

**BEFORE THE VENTURA COUNTY BOARD OF SUPERVISORS:**

**CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Gov. Code, § 54956.9)**

SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO PARAGRAPH (2) OF SUBDIVISION (d) OF GOVERNMENT CODE SECTION 54956.9: Number of cases: One.

11/9/21

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**From:** Mike and Laurie Schwartz  
**Sent:** Friday, October 29, 2021 12:22 PM  
**To:** Smith, Matthew  
**Cc:** Gregory Totten  
**Subject:** Request for representation

Matt,

Pursuant to Government Code section 995.8, I request that the County retain counsel to represent me and former District Attorney Gregory Totten regarding the current District Attorney's referral to the Attorney General of California to review potential criminal prosecution against us. I understand that the referral is based on the filing of personnel documents as exhibits to the petition for writ of mandate in *County of Ventura v. Ventura County Civil Service Commission (Towner)*, Ventura County Superior Court case number 56-2018-00515881-CU-WM-VTA. Any involvement we might have had in that matter was in the scope of our former employment for the County--Mr. Totten as District Attorney, and myself as Special Assistant District Attorney and/or Chief Assistant District Attorney--and was in good faith, without malice, and in the interests of the County.

Specifically, we request that the County retain attorney Bill Seki to represent us. He is willing to do so and would charge the reasonable rate of \$250 per hour. He is an expert in criminal defense, including government entities and individuals charged with misconduct. He is managing partner at Seki Nishimura & Watase, 600 Wilshire Blvd., Suite 1250, Los Angeles, CA 90017, email .

Please keep me apprised of the status of this request. Thank you for your attention to this matter.

Michael D. Schwartz