

January 20, 2017

Via Email

Office of Administrative Hearings, AdministrativeHearingOffice@abc.ca.gov

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Re: Alcoholic beverage license protest hearing - Jamul Indian Village Development Corporation, San Diego Gaming Ventures, LLC dba Hollywood Casino Jamul

Date: Nov. 16-17, 2016

File No. 47-562483

Reg. 16084762

To the Administrative Hearing Office and All Counsel:

As the attorney of record in this matter for Glenn Revell, Marcia Spurgeon, and other protestants at the hearing, please note my clients' demand below in light of the shocking revelation and recusal by Chief Judge John Lewis. The conduct of the Department head, Ramona Prieto, as well as other members of the top levels of the executive branch of state government reasonably and severely undermines public confidence that the Department's judiciary is acting without interference from the Department head and the executive branch. This is so, notwithstanding the brave and honorable act of Chief Judge Lewis in recusing himself and disclosing the communication. The attempt to influence a Judge on a pending matter is outrageous and serious. It has severely damaged my clients and has prejudiced the proceedings.

My clients make, without limitation, the following demands:

- 1) Full reimbursement for the additional attorney fees and costs caused by the Dept.'s outrageous conduct – in an amount as yet not fully determined;
- 2) Appointment of a fully independent judge agreed upon by counsel for all parties (the selection of such judge shall not be limited to ABC judges);
- 3) That the hearing remain closed to further testimony, except as is subject to the tribal jurisdictional issues that were the subject of the post-hearing briefing (the Department and Licensee should not benefit with another "bite of the apple" from the Department's own wrong-doing);
- 4) That the independent judge's hearing of the matter be limited to the use of the transcript and exhibits from the hearing of November 16 & 17, 2017; and

- 5) Such other relief as may be warranted – including but not limited to further discovery, or an independent investigation, regarding the nature and extent of communications from, to, and within the executive branch of government (including the ABC and other departments) concerning this application, hearing, and incident. Accordingly, you are reminded and requested to preserve all relevant evidence and communications, whether written, recorded, or electronic.

This matter cannot be treated as a routine recusal nor as an accidental event. It was a clear and deliberate attempt to improperly influence a judge on a pending decision in a matter in which the Dept. was an adverse party. The communication was made by the chief executive of the Department, carrying with it all the power and threat of that office.

Very truly yours,
NORTON, MOORE, & ADAMS
A Limited Liability Partnership

s/William A. Adams

By: William A. Adams