Do you know why? Or what was Manatt's
12 interest here? Why did Ms. Werner alert you that he
13 was going to be introducing this legislation that
14 day?

15 A. Because we used to represent the
16 [REDACTED], who owns a taxicab company.

17 Q. And that's the [REDACTED] that I think
18 you were referencing maybe in --

19 A. Right. Yeah. I was --

20 Q. -- the back.

21 A. Yeah.

22 Q. Where you'll let the [REDACTED] know?

1 A. I will let the [REDACTED] know.

2 Q. And so November 2015, again, that's
3 after Council Member Evans has started at Manatt,
4 correct?

5 A. Uh-huh.

6 Q. And were there any discussions on that
7 one? Were Council Members' staffers aware that he
8 was working at Manatt at this point? Do you recall
9 any discussions with them?

10 A. On this?

11 Q. Just generally. After he started at
12 Manatt, were there any, did you have any discussions
13 with Ruth or with Schannette or anybody on his staff
14 about, The Council Member is now an employee at
15 Manatt.

16 Did they have any concerns? I know you
17 didn't have any discussions internally at Manatt, but
18 did you have any discussions with them about, you
19 know, We're going to need to insulate the Council
20 Member from --

21 A. No.

22 Q. -- optics issues or anything?

1 A. No.

2 BY MR. KOHLI:

3 Q. Just to be clear, you said that they
4 were a client, but were they not a client at the
5 point when this email was sent; do you know?

6 A. Right. Yeah. So we helped the
7 ██████████ with some matter I can't remember, and
8 then we closed out the matter.

9 So at this point in time, November 2015,
10 no. They weren't -- yeah, we weren't doing work for
11 them.

12 Q. Did you do any work for them afterwards
13 or since then?

14 A. No. It would be prior to.

15 Q. It would all be prior to?

16 A. Yeah. Yeah.

17 Q. Okay.

18 BY MR. FITZGERALD:

19 Q. Did you represent them on the
20 accessible -- I mean, he was, you mentioned that
21 ██, owned --

22 A. Taxicab.

1 Q. -- a taxicab company.

2 A. Yes.

3 Q. So is this piece of proposed legislation
4 what you had represented them on, or why were you
5 letting a former client know about this piece of
6 legislation?

7 A. We did try to, we did try to sort
8 of -- because -- so it's like a quota, I think, set
9 forth by either the Mayor or the Council that for a
10 fleet of taxis, so many has to be, you know, WAC,
11 which is Wheelchair Accessible Cabs.

12 So we thought the number was too high,
13 and that's what -- that was a matter that we
14 represented.

15 And then of course, when you do things
16 like that and then you compromise and you have a
17 reasonable sort of quota, so that was the end of
18 it.

19 Q. So is that what the accessible for
20 hire vehicle tax amendment, is that what that was
21 addressing, was reducing the quota?

22 A. No. No. This is something Jack wants

1 to sort of help. Because to convert a regular taxi,
2 first you have to buy like a truck, basically. And
3 then you have to like modify the truck to have the
4 ramps and all that. So it's not like a, you know,
5 a cheap vehicle.

6 So he was, I think he was, you know,
7 that's my opinion, he was trying to give them a tax
8 credit to motivate them to help convert some of the
9 taxis into WAC.

10 Q. Right. Understood. Did Manatt
11 represent other --

12 A. No.

13 Q. -- taxicab companies at this time?

14 A. Nope.

15 Q. So the only taxicab or anybody that
16 would have benefited by this legislation that you
17 had represented were the [REDACTED]?

18 A. Right.

19 Q. And they were no longer a client?

20 A. Correct.

21 Q. And so, and this legislation wasn't
22 specifically geared towards fixing the issue that

1 you represented the [REDACTED] on? Is that right?

2 A. Correct.

3 Q. So then why were you forwarding or why
4 were you going to let the [REDACTED] know that this
5 was getting introduced?

6 A. Why not? It's a tax credit for -- it's
7 just a sort of FYI, you know. Yeah.

8 Q. Was it like a business development?

9 A. Yeah. Yeah. Yeah. Client development.
10 Yep.

11 Q. Tab 23, please. I guess one last
12 question on that. So did you let any, did you email
13 any other taxicab company owners about that piece of
14 legislation?

15 A. No. Just [REDACTED].

16 Q. Just [REDACTED]

17 A. Uh-huh.

18 BY MR. KOHLI:

19 Q. Whenever you do send an email like that,
20 what does that email kind of look like? Does it just
21 say like Client Alert, the D.C. Council passed a
22 piece of legislation and it's a tax abatement that

1 will impact your business?

2 Is that what it says or does it say
3 anything else?

4 A. What was the question now?

5 Q. What would that client outreach, so what
6 would the email or notification indication that you
7 sent to [REDACTED] about this legislation look
8 like, is my question?

9 A. Okay. It would be like, FYI, this bill
10 was introduced by the Council. Put this on your
11 radar, yeah.

12 Q. Put this on your radar?

13 A. Yeah.

14 Q. That's all it would say?

15 A. Yeah.

16 Q. It wouldn't solicit any sort of business
17 after that or Manatt wouldn't sort of take any credit
18 for that piece of legislation?

19 A. No. No.

20 BY MR. FITZGERALD:

21 Q. Tab 23, please. This is just an email
22 from Charity Garrett, who I believe is Mr. Ray's

1 executive assistant; is that right?

2 A. Yeah. She's our assistant, yeah.

3 Q. And it's to Mr. Ray and to Mr. Evans
4 and to you, and the subject is Client Listing.

5 A. Uh-huh.

6 Q. And then we do not have the attachment
7 for that, but can you just describe what the client
8 listing was?

9 A. Yeah.

10 Q. What its purpose was?

11 A. The client listing is something kept by
12 Charity, and so it would have, you know, as you know,
13 client numbers, matter numbers. So she would update,
14 you know, if we closed out a matter or if we have a
15 new client matter, same client but different matter,
16 so she would update. It's just an internal document,
17 and she would send it out so we would know how to
18 bill correctly. That's all.

19 Q. So are these sent out periodically?

20 A. Yeah. When she updates it.

21 Q. Does she update it monthly or weekly?

22 I'm just curious, because it's shortly after

1 Mr. Evans joined Manatt, about, I don't know,
2 like two months, three months after he joined
3 Manatt.

4 So is this some sort of FYI document
5 to Mr. Evans that, These are our clients, so that
6 he can relay that information to his people at the
7 Council to -- conflicts or otherwise?

8 Or is this just a periodic
9 administrative document that is routinely issued
10 in the ordinary course to Manatt attorneys?

11 A. It would be the latter.

12 Q. The latter. Again, can you just
13 ballpark generally, like do you recall Mr. Evans
14 being copied on those from Charity routinely with
15 you?

16 A. I think when he was at the firm, he
17 would be copied, yeah.

18 BY MR. KOHLI:

19 Q. And those would contain your clients
20 and Ray's clients?

21 A. Right.

22 Q. And Evans' clients, if he had any?

1 A. Yeah. If he brought in any, correct.

2 Q. So presumably, if Evans looked at that,
3 he could see what clients you were representing?

4 Would that also include maybe the
5 issues that you were representing them on, as well?
6 Like how detailed is the client listing?

7 A. No, it's not detailed at all.

8 Q. It's not detailed at all?

9 A. Yeah. It's just client numbers and
10 name.

11 Q. And names.

12 A. Yeah.

13 Q. Okay.

14 BY MR. FITZGERALD:

15 Q. Do you recall ever seeing a client
16 on an updated listing that Mr. Evans brought in to
17 Manatt?

18 A. Yeah. Uh-huh.

19 Q. What clients did he bring in?

20 A. The Forge Company.

21 Q. Forge?

22 A. Uh-huh.

1 Q. Any others that you recall?

2 A. That's the only one I remember, because
3 I worked on it. Yeah.

4 Q. Oh. So you did work on that one?

5 A. Yeah. Uh-huh.

6 Q. And did you work on that one with
7 Mr. Evans or what did you do on that matter?

8 A. No. This one was mostly my work.
9 We did some government monitoring for
10 the Forge Company. So I would go to the legislative
11 session, look at the logs of introductions and any
12 bill --

13 Q. At the City Council?

14 A. Right. Either in the chamber or go
15 to the secretary's office and get the log of
16 introduction, and I would look at it and if there's
17 sort of things that might be of interest to my
18 client, the Forge Company, I would give him a
19 heads-up, you know, FYI. Yeah.

20 Q. So just sort of passive monitoring?

21 A. Right.

22 Q. Newsletter type work product?

1 A. Right.

2 Q. What sorts of things were you pulling
3 to flag for Forge?

4 A. Mostly on like tax, you know, any new
5 taxes, you know, any tax credit for this and that.
6 Yeah. Any rollback in corporate tax, yeah.

7 Q. And so besides Forge, do you recall
8 any other clients that Mr. Evans brought in?

9 A. Yeah. I think only Forge that I worked
10 on.

11 Q. And so I guess just my general question,
12 and you may not know, but if you don't recall seeing
13 any clients besides Forge that Mr. Evans brought in
14 and you were working with Mr. Ray on Mr. Ray's
15 matters --

16 A. Right.

17 Q. -- and you never rubbed elbows with
18 Mr. Evans on any of Mr. Ray's matters, what was
19 Mr. Evans doing for Manatt?

20 A. I don't know. He was just there.

21 Q. I think we're pretty close to being
22 done, if you've got a few more minutes.

1 MS. BRESNAHAN: You do talk fast. It's
2 good.

3 MR. FITZGERALD: I'm sorry?

4 MS. BRESNAHAN: You talk fast. It's
5 great.

6 MR. FITZGERALD: I talk faster than you
7 thought I would?

8 MS. BRESNAHAN: Yeah. It's good.

9 MR. FITZGERALD: Of the remaining tabs,
10 what would you like to discuss?

11 MR. KOHLI: I think Tab 24 is a little
12 interesting. I just have like a couple of very brief
13 questions.

14 MR. FITZGERALD: Please. Please.

15 THE WITNESS: Uh-huh. Uh-huh.

16 BY MR. KOHLI:

17 Q. Tab 24, Werner forwards you the BSA
18 for that year, and I was wondering, did you have
19 any clients who had interest in the BSA that year?

20 Did you make any sort of recommendations
21 to Evans' committee about things that should be
22 included in the budget for -- let's see. This was

1 May 2016, so it would have been the 2017 budget.

2 A. No. This would be the fiscal year
3 budget and the supporting documents. So sometimes
4 they would forward me things like that, just FYI.
5 I mean, this is like hundreds of pages of documents.

6 Q. Yes. Do you remember at the time if
7 there was maybe like one discrete issue that you had
8 worked on or --

9 A. No.

10 Q. Not for this budget?

11 A. Not for this -- yeah. Fiscal year '17.

12 Q. Do you think we could go through just
13 the 2018 budget and then maybe the 2015 budget just
14 to see if we're missing anything?

15 Like do you remember for next year's
16 budget, that was May 2017, do you remember any issues
17 related to that that Manatt had clients with interest
18 in or that you worked on?

19 A. None that I can remember.

20 Q. The one for 2015, do you remember?

21 A. No. No. I don't.

22 MR. FITZGERALD: Why don't we go off

1 the record for one second.

2 (Recess at 3:06 p.m., resuming at
3 3:09 p.m.)

4 MR. FITZGERALD: We will go back on.
5 We're probably ten minutes from being
6 done, if that's all right.

7 MR. KOHLI: Yeah. Close to wrapping up.

8 MR. FITZGERALD: Resuming the interview
9 with Ms. Ang.

10 BY MR. KOHLI:

11 Q. Ms. Ang, if you can go to Tab 3, I think
12 the email starts -- yeah. It's just all this one
13 page. I think it starts with their email at 4:57
14 p.m. So you asked her about sort of a series of
15 taxes?

16 A. Uh-huh.

17 Q. And I was wondering if this was related
18 to any sort of Manatt representation.

19 A. No. It's not.

20 Q. So why would you be asking about this
21 information?

22 A. Because I was interested in the

1 individual tax exemption for myself.

2 Q. For yourself?

3 A. Yeah.

4 Q. And then did you maybe send any of this
5 information to any client?

6 A. No.

7 Q. Did not?

8 A. No.

9 Q. That's fine.

10 Could you go to Tab 26 really quick?

11 We'll just skyrocket through all this stuff.

12 A. 26.

13 Q. It says, Can you ping me a copy of the
14 agenda for the Nats Park billboard hearing that's
15 going on right now? Thanks so much.

16 A. Right.

17 Q. Was this related to any sort of Manatt
18 project?

19 A. No. It's not.

20 Q. This was not? Why were you asking about
21 it? Is it just something that you were interested
22 in?

1 A. Because it was very controversial, about
2 putting up signs near the stadium.

3 Q. That's fine. And then Tab 27 really
4 quick, I see Jack on the two East End bills waiving a
5 gazillion taxes, property, franchise, blah, blah,
6 blah, blah, for new anchor stores like Wal-Mart,
7 Target building in Ward 7 and Ward 8. Do you foresee
8 any action? Thanks.

9 Was this related to any Manatt
10 representation at the time?

11 A. No.

12 Q. What are the East End bills, do you
13 know?

14 A. End East bills were introduced by
15 Vince Gray to try to incentivize national anchors
16 to go set up shop in -- east of the river.

17 Q. And you didn't have any Manatt clients
18 or any --

19 A. No.

20 Q. -- representation in that?

21 A. No.

22 Q. And then we have sort of one final

1 question that we want to just get on the record.

2 So since Evans started in October of
3 2015 and then left Manatt in October of 2015 --

4 A. '17.

5 Q. Sorry. 2017, yeah -- if you could just
6 give us the list of issues that you lobbied the D.C.
7 Council on on behalf of Manatt clients, as best as
8 you can remember, every single issue that came before
9 the Council.

10 It could either have been legislation
11 or it could have been hearings or it could have even
12 been sort of constituent services, that kind of
13 stuff.

14 Because I believe you said you had
15 roughly 10 to 20 clients in that time, so I'm
16 wondering, was it 10 to 20 sort of discrete issues?
17 Was it more than that? Was it less than that?

18 A. It would be less than ten. It's
19 whatever legislation comes up, yeah.

20 So I think we talked about Randall
21 School tax abatement.

22 Q. Yeah.

1 A. We did that.

2 What else did we do? We have a, we
3 have [REDACTED]

4 [REDACTED] which I'm not at liberty to
5 sort of share, but it's one ongoing matter.

6 Supreme Council, the tax abatement.
7 It's still going on.

8 What else?

9 I think that's what I can recall, like
10 distinct matters.

11 Q. Anything in the budget support acts?

12 A. Not for the last two years.

13 Q. Not for the last two years? No
14 incentives or abatements that you can think of?

15 A. [REDACTED]
16 [REDACTED]
17 [REDACTED], so that was a pro bono
18 client. So we were trying to get some funding for
19 them in the BSA and that was working in conjunction
20 with Phil Mendelson.

21 Q. Did you make any recommendations to
22 Evans' committee about what you think should be in

1 the budget at any time? And did they ever make that
2 recommendation in the report?

3 A. Which recommendation?

4 Q. Like -- so in their recommendation and
5 report on the budget --

6 A. Right.

7 Q. -- that Evans' committee sort of gives
8 to the Council, did they include in that report
9 anything that you suggested --

10 A. No.

11 Q. -- from Manatt?

12 A. No.

13 Q. So nothing on behalf of any Manatt
14 client?

15 A. No.

16 Q. They put inside that recommendation?

17 A. Correct.

18 MR. KOHLI: I think we should be good on
19 almost everything.

20 BY MR. FITZGERALD:

21 Q. Did you help Council Member Evans put
22 together any client pitches, like client development

1 work?

2 A. No. No.

3 Q. Did you have any awareness of his
4 outside consulting entity that he formed while he
5 was working at Manatt, NSE Consulting?

6 A. I read a --

7 Q. Contemporaneous. I mean, you may have
8 subsequently --

9 A. I read about it in the papers.

10 Q. But you didn't know anything about it
11 at the time?

12 A. Correct.

13 Q. So there was no sort of, See if I can
14 bring NSE clients to Manatt?

15 A. Correct.

16 Q. The circumstances around his departure
17 from Manatt, do you recall what sort of precipitated
18 his leaving?

19 A. No, I don't. [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 MS. BRESNAHAN: Past managing partner.

1 THE WITNESS: Yeah. Past. Yep. So no.

2 BY MR. FITZGERALD:

3 Q. So you just, you don't recall there
4 being any sort of acrimonious or amicable departure?
5 It was more just he was gone one day and John Ray
6 told you that he had left?

7 A. Correct.

8 Q. Is there anything else that you think is
9 relevant to what we're trying to discuss here or to
10 the investigation, good or bad, in your view, that we
11 haven't touched on that you would like to get on the
12 record?

13 A. No. Nothing.

14 Q. Is there anybody else that we should
15 speak to at Manatt that may have relevant
16 information?

17 A. Nope.

18 Q. Then I don't think we have any further
19 questions.

20 So we appreciate you coming in. We
21 just ask that you keep the conversation confidential.
22 We'll do the same. And let us know if you think of

1 anything later. Sometimes having a conversation
2 jars your memory. I know we're talking about
3 stuff that happened four or five years ago in some
4 instances, so if you think of anything later, please
5 let us know.

6 THE WITNESS: I will.

7 MR. FITZGERALD: Thank you so much for
8 your time.

9 MR. KOHLI: Thank you so much.

10 THE WITNESS: Thank you both.

11

12 (Thereupon, at 3:16 p.m., the matter was
13 concluded.)

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