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December 20, 2007

Elaine Hengen  
City Attorney

VIA FACSIMILE: 541-4710

**RE: Rachel Quintana**

Dear Ms. Elaine Hengen,

This fax is to document yesterday's events. The first issue I would like to address is the fact that you received the first complaint dated October 12, 2007. Therefore, on December 14, 2007, you had jurisdiction of the complaint against Ms. Quintana for approximately sixty-four (64) days.

On December 14, 2007, Friday afternoon, you advised Ms. Quintana she was scheduled to appear before the Ethics Review Commission on Thursday, December 20, 2007. That is four (4) business days to prepare.

On December 18, 2007, I was advised of the date you had forwarded to Ms. Quintana. I immediately contacted your office and spoke with your secretary, Sandra, that I was the attorney representing Ms. Quintana. I further advised her that I was out on medical leave and had filed the appropriate documentation with the Council of Judges on November 7, 2007.

Sandra advised me at that time (9:30 a.m.) that you were not able to accept phone calls, but she would speak with you regarding my inability to attend the hearing on December 20, 2007.

At 10:05 a.m., I again called your office only to be told that you were not accepting calls. I told your secretary that the very purpose of my call was to seek a continuance due to the fact that I had surgery less than a week ago, and I need to speak to the Chairman of the Ethics Review Commission.

Sandra stated that she had spoken with both of you, and that the Chairman instructed her not to release any information to me. I had requested information of the appropriate manner to file a Motion for Continuance.

I find it incredible that I have been refused any information on how to contact the Ethics Commission.

Your conduct clearly indicates that for whatever reason you will make no effort to ensure that justice is done, but quite the opposite. Your conduct clearly indicates that for whatever reason you harbor ill feelings against Ms. Quintana, and you are doing your best to have her removed from City Council.

It is regrettable that such important matters are being handled by a person with your level of indifference.

Therefore, let this letter serve as our notice that due to a lack of reasonable notice to my client and her attorney, we will not be attending the December 20, 2007 hearing.

Since I am unable to communicate with the Ethics Commission, please advise them I will be available to them anytime after January 3, 2008.

If you have any questions, please do not hesitate to contact me at my office.

Respectfully submitted,

  
Luis Aguilar

SG

C. Rachel Quintana  
Charles McNabb