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March 15, 2016

VIA CERTIFIED MAIL

Kevin M. Butler, Director of Law
City of Lakewood Law Department
12650 Detroit Avenue
Lakewood, Ohio 44107

Re: Public Records Requests – PRR1 to PRR173

Dear Law Director Butler:

This communication serves as both a public records request and documentation of the repeated failure of the City of Lakewood to comply with the Ohio Public Records Act.

Over the past 10 months, I have submitted over 100 public records requests to your public office. Under most circumstances, you and the City of Lakewood have failed to provide prompt copies within a reasonable period of time. Indeed, numerous requests have not been answered by the City of Lakewood at all. Those requests that have been answered routinely fail to comply with R.C. Chapter 149. As a result, I am reissuing all of my public requests, including additional requests, and copying the Ohio Attorney General's Office and the Ohio Auditor of the State to ensure that you and your public office properly respond to each of these requests in accordance with R.C. Chapter 149. Please note that I am also in the process of drafting additional public record requests that will be served upon you soon.

Provide the records responsive to each request to bjessi@sbcglobal.net in an electronic medium (i.e., WORD, PDF, XLS, etc.) and at no cost. **Where the request seeks correspondence or communications you must provide the actual correspondence or communication in an electronic medium.** Upon information and belief, the City of Lakewood has the practice of copying and pasting portions of a correspondence or communication rather than providing the actual document. Each request seeks, and you must provide, the actual correspondence or communication.

Please note that each item listed below is a distinct request, which is why they have been assigned separate PRR numbers. Your office must respond to each request separately and identify which records are responsive to each request – i.e., do not provide the records in a single disorganized fashion or “document dump” – as they have been assigned separate PRR numbers.

Please note that your standard, “We do not organize all records, documents, writings, drafts and notes based on _____” is not a valid denial of a public records request as

the statute requires your public office to give me the opportunity to revise the request by informing me how the City of Lakewood ordinarily maintains and accesses its records. R.C. 149.43(B)(2). You have not done so. Moreover, the City of Lakewood cannot simply refuse to produce public records because the requested public record is not kept within the walls of City Hall. For example, I am aware that the city employees and officials (including you as a prior city council member) use their personal and business email addresses to hold and create records while performing a public function for their public office and, as a result, those records are under the public office's jurisdiction and must be produced.

Where you believe the City of Lakewood has already responded to a specific records request, please identify the date that you believe your office responded to that request and provide a copy of the response, attaching the documents responsive to that request.

It cannot be overstated that the City of Lakewood must interpret the Ohio Public Records Act broadly in favor of disclosure in responding to these requests. Where the City of Lakewood denies any part of a public records request, the statute requires the City of Lakewood to give me the opportunity to revise the denied request, by informing me how the office ordinarily maintains and accesses its records. Thus, the Public Records Act expressly promotes cooperation to clarify and narrow requests that are ambiguous or overly broad, in order to craft a successful, revised request.

Where the City of Lakewood believes that any information in a public records request is exempt from the duty to permit public inspection or copying, the public office must either notify me of any redaction or make the redaction plainly visible. If a public record contains information that is exempt from the duty to permit public inspection or to copy the public record, the City of Lakewood shall make available all of the information within the public record that is not exempt. Therefore, your office may redact only that part of a record subject to an exception or other valid basis for withholding. In addition, if the City of Lakewood denies a request, in part or in whole, your public office must provide me with an explanation, including legal authority, setting forth why the request was denied.

As a failure to properly respond to the below public records requests may result in litigation, the City of Lakewood is put on notice that it has an absolute duty under both the Federal and Ohio Rules of Civil Procedure to preserve information that may be relevant to a lawsuit – including electronic information or data. A violation of this duty can result in severe sanctions, including the entry of a default judgment. Electronic information systems may automatically remove or delete information as routine functions of their operating system. While the Federal and Ohio Rules of Civil Procedure may prohibit a court from imposing sanctions if the electronically stored information is lost as a result of the routine, good-faith operation of the City of Lakewood's electronic information system, such a "safe haven" does not mean that the City of Lakewood is permitted to exploit this routine function to thwart its discovery obligations. To the contrary, whenever a duty to preserve information is imposed, as has been done now, intervention in the routine operation of an information system is an essential element of that obligation. By allowing the City of Lakewood to continue to destroy stored information that it is required to preserve, the City of Lakewood exposes itself to potentially severe sanctions. Simply stated, now that the City of Lakewood reasonably anticipates litigation it must suspend its routine document retention/destruction policy and put in place a "litigation hold" to ensure the preservation of relevant documents.

Below please find my public records requests, which your public office must respond to within a reasonable period of time. The requests are divided into two categories: (1) requests in which I will presume for purposes of this document that the City of Lakewood responded to the requests and, as a result, the documents do not need to be produced at this time and (2) requests in which the City of Lakewood has never responded to and/or has never properly responded to under the Public Records Act.

It is well settled that a 72 hour timeframe to respond would constitute “without delay” and “with reasonable speed.” To that end, I expect a complete response within 72 hours. The totality of the below public record requests are not new. The fact that you have failed to respond for up to 10 months does not create an undue burden on your part or the part of your public office. If the public records requests are not responded to within a reasonable period of time, I will have no choice but to seek mediation through the Ohio Attorney General’s public records mediation program or file an action in mandamus against your public office and/or yourself.

RECORDS WHICH DO NOT NEED TO BE PRODUCED AT THIS TIME:

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| PRR1 | A copy of the minutes from the April 27, 2015 City Council meeting. |
| PRR2 | Mayor Summer’s May 18, 2015 request for proposals or letter to Dr. Akram Boutros (“Dr. Boutros”) and/or the MetroHealth System (“MetroHealth”). |
| PRR3 | The “power point” presentation or proposal by MetroHealth to the LHA provided in September of 2014. |
| PRR4 | The 2nd Quarter LHA financial statements for the period ending June 30, 2015. |
| PRR5 | All audited financial statements of the LHA for the years 1990 through 2007. |
| PRR6 | The audited financial statements of the LHA for 2014. |
| PRR7 | The audited financial statements of the LHA for 2015. |
| PRR8 | The audited financial statements of the LHA for 2016. |
| PRR9 | All financial statements of the LHA for July 2015 and August 2015. |
| PRR10 | All records, notes, and communications – electronic or otherwise – indicating how and when the City of Lakewood, or any employee or official, came into possession of and posted to onelakewood.com the following electronic documents and records:

http://www.onelakewood.com/pdf/Lakewood%20Hospital/LHA/Subsidium%20Slides%20of%20.pdf . |
| PRR11 | The Subsidium Healthcare’s Lakewood Hospital Data Book. |

- PRR12 The "Lakewood City Council Committees of the Whole Considering the Letter of Intent."
- PRR13 All records, notes, and communications – electronic or otherwise – relied upon by Mayor Summers in his October 2015 campaign flier that the City of Lakewood has "added 75 new businesses and more than \$80 million in private investment since I've been mayor."
- PRR14 All records, notes, and communications – electronic or otherwise – identifying the 75 businesses referred to in the October 2015 campaign flier distributed by Mayor Summers.
- PRR15 All records, notes, and communications – electronic or otherwise – relied upon by Mayor Summers in his October 2015 campaign flier that "it will require an enormous tax on residents just to keep outdated Lakewood Hospital open."
- PRR16 The Title Commitment dated November 13, 2015 referred to in Section 5(b) of the FHC Site Sale Agreement.
- PRR17 All records, notes, and communications – electronic or otherwise – relating to the "lot split/consolidation plat," including drafts referred to in the footnote on page G-1 of the FHC Site Sale Agreement.
- PRR18 All records, notes, and communications – electronic or otherwise – relating to the relocation of City Hall, or any function of City Hall, to the Lakewood Hospital site and/or to a central location in downtown Lakewood.
- PRR19 All records, notes, and communications – electronic or otherwise – relating to the relocation of City Hall or any function of City Hall.
- PRR20 All records, notes, and communications – electronic or otherwise – distributed or in the possession of any Lakewood City employee or official at the meeting held on February 27, 2016, and known as a "retreat."
- PRR21 All records, notes, and communications – electronic or otherwise – created or taken by any Lakewood City employee or official at the meeting held on February 27, 2016, and known as a "retreat."
- PRR22 All correspondence and communications – electronic or otherwise – by or among any Lakewood City employee or official regarding planning the meeting held on February 27, 2016, and known as a "retreat."

RECORDS WHICH MUST BE PRODUCED:

- PRR23 All records, notes, and communications – electronic or otherwise – signed by Mayor Mike Summers ("Mayor Summers"), Former City Council President Mary Louise Madigan ("Madigan"), and/or Councilmember Tom Bullock ("Bullock")

in which they agreed to keep any information or trade secrets of the Lakewood Hospital Association ("LHA") private.

- PRR24 All records, notes, and communications – electronic or otherwise – signed by Mayor Summers, Madigan, and/or Bullock regarding the LHA.
- PRR25 All records, notes, and communications – electronic or otherwise – signed by Mayor Summers, Madigan, and/or Bullock in which they agreed to keep any information or trade secrets of the Cleveland Clinic Foundation or Cleveland Clinic (collectively, "Cleveland Clinic") private.
- PRR26 All records, notes, and communications – electronic or otherwise – signed by Mayor Summers, Madigan and/or Bullock regarding the Cleveland Clinic.
- PRR27 All records, notes, and communications – electronic or otherwise – signed or agreed to by Mayor Summers, Madigan and/or Bullock as trustees of the LHA including, but not limited to, the Cleveland Clinic Code of Conduct, or any similar document.
- PRR28 All records, notes, and communications – electronic or otherwise – provided by the LHA to Mayor Summers, Madigan, and/or Bullock by the LHA from May 4, 2015, to the present.
- PRR29 All correspondence and communications – electronic or otherwise – between or among Mayor Summers and Michael Meehan ("Meehan") that refers or relates to Mayor Michael Summers' May 18, 2015 letter to Dr. Boutros and/or MetroHealth.
- PRR30 All correspondence and communications – electronic or otherwise – between or among Mayor Summers and Meehan.
- PRR31 All correspondence and communications – electronic or otherwise – between or among Mayor Summers and any employee of The Cleveland Clinic Foundation that refers or relates to Mayor Summers' May 18, 2015 letter to Dr. Boutros and/or MetroHealth.
- PRR32 All correspondence and communications – electronic or otherwise – between or among Mayor Summers and any employee of The Cleveland Clinic Foundation from January 1, 2015, to the present.
- PRR33 All correspondence and communications – electronic or otherwise – between or among Mayor Summers and any individual that refers or relates to Mayor Michael Summers' May 18, 2015 letter to Dr. Boutros and/or MetroHealth.
- PRR34 All records, notes, and communications – electronic or otherwise – relating the "power point" presentation or proposal by MetroHealth to the LHA provided in September of 2014.

- PRR35 All quarterly or other financial reports, of any kind or nature, audited or unaudited, for the LHA for the period of January 1, 2014, to the present.
- PRR36 The materials and handouts provided by the LHA to Mayor Summers, Madigan, and/or Bullock at any LHA trustee meeting from January 1, 2015, to the present.
- PRR37 The materials and handouts provided by the LHA to Mayor Summers, Madigan, and/or Bullock from January 1, 2015, to the present.
- PRR38 Any and all notes or recordings made by Mayor Summers, Madigan, and/or Bullock during any LHA trustee meetings from January 1, 2015, to the present.
- PRR39 All records, notes, and communications – electronic or otherwise – relating to the resignation of Joseph Gibbons (“Gibbons”) as a trustee of the LHA.
- PRR40 All records, notes, and communications – electronic or otherwise – relating to any individual(s) considered as a candidate or successor to Gibbons.
- PRR41 All records, notes, and communications – electronic or otherwise – relating to landscaping design plans prepared by David Stein (“Stein”), or any business owned or operated by Stein, concerning the Lakewood Hospital property or any future plan involving the Lakewood Hospital.
- PRR42 All records, notes, and communications – electronic or otherwise – relating to landscaping design plans prepared by Stein, or any business owned or operated by Stein.
- PRR43 Any contract, agreement, or understanding with Stein, or any business owned or operated by Stein, concerning landscape design plans for the Lakewood Hospital property or any future plan involving the Lakewood Hospital.
- PRR44 All correspondence and communications – electronic or otherwise – between or among Stein and any employee or official of the City of Lakewood from December 1, 2015, to the present.
- PRR45 All correspondence and communications – electronic or otherwise – between or among Mayor Summers and any representative of the City of Rocky River (“Rocky River”) that refer or relate to the transportation of patients, or the failure to transport potential patients, to the Lakewood Hospital, Fairview Hospital, Lutheran Hospital, or any other local area hospital from January 1, 2015, to the present.
- PRR46 All correspondence and communications – electronic or otherwise – between or among Mayor Summers and any representative of Rocky River from January 1, 2015, to the present.

- PRR47 All correspondence and communications – electronic or otherwise – between or among Mayor Summers and any representative of the City of Fairview Park (“Fairview Park”) that refer or relate to the transportation of patients or failure to transport potential patients to Lakewood Hospital, Fairview Hospital, Lutheran Hospital, or any other local area hospital from January 1, 2015, to the present.
- PRR48 All correspondence and communications – electronic or otherwise – between or among Mayor Summers and any representative of Fairview Park from January 1, 2015, to the present.
- PRR49 All correspondence and communications – electronic or otherwise – between or among Mayor Summers and any representative of the City of Cleveland that refer or relate to the transportation of patients or failure to transport potential patients to Lakewood Hospital, Fairview Hospital, Lutheran Hospital, or any other local area hospital from January 1, 2015, to the present.
- PRR50 All correspondence and communications – electronic or otherwise – between or among Mayor Summers and any representative of the City of Cleveland from January 1, 2015, to the present.
- PRR51 All correspondence and communications – electronic or otherwise – between or among Mayor Summers and any Lakewood Hospital Service Area paramedic, EMS, or emergency response providers that refer or relate to the transportation of patients or failure to transport potential patients to Lakewood Hospital, Fairview Hospital, Lutheran Hospital, or any other local area hospital from January 15, 2015, to the present.
- PRR52 All correspondence and communications – electronic or otherwise – between or among Mayor Summers and any Lakewood Hospital Service Area paramedic, EMS, or emergency response providers from January 15, 2015, to the present.
- PRR53 The visitor log and/or any related log that documents which individual(s) visited Mayor Michael Summers’ office from January 1, 2015, until the present.
- PRR54 All records, notes, and communications – electronic or otherwise – indicating how and when the City of Lakewood, or any employee or official, came into possession of and posted to onelakewood.com the following electronic documents and records:

<http://www.onelakewood.com/pdf/Lakewood%20Hospital/LHA/Subsidium%20Slides%201%20of%202.pdf>.
- PRR55 All records, notes, and communications – electronic or otherwise – relating to Subsidium slides, letters, reports, emails, and documents that have not posted on onelakewood.com.
- PRR56 The Cleveland Clinic’s 2014 Shared Administrative Service Allocation (Lakewood Brief) Presentation.

- PRR57 All records, notes, and communications – electronic or otherwise – relating to the Cleveland Clinic’s 2014 Shared Administrative Service Allocation Presentation.
- PRR58 The Cleveland Clinic’s LHA 2014 Administrative Services Details and Allocation Methodology Excel File.
- PRR59 All records, notes, and communications – electronic or otherwise – relating to the Cleveland Clinic’s LHA 2014 Administrative Services Details and Allocation Methodology Excel File.
- PRR60 All records, notes, and communications – electronic or otherwise – relating to the Subsidiary Healthcare’s Lakewood Hospital Data Book.
- PRR61 The patient day data for the fiscal years December 31, 2010, through 2014, and the year-to-date period ending June 30, 2015.
- PRR62 The Subsidiary Healthcare’s Lakewood Hospital Association Board of Trustees Strategic Options Evaluation Process, dated January 12, 2015.
- PRR63 All records, notes, and communications – electronic or otherwise – relating to the Subsidiary Healthcare’s Lakewood Hospital Association Board of Trustees Strategic Options Evaluation Process, dated January 12, 2015.
- PRR64 All records, notes, and communications – electronic or otherwise – relating to key performance metrics for the Lakewood Hospital for the year-to-date period ending November 30, 2013, and the fiscal year ending December 31, 2014.
- PRR65 All records, notes, and communications – electronic or otherwise – relating to any claim by the Cleveland Clinic that it does not have a general obligation to fund operating losses for the LHA or Lakewood Hospital.
- PRR66 All correspondence and communications – electronic or otherwise – between or among the law firm of Thompson Hine (“Thompson Hine”) and the Huron Consulting Group (“Huron Consulting”), or their representatives, regarding the Lakewood Hospital.
- PRR67 All correspondence and communications – electronic or otherwise – between or among Thompson Hine and Huron Consulting, or their representatives, regarding Thompson Hine’s engagement as attorneys for the City of Lakewood.
- PRR68 All records, notes, and communications – electronic or otherwise – relating to any interviews of representatives of the LHA conducted by Thompson Hine.
- PRR69 All records, notes, and communications – electronic or otherwise – relating to any interviews of representatives of the LHA conducted by Huron Consulting.

- PRR70 All records, notes, and communications – electronic or otherwise – relating to any interviews of representatives of the Cleveland Clinic conducted by Thompson Hine.
- PRR71 All records, notes, and communications – electronic or otherwise – relating to any interviews of representatives of the Cleveland Clinic conducted by Huron Consulting.
- PRR72 Any confidentiality agreement(s) signed by Huron Consulting, or any of its representatives, relating to proprietary or confidential documentation provided by the Cleveland Clinic regarding specific fees incurred and the allocation of those fees with respect to the LHA or Lakewood Hospital.
- PRR73 All records, notes, and communications – electronic or otherwise – relating to any confidentiality agreement(s) signed by Huron Consulting, or its representatives, relating to proprietary or confidential documentation provided by the Cleveland Clinic regarding specific fees incurred and the allocation of those fees with respect to the LHA or Lakewood Hospital.
- PRR74 All records, notes, and communications – electronic or otherwise – relating to any confidentiality agreement(s) signed by Huron Consulting, or its representatives.
- PRR75 All records, notes, and communications – electronic or otherwise – relating to documentation provided by the Cleveland Clinic to Huron Consulting regarding specific fees incurred and the allocation of those fees with respect to the LHA or Lakewood Hospital.
- PRR76 All records, notes, and communications – electronic or otherwise – reviewed by Huron Consulting in preparing the Huron Report.
- PRR77 All records, notes, and communications – electronic or otherwise – relating to clinical and administrative service fees that are incurred by the Cleveland Clinic and allocated to the Lakewood Hospital.
- PRR78 All records, notes, and communications – electronic or otherwise – relating to clinical and administrative service fees that are direct costs incurred by the Cleveland Clinic and allocated to the Lakewood Hospital.
- PRR79 All records, notes, and communications – electronic or otherwise – relating to any informed consent given by Mayor Summers, the City of Lakewood, Lakewood City Council, or any member of City Council to Law Director Kevin Butler (“Law Director Butler”).
- PRR80 All records, notes, and communications – electronic or otherwise – relating to any informed consent given by Mayor Summers, the City of Lakewood, Lakewood City Council, or any member of City Council to Law Director Butler regarding the case of *Graham v. City of Lakewood*, Cuyahoga No. CV-15-846212 (Judge O’Donnell).

- PRR81 All records, notes, and communications – electronic or otherwise – relating to any informed consent, confirmed in writing, given by Mayor Summers, the City of Lakewood, Lakewood City Council, or any member of City Council to Law Director Butler with respect to the 2010 ordinance/resolution.
- PRR82 All records, notes, and communications – electronic or otherwise – relating to any informed consent given by Mayor Summers, the City of Lakewood, Lakewood City Council, or any member of City Council to Law Director Butler with respect to allegations against Mayor Summers for conspiracy.
- PRR83 All records, notes, and communications – electronic or otherwise – relating to any engagement letter concerning representation of the City of Lakewood and/or Mayor Summers by Thompson Hine or any lawyer employed by Thompson Hine.
- PRR84 All records, notes, and communications – electronic or otherwise – relating to any conflict of interest concerning the representation of the City of Lakewood and/or Mayor Summers by Thompson Hine or any lawyer employed by Thompson Hine.
- PRR85 All records, notes, and communications – electronic or otherwise – relating to any informed consent, and/or waiver of a conflict of interest concerning the representation of the City of Lakewood and/or Mayor Summers by Thompson Hine or any lawyer employed by Thompson Hine.
- PRR86 All records, notes, and communications – electronic or otherwise – relating to legal bills presented to the City of Lakewood by Thompson Hine from January 1, 2015, to the present.
- PRR87 All records, notes, and communications – electronic or otherwise – relating to any records of payment of legal bills presented to the City of Lakewood by Thompson Hine from January 1, 2015, to the present.
- PRR88 All records, notes, and communications – electronic or otherwise – relating to any conflict of interest concerning representation of the City of Lakewood and/or Mayor Summers by any law firm or any lawyer concerning the case of *Graham v. City of Lakewood*, Cuyahoga No. CV-15-846212 (Judge O'Donnell).
- PRR89 All records, notes, and communications – electronic or otherwise – relating to any informed consent or waiver of a conflict of interest concerning representation of the City of Lakewood and/or Mayor Summers by any law firm or any lawyer concerning the case of *Graham v. City of Lakewood*, Cuyahoga No. CV-15-846212 (Judge O'Donnell).
- PRR90 All records, notes, and communications – electronic or otherwise – relating to any legal bills presented to the City of Lakewood by any lawyer or law firm concerning the case of *Graham v. City of Lakewood*, Cuyahoga No. CV-15-846212 (Judge O'Donnell) from April 14, 2015, to the present.

- PRR91 All records, notes, and communications – electronic or otherwise – relating to any records of payment of legal bills presented to the City of Lakewood by any lawyer or law firm concerning the case of *Graham v. City of Lakewood*, Cuyahoga No. CV-15-846212 (Judge O'Donnell) from April 14, 2015, to the present.
- PRR92 All records, notes, and communications – electronic or otherwise – relating to the engagement letter or contract with Hennes Communications, or any other public relations or consulting firm, from January 1, 2015, to the present.
- PRR93 All records, notes, and communications – electronic or otherwise – relating to any services rendered or bills or charges for services rendered to the City of Lakewood by Hennes Communications, or any other public relations or consulting firm or public relations person, from January 1, 2015, to the present.
- PRR94 All records, notes, and communications – electronic or otherwise – relating to any records of payment of bills or charges for services rendered to the City of Lakewood by Hennes Communications, or any other public relations or consulting firm or public relations person, from January 1, 2015, to the present.
- PRR95 All records, notes, and communications – electronic or otherwise – relied upon by Mayor Summers in drafting his “State of the City” addresses.
- PRR96 All records, notes, and communications – electronic or otherwise – related to businesses that have closed or left Lakewood since Mr. Summers has been mayor.
- PRR97 Any draft, signed, or unsigned agreement or proposal concerning the Lakewood Hospital that was, or may have been, discussed, approved, or agreed to by the LHA, or any committee of the LHA, and/or the Cleveland Clinic on November 30, 2015.
- PRR98 All records, notes, and communications – electronic or otherwise – related to any agreements concerning the Lakewood Hospital discussed, approved, or agreed to by the LHA or any committee of the LHA.
- PRR99 All records, notes, and communications – electronic or otherwise – related to any agreements concerning the Lakewood Hospital discussed, approved, or agreed to by the Cleveland Clinic.
- PRR100 Any draft, signed, or unsigned agreement or proposal concerning the Lakewood Hospital that was, or may have been, discussed, approved, or agreed to by the LHA, or any committee of the LHA, and/or the Cleveland Clinic during the week of November 29, 2015.
- PRR101 Any draft, signed, or unsigned agreement or proposal concerning the Lakewood Hospital that was, or may have been, the subject of the Lakewood City Council Meeting held on December 7, 2015.

- PRR102 Any draft, signed, or unsigned agreement or proposal concerning the Lakewood Hospital that was, or may have been, discussed, approved, or agreed to by the LHA, or any committee of LHA, and/or the Cleveland Clinic during the week of December 6, 2015.
- PRR103 All correspondence and communications – electronic or otherwise – from Surgical Development Partners to the City of Lakewood, its employees, or officials, concerning the Lakewood Hospital and/or 850 Columbia Road from November 23, 2015, through November 30, 2015.
- PRR104 All correspondence and communications – electronic or otherwise – from Surgical Development Partners (SDP) to the City of Lakewood, its employees, or officials.
- PRR105 All records, notes, audio recordings or records of conversations between Mayor Summers and any representative of SDP.
- PRR106 All records, notes, audio recordings or records of any conversations between Tom Bullock and any representative of SDP
- PRR107 All records, notes, and communications – electronic or otherwise – delivered to Lakewood City Councilmembers on December 6, 2015.
- PRR108 All records, notes, and communications – electronic or otherwise – relating to the “survey,” including drafts, referred to in the footnote on page G-1 of the FHC Site Sale Agreement.
- PRR109 The appraisal reflecting the “appraised value in the Summer of 2015” referred to in paragraph 5(d) of the “Key Highlights of Master Agreement” distributed by Law Director Butler at the City Council on December 7, 2015.
- PRR110 All records, notes, and communications – electronic or otherwise – reflecting valuation or appraisals of assets used in the operation of the Lakewood Hospital belonging to the LHA and/or the City of Lakewood.
- PRR111 All liability insurance policies covering the City of Lakewood and its officials for losses incurred from January 1, 2011, to the present date.
- PRR112 All liability insurance policies covering Mayor Summers, Mary Madigan and Tom Bullock as required by the Master Agreement.
- PRR113 All correspondence and communications – electronic or otherwise – between or among any Lakewood City employee or official and First American Title Company, or its employees, concerning the planning and/or preparation for the transactions contemplated by the FHC Site Sale Agreement including the Lot Split Approval.

- PRR114 All correspondence and communications – electronic or otherwise – between or among any Lakewood City employee or official and First American Title Company, or its employees.
- PRR115 All correspondence and communications – electronic or otherwise – between or among any Lakewood City employee or official and any Cuyahoga County employee or official concerning the planning and/or preparation for the transactions contemplated by the FHC Site Sale Agreement including the Lot Split Approval.
- PRR116 All correspondence and communications – electronic or otherwise – between or among any Lakewood City official or employee, the LHA, any LHA trustee, and any LHA employee or official concerning Section 9.9 of the 1996 Lease between the LHA and City of Lakewood.
- PRR117 All audio and/or video records of Mayor Summers' February 24, 2016 State of the City speech.
- PRR118 All notes, drafts and the final copy of Mayor Summers' February 24, 2016 State of the City speech.
- PRR119 All power point slides shown during Mayor Summers' February 24, 2016 State of the City speech.
- PRR120 All correspondence and communications – electronic or otherwise – between or among Law Director Butler, Mayor Summers, Bullock, Paul Colarusso ("Colarusso"), and/or John Bodine ("Bodine") from January 1, 2015, to the present.
- PRR121 All correspondence and communications – electronic or otherwise – from and/or to Law Director Butler from January 1, 2015, to the present.
- PRR122 All correspondence and communications – electronic or otherwise – from and/or to Mayor Summers from January 1, 2011, to the present.
- PRR123 All correspondence and communications – electronic or otherwise – from and/or to Bullock from January 1, 2015, to the present.
- PRR124 All correspondence and communications – electronic or otherwise – from and/or to Colarusso from June 1, 2015, to the present.
- PRR125 All correspondence and communications – electronic or otherwise – from and/or to Bodine from June 1, 2015, to the present.
- PRR126 All records, notes, and communications – electronic or otherwise – relating to invoices and time records submitted by Huron Consulting.

- PRR127 All records, notes, and communications – electronic or otherwise – relating to engagement letters or contracts with Huron Consulting.
- PRR128 All records, notes, and communications – electronic or otherwise – relating to any representation by the LHA, or any representative of the LHA, regarding bankruptcy.
- PRR129 All correspondence and communications – electronic or otherwise – by the LHA, or any representative of the LHA, to any Lakewood City official or elected leader regarding public bidding, listing, requests for proposal, and/or marketing of any or all of the assets used in connection with the Lakewood Hospital.
- PRR130 All correspondence and communications – electronic or otherwise – by any Lakewood City employee or official regarding bidding, listing, requests for proposal, and/or marketing concerning the Lakewood Hospital or any or all of the assets used in the conduct of Lakewood Hospital.
- PRR131 All correspondence and communications – electronic or otherwise – in which the LHA, or any representative, responded to any communication requesting that the LHA conduct a bidding, listing, request for proposal and/or marketing concerning the Lakewood Hospital or any or all of the assets used in the conduct of the Lakewood Hospital.
- PRR132 All records, notes, and communications – electronic or otherwise – concerning the LHA filing for bankruptcy or the potential thereof.
- PRR133 All records, notes, and communications – electronic or otherwise – relating to plans, drawings, financial analysis, costs analysis, and other analysis of the costs and expenses of City Hall operations and/or relocation of City Hall operations.
- PRR134 All records, notes, and communications – electronic or otherwise – relating to financial or performance results for the LHA from October 1, 2015, to the present. This request includes all records, notes, and communications – electronic or otherwise – in the files of Law Director Butler, Thompson Hine, its attorneys, and Mr. Cahill who were all agents of the City.
- PRR135 The “log” or other record used by the City of Lakewood to track and record the names and dates of persons making public records requests and the dates of the responses to those requests for the period of January 1, 2008, through February 8, 2016.
- PRR136 All correspondence and communications – electronic or otherwise – from Madigan to Mayor Summers concerning “campaign” mode that is referred to in Madigan’s email of March 25, 2015.
- PRR137 All correspondence and communications – electronic or otherwise – from Madigan to Mayor Summers from January 1, 2015, to the present.

- PRR138 All correspondence and communications – electronic or otherwise – from Mayor Summers to Madigan from January 1, 2015, to the present.
- PRR139 All meeting minutes of Lakewood City Council, including special meetings and committee meetings, from October 1, 2010, through March 31, 2011.
- PRR140 Mayor Summer's complete personnel file.
- PRR141 Law Director Butler's complete personnel file.
- PRR142 All records, notes, and communications – electronic or otherwise – relating to any preemptory bids received by the City of Lakewood, its employees, or officials.
- PRR143 All records, notes, and communications – electronic or otherwise – that discuss or evaluate whether the City of Lakewood had an obligation to conduct a public bidding process with respect to the Lakewood Hospital.
- PRR144 All records, notes, and communications – electronic or otherwise – that discuss or evaluate any private bidding process with respect to the Lakewood Hospital conducted by an entity other than the City of Lakewood.
- PRR145 All records, notes, and communications – electronic or otherwise – relating to any public, private or other selection process with respect to future lessees, future owners or future delivery of health services with respect to the Lakewood Hospital or the LHA.
- PRR146 All records, notes, and communications – electronic or otherwise – that that reflect a contractual relationship with the consulting firm Subsidiary and the City of Lakewood.
- PRR147 All records, notes, and communications – electronic or otherwise – that reflect a confidential or non-disclosure relationship with the consulting firm Subsidiary and the City of Lakewood.
- PRR148 All records, notes, and communications – electronic or otherwise – relating to any authorization by any City of Lakewood employee or official for Subsidiary to represent itself as acting on behalf of the City of Lakewood with respect to the Lakewood Hospital or its programs and services or assets.
- PRR149 All records, notes, and communications – electronic or otherwise – that reflect any request for proposal(s) issued by the City of Lakewood with respect to the Lakewood Hospital or the LHA.
- PRR150 All records, notes, and communications – electronic or otherwise – that reflect the drafting or preparation for any request for proposals with respect to the Lakewood Hospital or the LHA.

- PRR151 All records, notes, and communications – electronic or otherwise – that reflect the development of guidelines or criteria for any request for proposals with respect to the Lakewood Hospital or the LHA.
- PRR152 All records, notes, and communications – electronic or otherwise – that reflect any review by any City of Lakewood employee or official of any proposal received by Subsidium in response to any request for proposal(s) issued by Subsidium related to the Lakewood Hospital or the LHA, its programs, services, or assets.
- PRR153 All records, notes, and communications – electronic or otherwise – that reflect any review by any individual or entity of any proposal received by Subsidium in response to any request for proposal issued by Subsidium related to the Lakewood Hospital or the LHA, its programs, services, or assets.
- PRR154 All records authorizing Subsidium to issue the Preliminary Memorandum on behalf of the City of Lakewood to any party.
- PRR155 All records, notes, and communications – electronic or otherwise – that reflect any review by any individual or entity of any proposal received by Subsidium in response to the Preliminary Memorandum issued by Subsidium related to the Lakewood Hospital or the LHA, its programs, services, or assets.
- PRR156 All records, notes, and communications – electronic or otherwise – that reflect any review by any City of Lakewood employee or official of any proposal received by such employee or official with respect to the Lakewood Hospital, its programs, services, or assets.
- PRR157 All records, notes, and communications – electronic or otherwise – regarding discussions, meetings or negotiations between any City of Lakewood employee or official with Subsidium.
- PRR158 All records, notes, and communications – electronic or otherwise – regarding discussions, meeting, or negotiations between any City of Lakewood council member with Subsidium.
- PRR159 All records, notes, and communications – electronic or otherwise – regarding discussions, meetings or negotiations between any City of Lakewood employee or official with the LHA, its board members, the Cleveland Clinic Foundation, and/or its board members or trustees, related to the Lakewood Hospital or LHA.
- PRR160 All records, notes, and communications – electronic or otherwise – regarding discussions, meetings, or negotiations between any City of Lakewood council member with the LHA, its board members, the Cleveland Clinic, and/or its board members or trustees, related to the Lakewood Hospital or LHA.

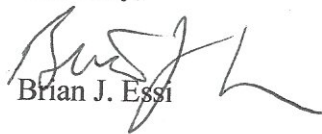
- PRR161 All records, notes, and communications – electronic or otherwise – in which any party to the Master Agreement discusses whether any of the parties are required to file a Hart-Scott-Rodino pre-merger filing notice.
- PRR162 All records, notes, and communications – electronic or otherwise – in which any party to the Master Agreement discusses whether any of the parties are not required to file a Hart-Scott-Rodino pre-merger filing notice.
- PRR163 All records, notes and communications—electronic or otherwise—regarding preemptory bids issued by any person or entity which preemptory bids relate to Lakewood Hospital and were communicated to or received by the City of Lakewood or any elected or public official of the City of Lakewood. For purposed of this request, the term “preemptory bids” shall have the meaning described by Mayor Summers in the public record:
<https://youtu.be/SyRzqzOuFGA?t=1h12m9s>
- PRR164 All records and communications –electronic or otherwise--from LHA and/or the Cleveland Clinic to the City of Lakewood on or after January 1, 2015 through the present containing a certificate of Authorized Lessee Representative stating that to the best of his/her knowledge, the Lessee (LHA) and the Member (The Cleveland Clinic Foundation) are in compliance with all the material terms and conditions of of the Lease and Definitive Agreement.
- PRR165 All records and communications – electronic or otherwise – of the March 23, 2015 email from Madigan to Law Director Butler showing the email account of all recipients of that email. Note this email was produced to me on March 10, 2015.
- PRR166 The email Madigan sent to “Mike” as referenced in her March 24, 2015 email.
- PRR167 All records, notes and communications by Bullock to any person regarding the Colarusso email responses of September 29, 2015, at 5:10 p.m.
- PRR168 All records and communications – electronic or otherwise – of the signed Master Agreement and all ancillary agreements signed by any city official regarding the execution or performance of the Master Agreement.
- PRR169 The blue attachment to Law Director Butler’s email to me dated December 9, 2015, at 7:46 p.m., that begins with the title “246692676....” and is unreadable in the format sent. Please resend in a readable format.
- PRR170 Law Director Butler’s email to me dated December 9, 2015, at 7:46 p.m., produced part of an email that begins with the phrase: “Thank you, Mr. Sossi. We appreciate your efforts to fill in the blanks in your client’s initial correspondence.” Produce a complete copy of that email including all records and communications –electronic or otherwise— of all parties Law Director Butler copied on that email and records of who Law Director Butler may have forwarded that email to.

- PRR171 All records and communications – electronic or otherwise – between and among Law Director Butler and Jeff Huntsberger (“Huntsberger”).
- PRR172 All records and communications – electronic or otherwise – between and among Thompson Hine and Huntsberger.
- PRR173 All records and communications – electronic or otherwise – between and among Law Director Butler and Meehan.

As I am requesting these public records in an electronic medium, no charge can be levied for the instant public records requests as a matter of law. If the requested records cannot be transmitted in an electronic format, you must provide an explanation as to why they cannot be transmitted in the preferred format.

Thank you for your kind attention to this request. Your cooperation is greatly appreciated.

Sincerely,


Brian J. Essi

cc: Ohio Attorney General Mike DeWine, Public Records Unit
(mediation@ohioattorneygeneral.gov)
Ohio Auditor of State Dave Yost, Open Government Unit (ogu@auditor.state.oh.us)
Mike Summers, Mayor (mike.summers@lakewoodoh.net)
Dru Siley, Director of Planning and Development (dru.siley@lakewoodoh.net)
Sam O’Leary, President of Council (sam.oleary@lakewoodoh.net)
David W. Anderson, Vice-President of Council (david.anderson@lakewoodoh.net)
John Litten, Councilmember (john.litten@lakewoodoh.net)
Dan O’Malley, Councilmember (dan.omalley@lakewoodoh.net)
Thomas Bullock, Councilmember (tom.bullock@lakewoodoh.net)
Cindy Marx, Councilmember (ryan.nowlin@lakewoodoh.net)
Ryan Nowlin, Councilmember (ryan.nowlin@lakewoodoh.net)