

I thank this Honorable Council for the opportunity to speak. As City Attorney, I will address Councilman Kerley's concerns. But it would be neither considerate nor polite to speak of Councilman Souza in the third person before this Council as though he was not seated in his rightful place before us as he is this afternoon. Therefore, I will also address you, Councilman Souza. There were only two participants in our exchange following the adjournment of the meeting last Tuesday night, and therefore only you and the City Attorney know the content of that exchange.

Immediately following the adjournment of our regular City Council meeting last Tuesday, Councilman Souza asked me if I and/or my family take vacations with Mr. Millard Oakley. His question caught me off guard and I took it personally, which was my mistake. What this question has to do with City business is unknown to me, but, out of courtesy and an effort to be responsive to your request, I am, in my capacity as City Attorney, answering as follows, with the permission of Mr. Oakley.

Mr. Oakley and I do not, per se, vacation together. However, he is a client and a good friend, and I do take trips with Mr. Oakley, though I have never taken a trip with him in my capacity as City Attorney. Most every trip I take with Mr. Oakley has a business component, and the nature, objective and location of those trips, and business conducted, are not things that I am at liberty to share with anyone, even this Council, unless Mr. Oakley wants to disclose the same. To disclose such private and personal information would be (a) disrespectful to Mr. Oakley; (b) a breach of confidence; (c) an unethical encroachment upon the attorney-client privilege; and (d) the subject matter of any of our trips has nothing to do with City business. There is no aspect of the relationship between Mr. Oakley and me, either individually or in my capacity as City Attorney, that gives rise to a conflict under the Supreme Court Rules of the State of Tennessee or under the Code of Ethics of the City of Crossville with regard to any city business, including the Interchange Park transaction.

With regard to the Interchange Park transaction, I, as City Attorney, did not negotiate that transaction or develop the terms of the transaction. I merely documented what had already been negotiated by others, pending, of course, Council approval.

The contents of our discussion, (City Attorney and Councilman Souza), regarding potential liability are attorney-client privileged, and I will not speculate on them publicly. The City Attorney has never threatened to sue any Councilman—the City Attorney is trying to prevent the City from being sued.

I cannot recall every word of our conversation, but to the extent that I was disrespectful or a misunderstanding ensued, I take responsibility for the same. Ethics laws do not

prevent multiple clients, and there are some things I am free to relate to you and some things that are privileged or are confidential. Further, as City Attorney, my duty is to protect the City, not just from judgment after a suit is filed, but, where possible, from actions or statements that may lead to liability.

I state on the record and publicly that there is no aspect of the relationship between anyone and me, either individually or in my capacity as City Attorney, that gives rise to a conflict under the Supreme Court Rules of the State of Tennessee or under the Code of Ethics of the City of Crossville with regard to any city business, including the Interchange Park transaction, the acquisition of this building for City Hall, the airport purchase, or anything else. Further, I recall no conflicts, either past or present, (which have not been previously disclosed), that would hinder this Office from fulfilling its duties as City Attorney.

I love our City. In my few travels to places around the world, I am always ready to get back to our mountain city where I was born and raised. The Office of City Attorney looks forward to working with our entire Council to continue moving Crossville forward in every positive way. It is an honor to serve as City Attorney, and I thank the Council for the opportunity to serve.