

**Ken Campos**

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**From:** Ken Campos  
**Sent:** Wednesday, June 17, 2020 11:18 AM  
**To:** Robert@RobertSilversteinLaw.com  
**Subject:** City of Inglewood Attorney-Client Privileged Documents  
**Attachments:** attachment 1.pdf; ATT00001.htm

Mr. Silverstein

Attached is the City of Inglewood's position on your use of the City's attorney-client privileged documents

A copy of the letter will also be mailed to you today

Ken Campos  
City Attorney



# CITY OF INGLEWOOD

One W. Manchester Boulevard, Suite 860, Inglewood, CA 90301-1750

## *Office of the City Attorney*

Kenneth R. Campos  
City Attorney

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June 17, 2020

Robert Silverstein  
215 North Marengo Avenue, 3<sup>rd</sup> Floor  
Pasadena, California 91101-1504  
Robert@RobertSilversteinLaw.com

### *VIA EMAIL AND MAIL*

Dear Mr. Silverstein:

The City of Inglewood demands that you immediately delete all copies, including any electronic copies, of legal invoices from the Remy Moose Manley law firm, which contain communications that are protected by the attorney-client communication privilege; the City also demands that you not disclose the contents of those materials, or quote from them or rely upon them in any way. These privileged materials were inadvertently posted to the City's website on May 15, 2020, and were withdrawn as soon as the City realized that they had mistakenly been posted. Inadvertent disclosure of privileged attorney-client material by the City does not waive the privilege. See, *Ardon v. City of Los Angeles* (2016) 62 Cal. 4th 1176. Anyone who looks at the materials would know immediately that they are privileged as they bear the heading "Confidential Attorney-Client Privileged" and were only inadvertently disclosed, and the fact that the City withdrew them from the website so quickly would make that obvious point even more clear. Yet you have apparently not only kept copies of these privileged materials, but you have made reference to them in correspondence to the City dated June 11, 2020, and June 16, 2020. Your actions are in violation of your professional ethics obligations, to say the least.

Your ethical obligation not to review or refer to them is well-established under California state law. See, e.g., *State Comp Ins. Fund v. WPS, Inc.* (1999) 70 Cal.App.4th 644, 656-657 (setting forth duty). If you do not confirm, in writing, that you will comply with your ethical obligations by destroying such materials and not referring to them again, the City will pursue all of its legal remedies, including but not limited to the right to disqualify you and your firm from representing anyone in connection with the various matters you have raised in recent correspondence with the City. See, e.g., *Clark v. Superior Ct.* (2011) 196 Cal.App.4th 37, 54-55 [upholding disqualification order where attorney improperly

reviewed inadvertently disclosed privileged documents and used them to “develop or support” his case]; see also *Rico v. Mitsubishi Motor Corp.* (2007) 42 Cal.4th 807, 817-818 [upholding disqualification order where attorney reviewed privileged materials then copied and disseminated them to its party’s experts].

We look forward to your prompt reply.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Pan". The signature is fluid and cursive, with the first name being more prominent.

Michael Pan  
Sr. Deputy City Attorney  
For City Attorney Kenneth R. Campos  
City of Inglewood