

STATE OF NORTH CAROLINA

MECKLENBURG COUNTY

ROBERT WRIGHT, MARK MICHALEC, and
SCOTT SHIPMAN individually and on behalf
of all others similarly situated,

Plaintiffs,

v.

CITY OF CHARLOTTE,

Defendant.

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
21 CVS 4063

**PLAINTIFFS' FIRST MOTION TO
AMEND THE COMPLAINT BY
ADDING A THIRD ALTERNATIVE
CLAIM FOR RELIEF AND A FOURTH
ALTERNATIVE CLAIM FOR RELIEF**

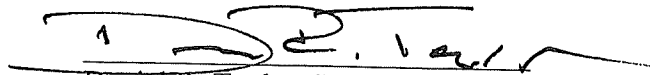
Pursuant to the provisions of North Carolina Rule of Procedure 15(a), Plaintiffs move for leave to file a First Amended Complaint in the matter to add a Third Alternative and Fourth Alternative Claim for relief, a copy of which Amendment with exhibits is attached. In support of this Motion, Plaintiffs show the Court as follows:

1. Plaintiffs filed the Complaint on March 16, 2021, and Defendant was duly served.
2. Defendant filed an Answer to the Complaint on June 18, 2021.
3. Pursuant to Rule 15(a), Plaintiffs may amend only by leave of Court if the adverse party does not consent in writing.
4. The Proposed First Amended Complaint arises from the same transactions and occurrences set forth in the original Complaint. Indeed, Defendant's contention in its Answer to paragraph 22 of the Complaint led to this proposed amendment. In paragraph 22 of its Answer, Defendant asserts that payroll deductions for the Voluntary Police Pledge Fund were approved by the text of Complaint Exhibit A (June 17, 1966, public record minutes of City Council of the City of Charlotte). The text of Exhibit A, however, provides no such support but Exhibit B (April 8, 1969, public record minutes of the City Council of the City of Charlotte) clearly reflects that the

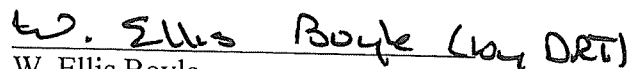
only deduction approved to be taken were “when there is a death of a member of the [Charlotte Mecklenburg Police Department].” Absent further later authority by the City Council only deductions for death benefits were authorized and all other deductions taken by the City of Charlotte were ultra-virus. These claims should be deemed to relate back to the filing of the Complaint on March 16, 2021, as if stated in it, pursuant to Rule 15(c).

5. Discovery is ongoing and this matter has not been placed on a trial calendar.
6. The Proposed First Amended Complaint will not cause undue delay or undue prejudice to Defendant and is not interposed for any improper reason or in bad faith. Justice would be served by permitting the filing of the First Amended Complaint.

Respectfully submitted this 2nd day of August 2021.



Daniel R. Taylor, Jr.
E. Winslow Taylor
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Winston-Salem, NC 27101
Telephone: 336-418-4745
Attorneys for Plaintiffs




W. Ellis Boyle
Knott & Boyle, PLLC
4800 Six Forks Road, Suite 100
Raleigh, NC 27609
Telephone: 919-783-5900
Facsimile: 919-783-9650
Attorney for Plaintiffs

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this date a copy of the foregoing was duly served upon defendant by placing postage prepaid envelopes containing copies of same into the U.S. Mail, properly addressed to the defendant's attorney of record as follows:

Daniel E. Peterson
Parker Poe
620 South Tryon Street, Suite 800
Charlotte, NC 28202
DanielPeterson@ParkerPoe.com
Attorney for Defendant City of Charlotte

This the 2nd day of August 2021.



Daniel R. Taylor, Jr.
Attorney for Plaintiffs

NORTH CAROLINA
MECKLENBURG COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
21 - CVS - 4063

ROBERT WRIGHT, MARK
MICHALEC, and SCOTT SHIPMAN
individually and on behalf of all others
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**PLAINTIFFS' AMENDMENT TO COMPLAINT
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RELIEF IN EQUITY AND A FOURTH
ALTERNATIVE CLAIM FOR RELIEF**

ALTERNATIVE THIRD CLAIM FOR RELIEF IN EQUITY

(equitable claim for money had and received – money wrongfully deducted)

RESTATED ALTERNATIVE BACKGROUND

In 1966, the City Council of the City of Charlotte approved “a Volunteer Pledge Fund for the Police Department permitting payroll deduction of \$5.00 each when there is a death of a member of the department, with the money going to the beneficiary” **Complaint Exhibit B** (attached hereto as Exhibit B also).

The Volunteer Pledge Fund as approved by the City Council in 1966 was never approved to operate in any fashion to allow for deductions from weekly compensation other than as stated in **Complaint Exhibit B** “when there is a death of a member of the department, with the money going to the beneficiary.”

In 1966 as reflected in **Complaint Exhibits A & B** (attached hereto as Exhibits A & B as well), the City Council only granted authority to the City of Charlotte to take deductions for the Voluntary Police

Pledge Fund for death benefits, and deductions taken for any other purposes as occurred through the years until the deductions were terminated were ultra vires.

As a result of the unauthorized deductions taken by the City of Charlotte, Defendant is liable to each member of the class to a full refund and appropriate interest as allowed by law.

ALTERNATIVE THIRD CLAIM FOR RELIEF IN EQUITY

SPECIFIC ALLEGATIONS

40. The allegations of paragraphs 1 - 39 of the Complaint are incorporated fully and completely as if restated herein except to the extent any paragraph or portion of any paragraph is determined to be inconsistent with the allegations of this Alternative Third Claim for Relief in Equity.
41. On information and belief, at all times since 1966 the legal authority of the City of Charlotte to take deductions from the compensation of Charlotte employees was limited to those items specifically authorized by the City Council of the City of Charlotte as is reflected in **Exhibit G** attached hereto.
42. The City of Charlotte has affirmatively represented in its Answer to the Complaint in this action that it was authorized to take the Pledge Fund deductions, based on **Exhibit A** to the Complaint (Answer paragraph 22)
43. **Exhibit A** of the complaint, however, makes clear that in January 1966 “[the] approval of the use of payroll deductions for the Volunteer Police Pledge Fund [was] subject to the details being worked out satisfactorily [at a later time].”
44. Lacking requisite specificity, complaint **Exhibit A** cannot be the basis for any Pledge Fund deductions and to the extent deductions were taken pursuant to complaint **Exhibit A**, all such deductions were ultra vires being without authority and the funds so deducted must be returned to the Pledge Fund participants from whose salary the deductions were taken.
45. The April 8, 1969, minutes of the City Council, Complaint **Exhibit B**, however, clarifies in specific terms exactly what was approved in 1966 subsequent to the January 17, 1966, City Council meeting. Specifically, as appears in the City of Charlotte, City Council public records of April 8, 1969 (Minute Book 51, Page 458) “in 1966 [Charlotte City] Council approved a Volunteer Pledge Fund for the Police Department permitting payroll deduction of \$5.00 each when there is a death of a member of the department with the money going to the beneficiary.” (emphasis added)
46. At no time since 1966 has the City Council of the City of Charlotte authorized the City of Charlotte to deduct funds from the pay of Volunteer Police Pledge Fund participants other than as reflected by Complaint **Exhibit B**.
47. Further evidence of what was intended by the City Council is reflected by the Charlotte Fire Department Pledge Fund contract **Exhibit H** attached hereto which was provided by the City of Charlotte in response to a Freedom of Information Request for a copy of the Volunteer Pledge Fund contract. **Exhibit I** attached hereto.

48. Notwithstanding the clear language of Complaint **Exhibit B**, as time passed the City of Charlotte's Finance Department, without proper authority, took deductions from the weekly compensation of Volunteer Pledge Fund participants for purposes other than as authorized in 1966 pursuant to Complaint **Exhibits B**.

49. All payroll deductions for the purpose of providing anything other than a death benefit for a member from 1966 through the time Pledge Fund deductions were terminated were contrary to and in violation of the 1966 authorization, complaint **Exhibit B**, and must be returned to the participant from whose compensation the authorized deductions were taken.

WHEREFORE, Plaintiffs individually and on behalf of the class that they represent, pray that as relief for this Alternative Third Claim for Relief, that they have and recover the full refund of all ultra-vires deductions taken and appropriate interest as allowed by law

ALTERNATIVE FOURTH CLAIM FOR RELIEF

(COMMON LAW NEGLIGENCE)

RESTATED ALTERNATIVE BACKGROUND

The City of Charlotte had an affirmative duty to its employees to ensure that funds were deducted from their compensation only for those things specifically authorized by the City Council. The City of Charlotte failed in its duty and is liable to each employee from whom deductions were taken without authorization of the City Council. As a result of the negligence of the City of Charlotte, plaintiffs are entitled to recover the full amount of the ultra-vires deductions and appropriate interest as allowed by law.

ALTERNATIVE FOURTH CLAIM FOR RELIEF

SPECIFIC ALLEGATIONS

50. The allegations of paragraphs 1 - 49 of the Complaint are incorporated fully and completely as if restated herein except to the extent any paragraph or portion of any paragraph is determined to be inconsistent with the allegations of this Alternative Fourth Claim for Relief.

51. The City of Charlotte had an affirmative duty to its employees to deduct from the compensation of its employees only items specifically approved by the City Council of the City of Charlotte

52. By failing to have processes in place to ensure only proper deductions are taken and ensure that all deductions were authorized, the City of Charlotte failed in its duty at all times relevant by deducting funds for purposes other than the death of a Pledge Fund participant as reflected in Complaint **Exhibit B**.

53. As a result of its negligence, the City of Charlotte is liable to all Pledge Fund participants who had money taken from their pay for purposes other than a death benefit and as a result of the negligence of the City of Charlotte, the Pledge Fund participants are entitled "to a full refund, plus interest, on those deductions to the date of judgment."

WHEREFORE, Plaintiffs individually and on behalf of the class that they represent, pray that as relief for this Alternative Fourth Claim for Relief, that plaintiffs have and recover the full amount of the ultra-vires deductions and appropriate interest as allowed by law.

This the ___ day of _____ 2021.

Daniel R. Taylor, Jr.
E. Winslow Taylor
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w. Ellis Boyle
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Raleigh, NC. 27609
Telephone: 919-783-5900

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on ___ day of _____ 2021, he served the following:

**PLAINTIFFS' AMENDMENT TO COMPLAINT
ADDING A THIRD ALTERNATIVE CLAIMS FOR RELIEF IN EQUITY
AND A FORTH ALTERNATIVE CLAIMS FOR RELIEF.**

upon counsel for Defendant by United States Postal Service addressed to:

Daniel E. Peterson
Parker Poe
620 South Tryon Street, Suite 800
Charlotte, NC 28202
Attorney for Defendant City of Charlotte

And, by email addressed to

danielpeterson@parkerpoe.com

This the ___ day of _____ 2021.

Daniel R. Taylor, Jr.
Taylor & Taylor,
Attorneys at Law, PLLC
418 N. Marshall St., Suite 204
Winston-Salem, NC 27101
Tel.: 336-418-4745

EXHIBIT A

January 17, 1966
Minute Book 46 - Page 331

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Monday, January 17, 1966, at 2 o'clock p.m., with Mayor Stan R. Brookshire presiding, and Councilmen Claude L. Albea, Fred D. Alexander, Sandy R. Jordan, Milton Short, John H. Thrower, Jerry C. Tuttle and James B. Whittington present.

ABSENT: None.

The Charlotte-Mecklenburg Planning Commission sat with the City Council and heard the discussions on the Zoning petitions, with the following members present: Mr. Sibley, Chairman, Mr. Ashcraft, Mr. Lakey, Mr. Olive, Mr. Stone and Mr. Turner.

ABSENT: Mr. Gamble, Mr. Jones, Mr. Tate and Mr. Toy.

* * * * *

INVOCATION.

The invocation was given by Mr. W. J. Elvin.

MINUTES APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Jordan and unanimously carried, the Minutes of the last meeting of the City Council were approved as submitted to them.

PETITION NO. 66-4 BY DR. T. M. McMILLAN AND WIFE FOR CHANGE IN ZONING OF 13.4 ACRE TRACT ON THE SOUTHEAST CORNER OF PROVIDENCE ROAD AND CARMEL ROAD, FROM R-15 TO B-1, WITHDRAWN.

Mr. Robert Perry, Attorney for the petitioners of the subject property, advised that Dr. McMillan and his wife wish to withdraw their petition for the reasons they have found that the residents of the community were unaware that the corners of Carmel and Providence Roads and of Sardis and Providence Roads were presently zoned R-15MF; and they were also unaware of the plans for connecting Sardis and Carmel Road. That they anticipate that the residents will study the changing character of these intersections and the Major Thoroughfare Plan and General Development Plan and will be more favorably inclined to the change in zoning of the subject property in the near future.

Councilman Short moved that permission be granted to withdraw the petition. The motion was seconded by Councilman Alexander, and unanimously carried.

HEARINGS ON PETITION NO. 66-13 BY SHARON HOME LOAN COMPANY AND J. J. HARRIS FOR CHANGE IN ZONING OF PROPERTY EXTENDING FROM SHARON ROAD TO NEAR INVERNESS ROAD AND LYING TO THE SOUTH OF WICKERSHAM ROAD, FROM R-12 TO R-12MF AND O-15 CONTINUED UNTIL FEBRUARY 21, 1966.

EXHIBIT B

April 8, 1969
Minute Book 51 - Page 458

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Tuesday, April 8, 1969, with Mayor Stan R. Brookshire presiding, and Councilmen Fred D. Alexander, Milton Short, Gibson L. Smith, James B. Stegall, Jerry Tuttle and James B. Whittington present.

ABSENT: Councilman Sandy R. Jordan.

* * * * *

INVOCATION.

The invocation was given by Councilman Milton Short.

MINUTES APPROVED.

Resolution of Councilman Whittington, seconded by Councilman Smith, and unanimously carried, the minutes of the last Council Meeting, on March 31, 1969, were approved as submitted.

MEMORANDUM AND COUNCILMEN INVITED TO OPENING OF BASEBALL SEASON IN CHARLOTTE.

Mr. Don Hill stated he is present in reference to the opening of the baseball season; Mr. Phil Houser has just returned from Florida and has asked him to come today and invite the Mayor and Council to a successful season in the baseball park this year. Mr. Hill stated they are happy that the Mayor has agreed to open the season by throwing out the first ball. He stated Mr. Houser has agreed to accept from the Councilmen the number of tickets for some boxseats for the game on Monday night; that they hope to have the Johnson C. Smith University Band present on Monday for the opening, and they hope to have a good turn-out for the opening season.

STATEMENTS BY VARIOUS CITIZENS.

Mr. W. W. Elvin stated a few weeks ago he suggested that the salaries of the Mayor and Council be increased by 100 percent; that he hoped this increase would encourage people better qualified with a broader general business and financial experience to run for these offices; that he would also suggest that all regular Council Meetings be held in the evening as many of the younger people are not available to hold office or attend meetings or committee assignments unless such a change is made.

Mr. Bobby White of the Derita Jaycees stated they are planning to hold a fair and carnival to open Friday or Saturday night as a project to raise money for their charities.

Mr. White stated the Jaycees want to get involved more in politics; that a lot of their men have expressed interest that has never been expressed before; also, the evening meetings would give them a better chance to attend the meetings and to express their ideas.

Councilman Smith stated he attended their meeting on Monday night and they are really a charitable group and they are young men with a lot of ability; that he commends them to government as the type of people he has talked about who should be involved in city government.

PAYROLL DEDUCTION FOR VOLUNTEER PLEDGE FUND FOR FIRE DEPARTMENT AUTHORIZED.

Mr. Veeder, City Manager, stated in 1966 Council approved a Volunteer Pledge Fund for the Police Department permitting payroll deduction of \$5.00 each when there is a death of a member of the department, with the money going to the beneficiary. That the Fire Department through a memorandum from Chief Black has asked for similar privileges for the Fire Department.

Councilman Stegall moved approval of the request as recommended. The motion was seconded by Councilman Short, and after discussion, carried unanimously.

ADJOURNMENT.

Upon motion of Councilman Whittington, seconded by Councilman Stegall, and unanimously carried, the meeting was adjourned.



Ruth Armstrong, City Clerk

EXHIBIT G

Mayor Anthony Foxx

John Autry
Michael D. Barnes
Warren Cooksey
Andy Dulin
Claire Fallon

Mayor Pro Tem Patrick D. Cannon

David L. Howard
Patsy Kinsey
LaWana Mayfield
James Mitchell, Jr.
Beth Pickering

CITY COUNCIL MEETING
Monday, January 14, 2013

POLICY

12. City Manager's Report

13. Union Dues Payroll Deductions

Action: Approve the Governmental Affairs Committee's recommendation to authorize City employee payroll deductions for union dues subject to the union paying a \$1,000 annual fee.

Committee Chair: Andy Dulin

Staff Resources: Cheryl Brown, Human Resources
Bob Hagemann, City Attorney

Explanation

- The City offers employee payroll deductions for employee benefits, parking and bus passes, and eligible charitable organizations.
- Pursuant to the City's charitable organizations solicitation policy, United Way of Central Carolinas and the Arts and Science Council pay the City \$1,000 annually to help defray the administrative costs of the program.
- It is estimated that the initial set up cost for five union organizations would be \$31,358 with recurring annual costs of \$25,347.
- Several other North Carolina local governments authorize payroll deductions for employee union dues which include: Raleigh, Chapel Hill, Durham, Winston-Salem, and Durham County.
- The following employee unions are currently active:
 - Fraternal Order of Police
 - 1,800 eligible city employees
 - 1,300-1,600 members (actives and re-hired retirees)
 - 88.9% of eligible employees are members
 - Annual Dues - \$100
 - North State Law Enforcement Officers Association
 - 1,800 eligible city employees
 - 23 members
 - 1.3% of eligible employees are members
 - Annual Dues - \$70
 - International Association of Fire Fighters
 - 1,050 eligible city employees
 - 675 members
 - 64% of eligible employees are members
 - Annual Dues - \$299
 - Fraternal Order of Progressive Fire Fighters
 - 1,050 eligible city employees
 - 20 members
 - 1.9% of eligible employees are members
 - Annual Dues - \$390
 - UE 150 – NC Public Service Workers Union
 - 650 eligible employees
 - 35 members
 - 5% of eligible employees are members

- Annual Dues - \$204

Committee Discussion

- The Governmental Affairs Committee considered this issue at its November 5, 2012, December 3, 2012, and January 7, 2013 meetings.
- Issues considered by the Committee included:
 - Current use of payroll deductions
 - Constitutional issues regarding payroll deductions for union dues
 - Payroll deduction criteria for state employee payroll deductions
 - Criteria options for payroll deduction eligibility including whether to establish a minimum threshold (e.g., number of employees or percentage of eligible employee membership in union)
- On January 7, the Committee voted 4-1 (Fallon, Cannon, Mitchell, and Pickering in favor, Dulin against) to recommend that the Council authorize City employee payroll deductions for union dues. Cannon made the motion (seconded by Mitchell) to recommend that Council authorize City employee payroll deductions for union dues so long as the union pays an annual \$1,000 fee to help defray the City's administrative costs.

Attachment 4

Committee Power Point Presentations

EXHIBIT H

This AGREEMENT, made this the _____ day of _____, 20 __, between the CHARLOTTE FIRE DEPARTMENT VOLUNTARY PLEDGE FUND, hereinafter referred to as "FUND", and _____ hereinafter referred to as "MEMBER."

WITNESSETH:

WHEREAS, the Charlotte Fire Department Voluntary Pledge Fund is organized for the purpose of providing cash benefits to the beneficiary of a member who deceases; and

WHEREAS, _____ is desirous of becoming a member of the Charlotte Fire Department Voluntary Pledge Fund.

NOW, THEREFORE, IT IS AGREED BY and between the parties hereto, as follows:

1. That the FUND covenants and agrees to pay to _____, Beneficiary (ies), relationship _____, upon the death of a MEMBER, a sum equal to Ten Dollars (\$10.00) multiplied times the number of the participating members on the date of the death of MEMBER. If a beneficiary dies before the MEMBER, the beneficiary's interest shall terminate; in the event of multiple beneficiaries having been designated said deceased's share shall be absorbed into and become part of the equal shares of the surviving beneficiaries. If there are no beneficiaries alive when the MEMBER dies, the FUND shall pay benefits as follows:
 - a. To the surviving spouse;
 - b. If no surviving spouse, then in equal shares to surviving children;
 - c. If no surviving spouse or children, then in equal shares to surviving parents;
 - d. If no surviving spouse, children, or parents, then equal shares to surviving brothers and sisters, including half-brothers, half-sisters, step-brothers, step-sisters;
 - e. If there are no surviving payees as listed above, then the FUND shall be paid over and delivered to the Estate if the deceased MEMBER.
2. That in consideration of the cash sum paid to Beneficiary, MEMBER hereby covenants and agrees to contribute to the Charlotte Fire Department Voluntary Pledge Fund during his/her term of membership, as follows:
 - a. Ten Dollars (\$10.00) upon execution of this Agreement;
 - b. Ten Dollars (\$10.00) upon each death of a member to the FUND, excluding himself;
 - c. That further said contributions shall be made by payroll deduction from MEMBER's salary check paid by the City of Charlotte, at a weekly rate of Ten Dollars (\$10.00) until amounts due FUND are paid.
3. That in the event this Agreement is terminated by reason or reasons other than death of a MEMBER, MEMBER hereby acknowledges that no benefits or refund of contributions shall be received by MEMBER.
4. That this agreement may be terminated by either party hereto by ten (10) days written notice to terminate delivered to the other party.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed, the day and year above written, for the uses and purposes hereinbefore set forth.

Charlotte Fire Department Voluntary Pledge Member:

Voluntary Pledge Member Signature
Signed and sworn to before me this _____ day of _____, by _____.

(Official Seal)

_____, Notary Public
My commission expires _____

Charlotte Fire Department Voluntary Pledge Representative:

Voluntary Pledge Representative Signature Title

EXHIBIT I

From: [Rinnix, Paula](#)
To: [Clampitt, Brittany](#); [Simpson, Sheila](#); [Koch, Bradford](#); [Tufano, Robert](#); [D'Elosua, Sandy](#); [Emmanuel, Kamella](#)
Cc: [Walker, Jordan-Ashley](#); [Brown, Kenneth](#)
Subject: RE: FOIA CMPD Police Pledge Fund
Date: Tuesday, March 12, 2019 4:04:02 PM
Attachments: [CMPD - Pledge Fund Contract.pdf](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

Copy of contract attached...



From: Rinnix, Paula
Sent: Tuesday, March 12, 2019 4:01 PM
To: Clampitt, Brittany <Brittany.Clampitt@ci.charlotte.nc.us>; Simpson, Sheila <ssimpson@ci.charlotte.nc.us>; Koch, Bradford <bkoch@cmpd.org>; Tufano, Robert <rtufano@cmpd.org>; D'Elosua, Sandy <sdelosua@cmpd.org>; Emmanuel, Kamella <Kamella.Emmanuel@cmpd.org>
Cc: Walker, Jordan-Ashley <Jordan-Ashley.Walker@ci.charlotte.nc.us>; Brown, Kenneth <kebrown@ci.charlotte.nc.us>
Subject: RE: FOIA CMPD Police Pledge Fund

Britt,

Per our conversation, I spoke with Patricia Burris, our HRMS and Payroll Program Manager and she was able to share with me additional information regarding the CMPD Police Pledge Fund.

We discussed each of the questions below to determine which ones could be answered by Human Resources and which ones would require a response from someone in CMPD.

I am not sure of the point of contact in CMPD to respond to their questions.

HR can have the responses for those indicated below by Friday, March 12th, EOD:

1. Names and titles of all board members (past and present). **CMPD**
2. How much money, in total, has gone into the fund since it started until today, Feb. 25, 2019 – **HR can share total amounts dating back to 2001 (the date in which PeopleSoft was implemented)**

3. How many people have been signed up for pledge fund in its history? It is my understanding that about 1,100 people are currently signed up for the pledge fund. I would like to know a specific number. **HR has this information dating back to 2001.**
4. How many retired employees are on the waiting list to receive their payout? **CMPD**
5. How much money would it take to pay out all active members of the waiting list? **CMPD – would give # of active members on Waiting List** and **HR can give value/payout amounts**
6. Deputy Chief Jennings said the payout “fluctuates.” What is the minimum payout that a retired employee has received and what is the maximum? **CMPD**
7. We would like to request a copy of the Pledge Fund Contract. **HR - Attached**
8. I would like to have a copy of a current bank statement relating to the pledge fund. I understand that there might be sensitive bank account information that needs to be blurred out. **CMPD**

Those eight questions are considered a “priority” for our upcoming stories. On top of those questions, I’m requesting additional information relating to emails.

1. I would like to request all CMPD emails with the combined words “pledge fund” between Feb. 1 through Feb. 25. - **CMPD**



From: Clampitt, Brittany
Sent: Monday, March 11, 2019 3:26 PM
To: Simpson, Sheila <ssimpson@ci.charlotte.nc.us>; Koch, Bradford <bkoch@cmpd.org>; Tufano, Robert <rtufano@cmpd.org>; D'Elosua, Sandy <sdelosua@cmpd.org>; Rinnix, Paula <Paula.Rinnix@ci.charlotte.nc.us>
Cc: Walker, Jordan-Ashley <Jordan-Ashley.Walker@ci.charlotte.nc.us>; Brown, Kenneth <kebrown@ci.charlotte.nc.us>
Subject: FW: FOIA CMPD Police Pledge Fund

Hey all,

Sunshine Week is here and we have a follow-up on this request. If you all could acknowledge that these are being pulled and reviewed, that would be great. There are records requested of both HR and CMPD. Please let me know where we stand on these.

Again, here's the request:

1. Names and titles of all board members (past and present).
2. How much money, in total, has gone into the fund since it started until today, Feb. 25, 2019