

# LOEVY & LOEVY

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Via Email and US Mail

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Via Email and US Mail

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Re: Demand for investigation into ethics violations by Chicago City Treasurer  
Melissa Conyers-Ervin and to remedy her retaliatory discharge of Tiffany Harper  
and Ashley Evans

Dear Sirs:

I write on behalf of my clients, Ashley Evans and Tiffany Harper, to ask that you initiate an investigation into the reasons for their termination from employment with the City of Chicago. We also request immediate reinstatement to an equivalent position and other relief to make them whole.

I believe that you are already familiar with the facts and circumstances at issue given your offices' respective involvement in the underlying events. On November 20, 2020, Treasurer Conyers-Ervin fired my clients by way of letters claiming that she was replacing them because of a "change in administration" and stating that their terminations were effective the same day. The reason given for firing them was a pretext as there was no change in administration (the Treasurer took office over a year prior) and neither Ms. Evans nor Ms. Harper had done anything remotely justifying their termination as evidenced by their stellar personnel files which we requested and received last week.

To the contrary, they are both model public servants with distinguished records and advanced degrees from prestigious universities who, before being fired, had only ever given long hours and excellent judgment working on behalf of Chicago's residents. They are precisely the sort of employees the City seeks to hire and retain, not terminate. In fact, when the firings were questioned in the public media, the Treasurer herself went on record and admitted that Ms. Evans and Ms. Harper served the City well and had done nothing wrong. Rather, she claimed that she

was taking the Treasurer's office in a "new direction," although she declined to specify what that means or why doing so necessitated firing my clients. We believe that this "new direction" explanation is a second instance of the Treasurer using pretext for what are illegal, retaliatory firings.

As you know, in the lead up to the termination, Treasurer Conyears-Ervin engaged in a pattern of disturbing conduct against the public trust, many of which violated City of Chicago ethics rules as well as state and federal law. Her consistent and pervasive practice has been to misuse City money, City employees and City resources to benefit her private interests as well as those of her friends and campaign supporters. My clients were not the only people in the office who recognized and were concerned about the Treasurer's misconduct, but they were often the most vocal in attempting to put a stop to it and the Treasurer's decision to fire them was the direct result. We are providing the following instances of misconduct as illustrations of the Treasurer's pattern of illegal conduct.

One way that the Treasurer misused City resources was by hiring candidates to fill positions for which they were not qualified and then using them to do personal work for her. An example of this occurred in the wake of Mayor Lightfoot's decision to remove the Treasurer's security detail as part of her policy to eliminate needless costs. After losing a public battle with the Mayor on this issue, the Treasurer hired an ex-CPD officer to fill the opening of Assistant to City Treasurer, a job that requires financial training and experience which the candidate was utterly lacking. This employee does not provide any services to the office and does not even come into the office. Rather he serves as a private armed security guard to the Treasurer and is her driver. Similarly, the Treasurer hired Gina Zuccaro for the Administrative Assistant position. Rather than fulfilling the duties of that role full-time, which Ms. Zuccaro is not qualified to do, the Treasurer uses her for personal services like running errands, planning her daughter's birthday party, grocery shopping and the like. The Treasurer also used City resources to support Ms. Zuccaro's run for the and Illinois House of Representatives seat by allowing her to campaign on City time. This misuse of hiring to obtain personal services and favor her allies is a pervasive problem, extending well past these two employees to numerous other employees and contractors.

The Treasurer has also been using City resources to advance the agenda of several churches and other religious organizations, many of which support her and her husband (Alderman Jason Ervin) politically and turn out church members to vote for their respective campaigns. These range from daily prayer events, to a series she called "panel and praise" (each highlighting a specific pastor of her choosing), to a massive event she called the "Back to School Citywide Prayer" in September of this year. All of these were organized and publicized using City resources and City employees on City time and appear to have served the Treasurer's campaigning efforts with her picking the pastors who supported her and the Alderman. For example, when told that she could not spend City money to promote religion, the Treasurer not only refused to stop the events but also insisted that she could handpick the prayer leaders (including her political supporters) rather than open the opportunity to all faiths, justifying it by saying that she wanted religious leaders who preached consistently with the Christian Bible.

Acting with the same disregard for the public trust, the Treasurer has also leaned on my clients and others in her office to make contentious demands of City contractors to benefit the Treasurer's friends and political supporters. One example was the Treasurer's attempts to force BMO Harris, one of the City's depository institutions and securities brokers, to give a mortgage to a third party on a building in which her husband maintains his aldermanic office. To use the Treasurer's words, the instruction was to "leverage" the City's banking relationship (meaning the fact that the City maintains hundreds of millions of dollars in deposits) to get a mortgage on the building.

In each of these situations, and multiple others, Ms. Evans and Ms. Harper counseled the Treasurer against engaging in these improprieties, informing her that her actions were illegal and unethical. The Treasurer consistently ignored these warnings, forcing my clients to refuse to participate and to make further reports of the matters inside the City. These reports have included: the office's Ethics Officer, the City's Chief Ethics Officer, the Inspector General's Office and the Law Department.

Many or all of these reports were known to the Treasurer when she made the pretextual decision to fire my clients including, for example, through direct meetings with the Law Department, the Treasurer and my clients over the Citywide Back to School Prayer. Similarly, prior to the pretextual firing, the Treasurer directly threatened my clients with this very sort of retaliation, making statements such as: they should not care if her plans are illegal since the only way they could lose their jobs is if she fires them, that they "will be walking the fuck up out of here" and that "this is [her] fucking office and [her] vision" and if they will not implement or direct other staff to implement her plans their "asses can walk" and words to similar effect.

Thus, the firing, unexplained by any reason other than a "new direction" for the Treasurer's office, followed these multiple instances of protected conduct and threats. The retaliation is clear, as is the corruption in the Treasurer's office. By contrast, my clients did the right thing and tried to get the Treasurer to follow the law and have stellar records and credentials. The inference of retaliation is inescapable.

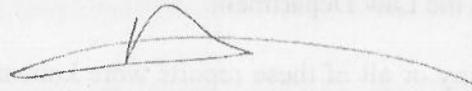
I provide the forgoing examples in order to orient your investigation rather than as an exhaustive list. Once the City commences a formal investigation in good faith, my clients will be happy to be interviewed and you can explore their knowledge more fulsomely. At this moment, what matters is the clear implication that Treasurer Conyears-Ervin has retaliated against my clients to hide and continue her own corrupt misconduct and that my clients are entitled to reinstatement. They should be immediately allowed to return to City employment, albeit in a different and non-hostile department, in equivalent roles.

To be clear, it is not our intention to wait for the City to investigate and adjudicate before pursuing my clients' rights under applicable laws. Ms. Evans and Ms. Harper deserve justice now. We will be filing suit under the Illinois Whistleblower Act, applicable federal laws, and the City's anti-retaliation ordinance, which we believe should provide a cause of action to employees unfairly terminated because of illegal conduct by their superiors. We also ask that you take immediate measures, if you have not done so already, to preserve all relevant documents. These would certainly include: both of my clients' complete email accounts;

communications between the Treasurer and either or both of my clients; communications to or from the Treasurer about any of the instances alleged in this letter; communications between the Treasurer and Monique Cook-Bey regarding either or both of my clients; and all documents concerning and communication with any person hired to replace the four individuals that the Treasurer fired on November 20 about the job opening or my clients. To be clear, the preservation request extends to all documents, including electronic documents (such as emails and texts), whether maintained on City or personal computers, City or personal phones, City or personal email accounts, or other equipment.

Thank you for your time and attention to this matter. Please feel free to contact me if you have any questions.

Sincerely,



Michael Kanovitz