



October 30, 2020

## **MARIPOSA GAZETTE - LETTER TO THE EDITOR**

On October 29, 2020, the Mariposa Gazette released articles in regards to the recently proposed changes to the code enforcement ordinance in Mariposa County by the Board of Supervisors. The articles, written by Editor Greg Little, were not only misleading but included false information about our firm. Since we were not contacted and given the opportunity to provide an official statement, we are submitting this letter to the editor in response. The following is the correct and factual information related to our work with the County as well as the misleading and irrelevant case reference.

Silver & Wright LLP got involved with reviewing the Administrative Citation Ordinance after being asked by the County a few months ago. The ordinance had already been prepared internally by the County. The County's goals were to bring the ordinance into compliance with State law, make the process more fair and efficient, attempt to increase voluntary compliance, and reduce costs to taxpayers.

It's the County's ordinance, not the firms'. Other than assisting with reviewing, Silver & Wright LLP has no other role nor have they been asked to do anything else with it. In fact, the goal of the ordinance is to clarify the County's administrative procedures, give more notice and time to correct violations, and reduce the role of courts and lawyers altogether.

### **INDIO AND COACHELLA CASE REFERENCE**

- While Indio entered into a settlement, the City denied any wrongdoing, and none of the convicted defendants have been reimbursed anything out of the settlement.
- The cities had enhanced those cases to criminal violations due to the violators' lack of cooperation with law enforcement, which the Mariposa Administrative Citation Ordinance is intended to prevent.
- The relevant defendants were all convicted, were not charged prosecutions fees directly despite false reporting to the contrary, and Silver & Wright LLP was paid for its services by the cities regardless of case outcome or the cities' cost recovery. Pursuant to State law at the time, the cities were then authorized to seek recovery of the public funds that the public was forced to incur due to those convicted defendants' refusal to cooperate with the cities' nuisance abatement efforts.
- Two of the three claims in that case have been dismissed, and the cities settled their claims due to their desire not to incur significant costs to litigate the case, not because the law was against them. Those cities denied any wrongdoing, and Silver & Wright LLP refused to sign the settlements because the plaintiffs were wrong. These were the cities cases and policies, not ours, and as such was their decision it was how to resolve them, not ours. That case was about those cities seeking cost recovery in criminal nuisance abatement cases, which was later changed by the law. We were paid by the cities, not the defendants, regardless of the result of a case. Silver & Wright LLP does not do any criminal work for the County.
- The settlements didn't set aside their convictions, and those plaintiffs never even claimed they were innocent, which they weren't.

The false narratives that the Mariposa Gazette continues to push out regarding the Jerry Cox case and now Silver & Wright LLP's involvement with the code enforcement ordinance is not only unprofessional but slanderous. We ask that the Mariposa Gazette not only update and correct the information that has been published thus far but that they take the time to do research and fact-checking moving forward.