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**HURON**

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June 24, 2020

**VIA EMAIL: [Subodh.Chandra@ChandraLaw.com](mailto:Subodh.Chandra@ChandraLaw.com)**

**[Brian.Bardwell@ChandraLaw.com](mailto:Brian.Bardwell@ChandraLaw.com)**

**And REGULAR U.S. MAIL**

Subodh Chandra, Esq.  
Brian D. Bardwell, Esq.  
1265 W. 6<sup>th</sup> St., Suite 400  
Cleveland, OH 44113

**RE: Demand for Injunctive Suit Under O.R.C. 733.56 & .59**  
**Re: Appointment of Michael J. O'Shea, Esq. as Special Prosecutor**

Dear Messrs. Chandra and Bardwell:

As you know, I was recently appointed as the Law Director of the City of Huron. In that capacity, I am addressing your request (dated May 8, 2020) on behalf of several taxpayers (including Stacey Hartley) that a suit for injunctive relief be brought to preclude Michael J. O'Shea, Esq. from further action as the City's special prosecutor, as it pertains to a potential prosecution of Stacy Hinners concerning the events at and after the City Council meeting of May 14, 2019.

Please be advised that, at the direction of the City and in my capacity as Law Director, Mr. O'Shea's services as special prosecutor in that matter have been terminated, effective immediately. There are no charges pending against Ms. Hinners, and the City has no present plans to seek any criminal charges arising out of those events, or to retain Mr. O'Shea in relation to any.

This accomplishes all of the injunctive (forward-looking) relief that a taxpayers' suit under O.R.C. 733.56 & 733.59 might accomplish. Even when a taxpayers' demand is initiated, the municipality remains in charge of determining how to pursue or resolve the demand. City of Mentor ex rel. Deitrick v. City of Mentor, 2008-Ohio-2138 (Ohio App. 11<sup>th</sup> Dist.) (settlement of prior suit brought by city is res judicata as to subsequent taxpayer's suit); Laituri v. Nero, 741 N.E.2d 228 (Ohio App. 11<sup>th</sup> Dist. 2000); State ex rel. Obojski v. Perciak, 113 Ohio.St.3d 486 (2007); State ex rel. Roth v. Lewis, 128 N.E.2d 141 (Ohio App. 8<sup>th</sup> Dist. 1955) (subsequent suit by municipality moots pending taxpayers' suit). See also Ohioans for Concealed Carry v. City of Columbus, 2019-Ohio-3105 (Ohio App. 10<sup>th</sup> Dist.) (taxpayers' suit not an appropriate vehicle for abstract declaratory relief, only injunctive relief).

**VIA EMAIL: Subodh.Chandra@ChandraLaw.com**

**Brian.Bardwell@ChandraLaw.com**

**And REGULAR U.S. MAIL**

Subodh Chandra, Esq.

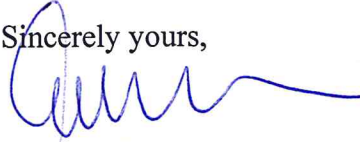
Brian D. Bardwell, Esq.

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Please feel free to contact me with any questions.

Sincerely yours,



Todd A. Schrader

Law Director, City of Huron

TAS/sld

Cc: Client (Via Email Only)

Jeffrey S. Moeller, Esq. (Via Email Only)