

# **Exhibit 8**

City of Pensacola  
Firefighters Investigation - Schmitt & Glover  
B&L File #2532-70646

NOTES

On Friday, January 29, 2016, I was invited to a meeting at City Hall where I was asked to conduct an investigation related to the Chief and Deputy Chief for the Pensacola Fire Department. Present for the meeting included Eric Olsen, Dick Barker, Keith Wilkins, Rusty Wells, Ed Sisson, and Rob Larkin, the attorney the City had retained to handle EEOC claims related to the Fire Department. The Mayor attended the later part of the meeting. The decision was made to place the Chief and Deputy Chief on Administrative Leave with pay pending the completion of the investigation.

On Tuesday, February 2, 2016, I was informed that both the Chief and Deputy Chief had been informed by Keith Wilkins that an investigation would be begun and while that investigation was ongoing they would be placed on administrative leave with pay. Ed Sisson sent me a courtesy copy via email of the signed administrative leave with pay notices emailed them at 11:04 am on February 2. In the meantime, to begin the investigation, I worked to set up a meeting with Ed Sisson so that I could understand the nature of the issues. I offered to meet Wednesday afternoon after a deposition in another matter that concluded, and I ended up meeting with Ed on Thursday, February 4, 2016. Ed promised me additional supporting documentation during that meeting for the allegations being made against the Chief and Deputy Chief. Ed went out-of-town on a preplanned trip for a family wedding. I received the additional following documents on the afternoon of February 9, 2016, when I was out at another client's office. On Wednesday, February 10, 2016, the morning and into the early afternoon, I followed through on an earlier made commitment to participate in the Escambia County Teacher of the Year selection committee. After returning from the office, I reviewed the documents provided by Ed Sisson and began drafting the letters to the Chief and Deputy Chief. Those letters were dated February 11, 2016. I left a voice mail for Schmitt and Glover at about 10:30 am on February 11, leaving each of them a detailed message and asking them to contact me to schedule their interviews. On the same day, Keith Wilkins contacted me to let me know that he would be communicating with Schmitt & Glover that their administratively leave would continue to be paid administrative leave and that he was going to be calling them in to deliver that message to them in writing. I asked if he would deliver my February 11 dated letters because neither Chief nor Deputy Chief had returned my call and I did not want any delay in the letter getting to them.

On Friday, February 12, 2016, Keith Wilkins informed me that he had delivered the letter to Glover at about 9:30 am at the City Library and had delivered Schmitt's letter at about 12:15 pm (I do not know the location that Wilkins handed Schmitt my letter). According to Keith, neither Schmitt nor Glover agreed to sign a document that he apparently had for them regarding extension of the paid administrative leave. There was no requirement that they signed for my letter.

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Re: NOTES

Despite my call to Schmitt and Glover on the morning of February 11, and the hand delivery of my letter to them either at 9:30 am or 12:15 pm on February 12, I did not hear from either Schmitt or Glover until they emailed me on Monday, February 15, 2016. Schmitt sent me an email at 9:28 am on February 15, followed by an identical email from Glover at 9:46 am. The fact that they have identical wordings in their emails gives rise to the probability that they have discussed their situation together, which would be a violation of their instructions in their written document placing them on administratively leave with pay. Both emails included the statement that they were uncomfortable meeting with me for an interview but were willing to answer written questions if they are emailed. I promptly responded to each of them, with identical emails, at 11:49 and 11:50 am saying ultimately that they needed to contact me to schedule an interview or let me know if they were refusing to sit for an interview. If they refused to sit for an interview, I will let Keith Wilkins know and he will have to make the decision of whether to order that they come in to be interviewed, or whether the investigation will continue without their cooperation. If the decision is made to continue with the investigation without their cooperation, they will need to be told that the investigation will continue without their cooperation.

RFV:dad