

Mark D. Bartlett

From: Daniel J. Loych <dloych@glatfelters.com>
Sent: Wednesday, June 30, 2021 7:22 AM
To: Jana E. Still
Cc: Mark D. Bartlett; Keith W. Morris
Subject: [EXTERNAL]RE: Selover v Escambia County

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[REDACTED]

Dan

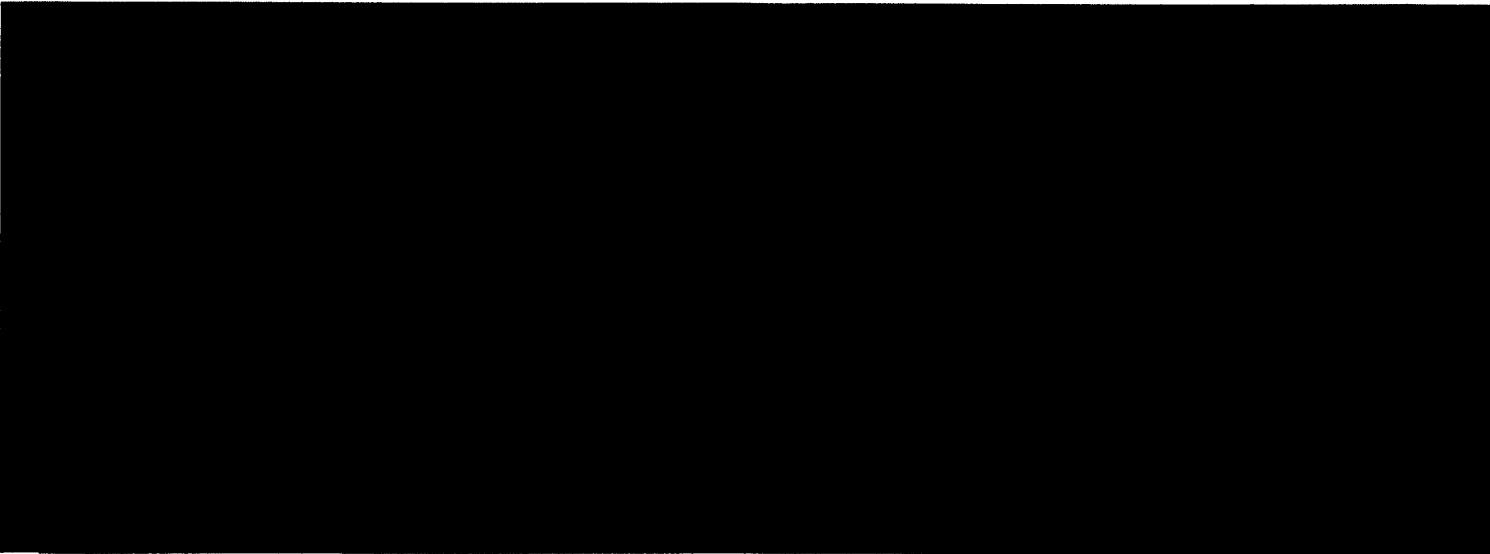
From: Jana E. Still <jestill@myescambia.com>
Sent: Monday, June 28, 2021 10:30 PM
To: Daniel J. Loych <dloych@glatfelters.com>
Cc: Mark D. Bartlett <mdbartlett@myescambia.com>; Keith W. Morris <KWMORRIS@myescambia.com>
Subject: [EXTERNAL] RE: [EXTERNAL]Selover v Escambia County

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Dan,

Thank you for speaking with me today and addressing concerns over potential coverage by providing that clarification.

[REDACTED]




I am glad that you clarified the issues with the Selover case because after listening to the discussion at the Board meeting before the vote on the settlement, it was unclear whether the Board was properly informed of the issues that remain in this case and why the County may not have as strong of a defense for summary judgement. I feel as though Stephanie would have ensured their understanding, but since I was not in the shade meeting to discuss these issues, I just wanted to confirm this information was properly conveyed.

One of the things that was reiterated throughout the Board discussion and has since been continually espoused, was that this was an "HR issue" and the reason that the County's outside counsel and insurance adjuster "recommended" the settlement was because this case was mishandled by HR and subsequently County Administration. This reasoning was also cited by Commissioner Bergosh as being one of the main reasons he could not recommend moving forward with the County Administrator's contract. She was subsequently terminated at this meeting. It is unfortunate that the same Commissioner who has been noted as negatively impacting the County's defense in the Selover case, is the same Commissioner who used the fact that the County had to award a 6-figure settlement to the plaintiff as a reason to terminate the County Administrator and further disparage the HR department.

There also seemed to be some confusion regarding what was of issue in the Selover case. The unlawful harassment investigation and report were also cited several times; however, as we have discussed, the counts still remaining in the case which the County is agreeing to settle over, are not necessarily related to the unlawful harassment investigation and report. The two remaining issues are things that neither County Administration nor HR have preview over. I know that we discussed the remaining counts and potential issues regarding summary judgment at length, numerous times; so, I am glad that I did not misunderstand our conversations.

I know how difficult the Selover case was especially with the stated issues, but we really appreciate the patience and guidance you all have demonstrated throughout.



Best,
Jana Still, M.A., SHRM-SCP
jstilla@co.fresno.ca.us

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From: Daniel J. Loych <dloych@glatfelters.com>
Sent: Monday, June 28, 2021 7:08 PM
To: Jana E. Still <jestill@mvescambia.com>
Subject: [EXTERNAL]Selover v Escambia County

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Hi Jana,

Per our conversation, you asked for something from me to share with the interim county administrator regarding this whole situation

[REDACTED]

[REDACTED] The primary reason we ended up paying so much in the Selover case was due to Commissioner Bergosh's testimony against the county. While there were perhaps minor issues with how Selover's complaint was handled, it was largely defensible until Bergosh made statements that he was really not qualified to make and tanked the defense that we had been working to put forward and damaged our ability to file a motion for summary judgment. It's kind of like a mother testifying against her child. Even if she's wrong, a jury is going to have a hard time not putting a lot of weight in her testimony.

[REDACTED]

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