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July 20, 2021

VIA EMAIL and FIRST-CLASS U.S. MAIL

C-FAIRR
c/o Mario R. Gonzales, Chairperson

Tucson, AZ

C-FAIRR
c/o Soaring Hawk

Tucson, AZ

C-FAIRR
c/o Luis A. Gonzales

Tucson, AZ

Tel #:

Re: Request for Information / Demand for Preservation of Evidence

Messrs. Gonzales, Gonzales, and Soaring Hawk:

We represent Pima Community College (“PCC”) in connection with its ongoing efforts to investigate the allegations raised in C-FAIRR’s June 25, 2021 report titled, “A Failure of Governance at Pima Community College” (the “Report”). You and C-FAIRR (collectively hereinafter, “You” and its variations) are, of course, welcome to contact PCC and its representatives directly, but please direct Your response to this correspondence to my attention.

PCC initially began investigating the allegations in the Report months before its receipt of same (through, as You reference, independent counsel/investigator) and, to date, has not uncovered evidence supporting many of the Report’s core allegations. As such, we write to enlist Your assistance and request that You produce the evidence upon which You relied on to reach certain conclusions, as it appears to be missing from the Report. To that end, we ask You provide responses, identify individuals with relevant knowledge, and/or provide any documentation in Your possession, custody, or control in relation to:

1. Your claim that Jim Knutson’s emails to Dr. David Bea, the Executive Vice Chancellor for Finance and Administration, requesting Trane be selected for the subject process under a “state-issued contract”, which PCC ultimately rejected, were inappropriate and/or indicative of a tainted procurement process;

2. Your claim that the subject RFP’s terms were tailored to assist Trane in the procurement process. PCC’s investigation to date indicates the subject RFP is generic and similar to other comparable requests. PCC would appreciate understanding the specific basis for Your belief that the subject RFP was tailored for the alleged improper purposes;

3. Your claim that Luke Alm and Brice May both heard from Jim Knutson that he authored the subject RFP;
4. Your belief that Trane and/or Jim Knutson actually influenced the drafting or review of the subject RFP;
5. Your belief that it was improper or unusual for Dr. Bea to be involved in the development and management of the subject RFP process; and
6. Your claim that certain PCC administrators wanted to ensure Trane won the bid on the subject RFP given that, if they so desired such outcome, those PCC administrators could have achieved it using the no-bid “state-issued contract” process.

Please provide responses to the foregoing no later than July 30, 2021. PCC is taking Your allegations seriously and wants to conduct a thorough investigation that considers all relevant information.

Please note the Report contains serious allegations that undermine PCC and reflect poorly not just on the college, but also on certain PCC officials and private actors. It is certainly Your right to shine light on issues that are of public concern, and that relate to the administration of PCC and its procurement processes, but we caution You that PCC is in receipt of communications from non-PCC employees indicating objections to Your “findings”, the bases for same, and the supposed retention of counsel to defend against purported defamatory/baseless statements in the Report.

PCC takes no position with respect to such potential claims against You, but considering such asserted claims, PCC requests that You make immediate arrangements to preserve and protect all information and documents (in hard copy, electronic, or any form whatsoever) relating to or arising from the Report and/or Your communications with any person or entity in connection with same. See Souza v. Fred Carries Contracts, Inc., 191 Ariz. 247 (Ct. App. 1997). This request encompasses all Your physical files, electronic files, computers, servers, backups, drives or disks of any variety or kind, and/or other media storage devices of Yours including, without limit, phones, iTunes accounts and/or iTunes backups, email accounts, and social media accounts (*e.g.*, Facebook, Twitter, etc.).

I look forward to hearing from You before the deadline set forth above. I also appreciate Your anticipated assistance so PCC may conduct a thorough and complete investigation into these serious allegations.

Sincerely,

Farhang & Medcoff, PLLC

Tim Medcoff

Timothy M. Medcoff

LAW OFFICES OF
LAWRENCE Y. GEE, PLLC

August 3, 2021

Lawrence Y. Gee, Esq.

Cindy Avechuco
Legal Assistant

VIA REGULAR MAIL AND EMAIL

Tim Medcoff, Esq.
Farhang & Medcoff
100 S. Church Avenue, Suite 100
Tucson, AZ 85701

Re: *Mario Gonzales, Luis Gonzales and Soaring Hawk*
Request for Information and Demand for Preservation of Evidence

Dear Tim:

My firm represents Messrs. Gonzales, Gonzales and Dr. Hawk regarding your letter of July 20, 2021, demanding information and preservation of information from my clients. Initially, it is clear that you and PCC (collectively hereinafter "You" or "Your") are trying to stifle my clients' First Amendment rights by threatening a lawsuit by certain individuals You do not represent.

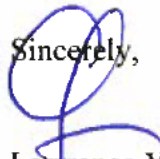
In addition, my clients hereby decline Your request/threat/demand to assist in Your investigation.

Next, Your letter contains a number of factual errors that my clients decline to elaborate on.

Finally, my clients decline Your demand regarding any documentation. However, all the documentation cited in my clients writings are in Your possession.

Thanks again. If you have any other questions or comments regarding the above, please feel free to call me anytime.

Sincerely,


Lawrence Y. Gee
For the Firm

LYG/ca

cc: clients