

## EMAIL

On Dec 1, 2009, at 2:08 PM, Bob Phibbs <Bob@PhibbsLaw.com> wrote:  
Tiffany,

As I mentioned to you on the telephone last week, there has again been an obvious misunderstanding regarding your issues with the District and my ability to represent you. I have previously informed you and will reemphasize that my office will provide representation to you if you are the subject of a formal investigation that could lead to discipline. I understood, based on our phone conversation November 18<sup>th</sup>, that Chris Eley was conducting such an investigation. Your subsequent e-mails and fax made it clear that the investigation Eley was conducting on behalf of the District was regarding your on-going allegations against management and other employees.

As I have previously point out, the very broad scope of your allegations could result in the necessity of me representing a fellow member of the San Joaquin Mosquito Employees Association. As I pointed out to you in my letter dated March 23, 2009, my role as counsel to the Association does not include me serving as your advocate if you believe you are being discriminated against or harassed by a fellow employee. It is your responsibility to report the allegations to management and it is management's obligation to fully and fairly investigate your allegations. There would be a clear conflict of interest if disciplinary action was initiated against a fellow Association member and I was serving as your advocate.

Based upon the above, I must avoid a potential conflict of interest and not serve as your advocate or provide you legal advice regarding your on-going complaints.

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