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July 30 2010

Sent via e-mail and U.S. Mail

Mr. Andrew T. Rees
Council Attorney
Tulsa City Council
175 East Second Street, Fourth Floor
Tulsa, Oklahoma 74103

Re: Council Meeting of July 29, 2010

Dear Drew:

I have been informed of yesterday's Council meeting. On behalf of Mayor Bartlett I am making the following statements to you and the Council in the clearest of terms:

1. Initially, it is beyond belief that you would continue to provide advice to the City Council and try to facilitate baseless criminal action against the Mayor and his Chief of Staff. You are intentionally avoiding the fact that the City Attorney's Office (of which you are a part) has recused from this matter entirely. Also, you conveniently neglect to recognize that the City Council's lack of direction results directly from the fact that all of their conduct with respect to the Laffin investigation has been *outside the provisions of the City Charter*. Had the Mayor been allowed (as required by the Charter) in the Council's private meeting, the Mayor could have cleared up any misunderstanding and none of this would have occurred. The Council's role is specifically to investigate the grant process – not the Mayor. There is absolutely no proof that the Mayor nor Terry Simonson "lied". In fact the evidence is to the contrary, and the only fabrication is the Council's irresponsible and unsupported allegations of "lying". To accuse Mayor Bartlett of lying is reprehensible;

2. There is no "Council Attorney" provided for by the City Charter or otherwise by law, and you are continuing to act in violation of the City Charter. You have, without explanation, failed to respond to my letter of July 28, 2010, which establishes, as a matter of law, that you purport to hold the position of "Council Attorney" as a result of a sham transaction occurring in the year 2003. Please respond to the June 28 letter immediately *in a factual manner*;

3. Because the Council and you have been acting outside of the City Charter in respect to Executive Sessions, purported “criminal” investigations, and referral to the Attorney General, the Mayor and his Chief of Staff have claims against the Councilors and you for slander *per se*, libel *per se*, and malicious prosecution;

4. Your advice with respect to the appointment of a Special Prosecutor is both unauthorized and reflective of the malicious and reckless nature of actions taken by the City Council and yourself. This has direct relevance to potential claims for actual and punitive damages which Mr. O’Meilia and I must necessarily consider;

5. There is no basis for the Attorney General of the State of Oklahoma to have any involvement in this matter, and as an attorney and representative of the City Attorney of the City of Tulsa you should (i) know that simple fact as a matter of municipal law, and (ii) be cognizant of the distraction your are causing to the City of Tulsa and now the State of Oklahoma. This proposition of the City Council – that the Attorney General should become involved in the appointment of a so-called special prosecutor and intervene in purely municipal affairs is (a) outside of any authority granted by the City Charter or under state law; (b) reflects a total lack of appreciation of the fundamental concept of due process of law; and (c) establishes once again reckless disregard for the legal rights of Mayor Bartlett and Terry Simonson to remain free of defamation.

By this letter I am specifically requesting that you immediately advise Mr. O’Meilia and me of any oral or written communication with the Attorney General of the State of Oklahoma. If they exist, any documents or e-mails should be provided to us immediately. You have our e-mail addresses so immediate production should not present any undue difficulty.

You, and the Council’s representative Terry Laflin, have intentionally failed to respond to repeated requests by Mr. O’Meilia and myself for the documents which purportedly “support” the Laflin Report. By your failure to do so, which is inexplicable, you, the City Council and Mr. Laflin have deprived Mayor Bartlett and Terry Simonson of the most basic constitutional right of due process of law. It is apparent that these actions by you and the City Council are deliberate, motivated by a malicious and vindictive intent, and are designed to harm the Mayor and his Chief of Staff.

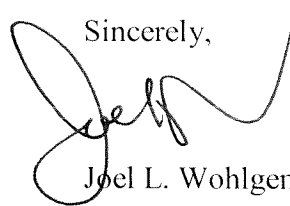
The Mayor has repeatedly expressed his desire to move the City of Tulsa forward in a manner which is responsive to the needs of its citizens. For political and personal reasons, the Council is obstructing that process, violating the Open Meeting Act, defaming the Mayor and his Chief of Staff, wasting resources, and creating impediments to the real business of this City.

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The Mayor has agreed to defer litigation pending the collaborative efforts of Judge Joyner and Justice Boudreau, acting as pro bono mediators. The existing state of affairs, created by the petty and irresponsible actions of you and the Council, must change.

Please respond to the inquiries presented in the letter immediately and demonstrate to the citizens of Tulsa your and the City Council's commitment to the rule of law. Also, let us know when you are going to fulfill the instruction to City Attorney Dexter to recuse from further proceedings. If you are going to continue to defy that instruction, let us know that as well.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joel L. Wohlgemuth', with a large, stylized flourish extending to the right.

Joel L. Wohlgemuth

JLW:nab

cc: The Honorable Dewey F. Bartlett, Jr. *(via e-mail)*
David O'Meilia *(via e-mail)*
Deirdre O. Dexter, City Attorney *(via e-mail)*