

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
similarly situated,

Plaintiffs

v.

CITY OF CHARLOTTE

Defendant.

ADDITIONAL EVIDENTIARY MATERIAL IN
SUPPORT OF PLAINTIFFS' MOTION FOR
SUMMARY JUDGMENT ON PLAINTIFFS' THIRD
CLAIM FOR RELIEF
(LIABILITY ONLY)

NOW COME PLAINTIFFS Robert Wright, Mark Michalec, and Scott Shipman pursuant to Rule 56 of the North Carolina Rules of Civil Procedure and submit the attached additional evidentiary material in support of their motion for entry of Summary Judgment on Plaintiffs' Third Alternative Claim for Relief (Liability Only).

EXHIBIT D – February 25, 2019 – March 12, 2019 email chain evidencing Freedom of Information Requests Ref Charlotte Mecklenburg Police Pledge Fund with responses provided by City of Charlotte following each request.

EXHIBIT E – July 20, 2021 email from Daniel Peterson to Dan Taylor responding to follow up Freedom of Information Request by Taylor for item referenced in response to request no 7 and shown in Exhibit D as attached "HR-Attached" which was not attached to public records which response was a copy of the Charlotte Fire Department Voluntary Pledge Fund death benefit contract.

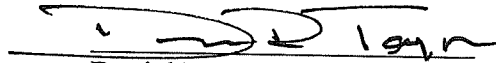
EXHIBIT F – Affidavit of Dinnah Hollifield, City of Charlotte employee who served as Benefits Coordinator assigned to the Charlotte Mecklenburg Police Department 1986-1996 and who administered the Pledge Fund during that time.

EXHIBIT G- Affidavit of Mary Broadrick, City of Charlotte employee Benefits Coordinator for the Charlotte Mecklenburg Police Department 1996 -2003 and who administered the Pledge fund during that time.

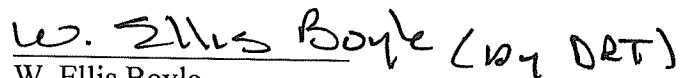
EXHIBIT H – Affidavit of Keith Way, member of the Charlotte Mecklenburg Police Department for 24.5 having retired on March 1, 2017.

EXHIBIT I – Affidavit of Katrina Graue, member of the Charlotte Mecklenburg Police Department for 29 years, having retired on July 1, 2019.

This the 16th day of October 2021.



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



W. Ellis Boyle
Knott & Boyle, PLLC
4800 Six Forks, Suite 100
Raleigh, NC 27609
Telephone 919-783-5900

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on October 11th, 2021, he served the following:

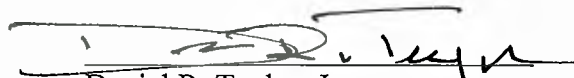
**ADDITIONAL EVIDENTIARY MATERIAL IN SUPPORT OF
PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT ON
PLAINTIFFS' THIRD CLAIM FOR RELIEF
(LIABILITY ONLY)**

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 to: DanielPeterson@ParkerPoe.com

This the 11th day of October 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 D

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...



Paula P Rinnix, PHR, SHRM-CP / Deputy Director
HUMAN RESOURCES DEPARTMENT
[700 East 4th Street / Suite 200 / Charlotte, NC 28202](#)
P: Ex. 704-336-5703 / www.charlottenc.gov

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**



Paula P. Rinnix, PHR, SHRM-CP / Deputy Director
HUMAN RESOURCES DEPARTMENT
700 East 4th Street / Suite 200 / Charlotte, NC 28202
P: Ex. 704-336-5703 / www.charlottenc.gov

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

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.
4. How many retired employees are on the waiting list to receive their payout?
5. How much money would it take to pay out all active members of the waiting list?
6. Deputy Chief Jennings said the payout “fluctuates.” What is the minimum payout that a retired employee has received and what is the maximum?
7. We would like to request a copy of the Pledge Fund Contract.
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.

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.

From: Clampitt, Brittany

Sent: Monday, March 11, 2019 3:21 PM

To: 'Lauren.Dugan@FOXTV.COM' <Lauren.Dugan@FOXTV.COM>

Cc: 'Amber.Statler-Matthews@FOXTV.COM' <Amber.Statler-Matthews@FOXTV.COM>

Subject: RE: FOIA CMPD Police Pledge Fund

Hi Lauren,

We’re still working to pull and review the records. We’ll be in touch when the records are available.

Britt Clampitt

Communications Specialist

Charlotte Communications & Marketing

City of Charlotte

[600 E. Fourth Street, Suite 200, Charlotte, NC 28202](https://www.ci.charlotte.nc.us/600-E-Fourth-Street-Suite-200-Charlotte-NC-28202)

Office: 704-336-4935 Mobile: 704-249-0759

From: Charlotte Communications & Marketing

Sent: Monday, March 11, 2019 3:19 PM

To: Clampitt, Brittany <Brittany.Clampitt@ci.charlotte.nc.us>

Subject: FW: FOIA CMPD Police Pledge Fund

From: Lauren Dugan [<mailto:Lauren.Dugan@FOXTV.COM>]
Sent: Monday, March 11, 2019 2:28 PM
To: Charlotte Communications & Marketing <charlottecommunicationsmarketing@charlottenc.gov>
Cc: Amber Statler-Matthews <Amber.Statler-Matthews@FOXTV.COM>; Tina Luque <tina.luque@foxtv.com>
Subject: RE: FOIA CMPD Police Pledge Fund

EXTERNAL EMAIL: This email originated from the Internet. Do not click any images, links or open any attachments unless you recognize and trust the sender and know the content is safe. Please forward all suspicious email to bad.mail@charlottenc.gov .

Hello—

I wanted to check in on the status of this FOIA request. I saw the email this morning about ways to track Public Information Requests on the city website, but I did not see this request on the list. If you have a timeline that would also be appreciated.

Thanks for your help,

Lauren Dugan

Reporter

cell: 704.589.7828

office: 704.944.3300

facebook: <https://www.facebook.com/pg/DuganFOX46/>

Twitter/ IG: @DuganFOX46

email: lauren.dugan@foxtv.com

GETTING **RESULTS**



From: Lauren Dugan
Sent: Tuesday, February 26, 2019 9:43 AM
To: Charlotte Communications & Marketing <charlottecommunicationsmarketing@charlottenc.gov>
Cc: Amber Statler-Matthews <Amber.Statler-Matthews@FOXTV.COM>; Tina Luque <tina.luque@foxtv.com>
Subject: Re: FOIA CMPD Police Pledge Fund

Thank you Britt!

Sent from my iPhone

On Feb 26, 2019, at 9:42 AM, Charlotte Communications & Marketing <charlottecommunicationsmarketing@charlottenc.gov> wrote:

Good morning Lauren,

Thank you for your request. We are entering it into our system for processing and will work to determine what information we have in publicly available documents.

Britt Clampitt
Communications Specialist
Charlotte Communications & Marketing

City of Charlotte
[600 E. Fourth Street, Suite 200, Charlotte, NC 28202](#)

Office: 704-336-4935 Mobile: 704-249-0759

From: Lauren Dugan [<mailto:Lauren.Dugan@FOXTV.COM>]

Sent: Monday, February 25, 2019 4:00 PM

To: Charlotte Communications & Marketing

charlottecommunicationsmarketing@charlottenc.gov

Cc: Amber Statler-Matthews <Amber.Statler-Matthews@FOXTV.COM>; Tina Luque

<tina.luque@foxtv.com>; Koch, Bradford <bkoch@cmpd.org>; Tufano, Robert

<rtufano@cmpd.org>; CMPD PIO <CMPDPIO@cmpd.org>

Subject: FOIA CMPD Police Pledge Fund

EXTERNAL EMAIL: This email originated from the Internet. Do not click any images, links or open any attachments unless you recognize and trust the sender and know the content is safe. Please forward all suspicious email to bad.mail@charlottenc.gov.

Hello—

My name is Lauren Dugan and I'm a reporter at Fox46 Charlotte. This morning I sent a FOIA request to CMPD regarding the Police Pledge Fund and was informed that the Police Pledge Fund is not a CMPD entity and was referred to the city of Charlotte by Lt. Brad Koch.

Per the Freedom of Information Act (FOIA) I would like to put in a formal request for information relating to CMPD's Police Pledge Fund. This request includes...

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
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.
4. How many retired employees are on the waiting list to receive their payout?

5. How much money would it take to pay out all active members of the waiting list?
6. Deputy Chief Jennings said the payout "fluctuates." What is the minimum payout that a retired employee has received and what is the maximum?
7. We would like to request a copy of the Pledge Fund Contract.
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.

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.

Thanks,

Lauren Dugan

Reporter

cell: 704.589.7828

office: 704.944.3300

facebook: <https://www.facebook.com/pg/DuganFOX46/>

Twitter/ IG: @DuganFOX46

email: lauren.dugan@foxtv.com

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[<image011.png>](#)

From: Koch, Bradford [<mailto:bkoch@cmpd.org>]

Sent: Monday, February 25, 2019 10:27 AM

To: Lauren Dugan <Lauren.Dugan@FOXTV.COM>; Tufano, Robert <rtufano@cmpd.org>; CMPD PIO <CMPDPIO@cmpd.org>

Cc: Tina Luque <tina.luque@foxtv.com>; Amber Statler-Matthews <Amber.Statler-Matthews@FOXTV.COM>

Subject: RE: [EXT] FOIA CMPD Police Pledge Fund

Lauren,

Good morning! In reference to your public records request, the Police Pledge Fund is not a CMPD entity. All of these FOIA questions should be referred to the city of Charlotte for fulfillment.

Regards,

Brad

Lieutenant Brad Koch
Office of the Chief

Charlotte-Mecklenburg Police Department
p. 704-231-3845 | www.cmpd.org
[CMPD Newsroom](#)

[<image012.png>](#)[<image013.png>](#) [<image014.png>](#) [<image015.png>](#) [<image016.png>](#)

From: Lauren Dugan [<mailto:Lauren.Dugan@FOXTV.COM>]
Sent: Monday, February 25, 2019 9:30 AM
To: Koch, Bradford [<bkoch@cmpd.org>](mailto:bkoch@cmpd.org); Tufano, Robert [<rtufano@cmpd.org>](mailto:rtufano@cmpd.org); CMPD PIO [<CMPDPIO@cmpd.org>](mailto:CMPDPIO@cmpd.org)
Cc: Tina Luque [<tina.luque@foxtv.com>](mailto:tina.luque@foxtv.com); Amber Statler-Matthews [<Amber.Statler-Matthews@FOXTV.COM>](mailto:Amber.Statler-Matthews@FOXTV.COM)
Subject: [EXT] FOIA CMPD Police Pledge Fund

EXTERNAL EMAIL: This email originated from the Internet. Do not click any images, links or open any attachments unless you recognize and trust the sender and know the content is safe. Please forward all suspicious email to bad.mail@charlottenc.gov.

Hi CMPD PIOs,

This is Lauren Dugan at FOX 46 Charlotte. Per the Freedom of Information Act (FOIA) I would like to put in a formal request for information relating to CMPD's Police Pledge Fund. This request includes...

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

Please let me know if you have any questions.

Thank you,
Lauren Dugan

Lauren Dugan

Reporter

cell: [704.589.7828](tel:704.589.7828)

office: [704.944.3300](tel:704.944.3300)

facebook: <https://www.facebook.com/pg/DuganFOX46/>

Twitter/ IG: @DuganFOX46

email: lauren.dugan@foxtv.com

<image006.png>

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EXHIBIT E

Wright et al. v. City, 21-CVS-4063 -- Your Public Records Request

Peterson, Daniel E. <danielpeterson@parkerpoe.com>

Tue 7/20/2021 4:27 PM

To: Dan Taylor <dantaylor@t2legal.com>; Winslow Taylor <winslow@t2legal.com>; W. Ellis Boyle <ellis@knottboyle.com>

Cc: Gould, Winona H. <winonagould@parkerpoe.com>

 1 attachments (738 KB)

[EXT]Voluntary Police Pledge Fund - REQUEST;

Dan— I was informed of your public records request dated July 15, 2021 to the City (attached). Please find below a link to the email from Paula Rinnix dated March 12, 2019 responding to a previous public records request made by a local news outlet, which includes the requested document from your public records request. The email is provided so that you can be assured of the document that was attached by Ms. Rinnix. In the interest of completeness, I have also included PDF versions of the email and the attachment, as well as the requested PNGs—though I think you'll agree that the PNGs are inconsequential images embedded in the email—e.g., signature line, media outlet logos, social media logos. The email and its attachment were also part of our document production on Friday, but wanted to close this loop.

<https://parkerpoe.sharefile.com/d-se09cd3c163554ac9afa859a4f8fc503d>

Please let me know if you have any questions.

Thanks,

Daniel

Daniel Peterson

Partner

 Parker Poe

620 South Tryon Street | Suite 800 | Charlotte, NC 28202

Office: 704.335.9874 | Fax: 704.334.4706 | [vcard](#) | [map](#)

Visit our website at

www.parkerpoe.com

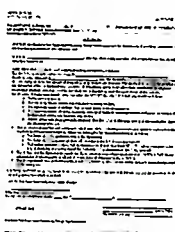
PRIVILEGED AND CONFIDENTIAL: This electronic message and any attachments are confidential property of the sender. The information is intended only for the use of the person to whom it was addressed. Any other interception, copying, accessing, or disclosure of this message is prohibited. The sender takes no responsibility for any unauthorized reliance on this message. If you have received this message in error, please immediately notify the sender and purge the message you received. Do not forward this message without permission. [ppab_p.c]

Files from at Parker Poe

Wright v. City -- Taylor PRR

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CMPD - Pledge Fund Co...

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image002.png

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998 B



image00:

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0 Items Selected

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 F

AFFIDAVIT OF DINNAH HOLLIFIELD

I, Dinnah Hollifield, being duly sworn do depose and say as follows:

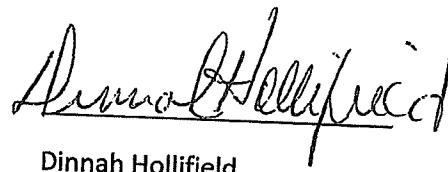
1. I was an employee of the City of Charlotte working in the Charlotte Mecklenburg Police Department from 1974 until 1996, when I resigned. After a promotion I was transferred to the Human Resources Department of the Charlotte Mecklenburg Police Department. In that capacity, I was responsible for the entry of payroll information – hours worked, overtime worked, vacation and sick leave – to be used by the City for pay purposes.
2. Later, during the period 1986 through 1996, I was a Benefits Coordinator (Administrative Officer) in the Human Resources Department of the Charlotte Mecklenburg Police Department.
3. As a Benefits Coordinator during the period 1986 through 1996, I presented and described the operation of the Voluntary Police Pledge Fund and other employment benefit materials - employee enrollment materials, retirement forms and insurance materials (health and life) - to each new recruit class at the Police Academy on the first day of their "in processing." It is my recollection that I presented to two to three recruiting classes a year. When I resigned in 1996, I was replaced by Mary Broadrick who I trained.
4. I made the benefits presentation using a "New Hire Packet" which was created by and in the Human Resources Department of the Charlotte Mecklenburg Police Department using materials paid for by City of Charlotte. For the Pledge Fund, the recruits were provided a heavy paper stock card which was required to be filled out indicating their participation in the Volunteer Police Pledge Fund, authorizing a \$5 weekly deduction when required, and providing beneficiary information. During my time as Benefits Coordinator this pledge fund was only made available to sworn personnel.
5. Only materials related to benefits were presented and the Pledge card and other information related to the employee's benefits and beneficiary information were kept in the employee's personnel file in the Human Resources Department. The vast majority of each recruit class I presented to signed up for the Pledge Fund.

6. A Pledge Fund participant agreed to support a retiring Pledge Fund participant or the beneficiary of a deceased Pledge Fund participant with a \$10 contribution by having \$5 deducted from his or her pay for two consecutive weeks when needed, such that the retiring participant would receive \$10 from each then Pledge Fund participant. In exchange for his or her participation, the Pledge Fund participant would receive \$10 from each then Pledge Fund participant upon his or her retirement or his or her beneficiary would receive the amount upon death.
7. As Benefits Coordinator, I advised the City's Payroll section by typed memo who had joined the Pledge Fund and who had withdrawn from the Pledge Fund. I also advised who was retiring or who had deceased.
8. During the time I was a Benefits Coordinator, money was only deducted from the pay of Pledge Fund participants when I advised the Finance Department that such was required to meet an existing obligation to pay a retired Pledge Fund participant or the beneficiary of a deceased Pledge Fund participant.
9. When advised, the City would cut a check to the Pledge Fund and send the check to me. I maintained deposit slips for the Pledge Fund account and would prepare a deposit slip for the check and have the check deposited into the Pledge Fund bank account.
10. Once the Pledge Fund check written by the City had been deposited in the Pledge Fund bank account, a check would be issued from the Pledge Fund checkbook and contact would be made to the Pledge Fund participant to pick up his or her check. In the case where the Pledge Fund participant had passed, I would arrange for the check to be delivered to the beneficiary.
11. As of April 1996, when I resigned, money was only withdrawn from participants' pay when I advised that deductions should be taken to meet a Pledge Fund obligation - a retirement, or death. When money was withdrawn from a participant's pay, it was provided to the appropriate Pledge Fund participant or the appropriate beneficiary by the above-described process. There was never an accumulation of money in the Pledge Fund bank account. The money that went into the Pledge Fund bank account from the

City was immediately disbursed to the appropriate Pledge Fund participant or beneficiary.

12. While the Charlotte Mecklenburg Police Department had a dedicated Human Resources Department, it did not have a finance department. The Police Department was paid by the Finance Department of the City of Charlotte. The information the Fund participants filled out to authorize the payroll deduction was maintained by the City of Charlotte Finance Office.

13. Without question, the Pledge Fund program was a benefit and as a Human Resources professional, I believe the Charlotte Mecklenburg Police Department and the City of Charlotte obtained recruiting and retention benefits from the existence of the Pledge Fund.

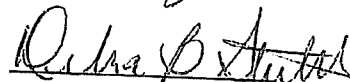


Dinah Hollifield

North Carolina Mecklenburg County
I, Debra B. Stubbs, a Notary Public for
Said County and State, do hereby certify that Dinah Hollifield
personally appeared before me this day and acknowledged the
due execution of the foregoing instrument.

Witness my hand and official seal, this the 12 day of Aug., 2021

(Official Seal)


Notary Public

My Commission Expires
FEBRUARY 27, 2025

EXHIBIT G

AFFIDAVIT OF MARY BROADWICK

I, Mary Broadrick, being duly sworn do depose and say as follows:

1. I was an employee of the City of Charlotte working in the Charlotte Mecklenburg Police Department from March 1, 1975, until December 1, 2003, when I retired. I was first assigned to the Human Resources Department of the Charlotte Mecklenburg Police Department in 1986. In that capacity, I was responsible for the entry of payroll information – hours worked, overtime worked, vacation and sick leave – to be used by the City for pay purposes.
2. Later, during the period March 1996 through December 1, 2003, I was a Benefits Coordinator (initially Administrative Officer 1; later Administrative Officer 2) in the Human Resources Department of the Charlotte Mecklenburg Police Department.
3. As a Benefits Coordinator during the period March 1, 1996, through December 1, 2003, I presented and described the operation of the Voluntary Police Pledge Fund and other employment benefit materials - employee enrollment materials, retirement forms and insurance materials (health and life) - to each new recruit class at the Police Academy on the first day of their "in processing." It is my recollection that I presented to two or three recruiting classes a year.
4. I made the benefits presentation using a "New Hire Packet" which was created by and in the Human Resources Department of the Charlotte Mecklenburg Police Department using materials printed in the Charlotte's Print Department and paid for by City of Charlotte. For the Pledge Fund, the recruits were provided a heavy paper stock card which was required to be filled out indicating their participation in the Volunteer Police Pledge Fund, authorizing a \$5 weekly deduction when required, and providing beneficiary information.
5. The United Way and other fundraising information for charitable organizations were not presented to new recruits as part of the "New Hire Packet." Only materials related to benefits were presented and the Pledge card and other information related to the employee's benefits and beneficiary information were kept in the employee's

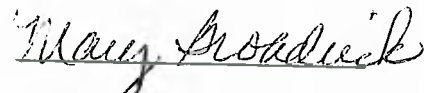
personnel file in the Human Resources Department. The vast majority of each recruit class I presented to signed up for the Pledge Fund.

6. The Pledge Fund presentation was straightforward. A Pledge Fund participant agreed to support a retiring Pledge Fund participant or the beneficiary of a deceased Pledge Fund participant with a \$10 contribution by having \$5 deducted from his or her pay for two consecutive weeks when needed, such that the retiring participant would receive \$10 from each then Pledge Fund participant. In exchange for his or her participation, the Pledge Fund participant would receive \$10 from each then Pledge Fund participant upon his or her retirement or his or her beneficiary would receive the amount upon death.
7. As Benefits Coordinator, I advised the City's Payroll section by typed memo who had joined the Pledge Fund and who had withdrawn from the Pledge Fund. I also advised who was retiring or who had deceased.
8. During the time I was a Benefits Coordinator, money was only deducted from the pay of Pledge Fund participants when I advised the Finance Department that such was required to meet an existing obligation to pay a retired Pledge Fund participant or the beneficiary of a deceased Pledge Fund participant.
9. When advised, the City would cut a check to the Pledge Fund on a City of Charlotte account and send the check to me. I maintained deposit slips for the Pledge Fund account and would prepare a deposit slip for the City of Charlotte check and have the check deposited into the Pledge Fund bank account. A police officer came to the Human Resources Department every morning to pick up items for distribution to the City offices and as part of his rounds, we had him deposit the City of Charlotte check in the Pledge Fund bank account.
10. Once the Pledge Fund check written by the City had been deposited in the Pledge Fund bank account, I would type a check from the Pledge Fund checkbook which I maintained and contact the Pledge Fund participant to pick up his or her check. In the case where the Pledge Fund participant had passed, I would arrange for the check to be delivered to the beneficiary.

11. As of December 2003, when I retired, money was only withdrawn from participants' pay when I advised that deductions should be taken to meet a Pledge Fund obligation - a retirement, or death. When money was withdrawn from a participant's pay, it was provided to the appropriate Pledge Fund participant or the appropriate beneficiary by the above-described process. There was never an accumulation of money in the Pledge Fund bank account. The money that went into the Pledge Fund bank account from the City was immediately disbursed to the appropriate Pledge Fund participant or beneficiary.

12. While the Charlotte Mecklenburg Police Department had a dedicated Human Resources Department, it did not have a finance department. The Police Department was paid by the Finance Department of the City of Charlotte. The information the Fund participants filled out to authorize the payroll deduction was maintained by the Human Resources Department and communicated to the City of Charlotte Finance Office when payroll deductions needed to be taken and payment to a Pledge Fund participant was needed.

13. Without question, the Pledge Fund program was a benefit and as a Human Resources professional, I believe the Charlotte Mecklenburg Police Department and the City of Charlotte obtained recruiting and retention benefits from the existence of the Pledge Fund.


Mary Broadrick

North Carolina MECKLENBURG County
I, RAJ PATEL, a Notary Public for
Said County and State, do hereby certify that Mary Broadrick
personally appeared before me this day and acknowledged the
due execution of the foregoing instrument.

Witness my hand and official seal, this the 3 day of Aug, 2021

(Official Seal)



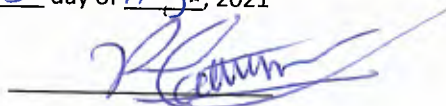

Notary Public

EXHIBIT H

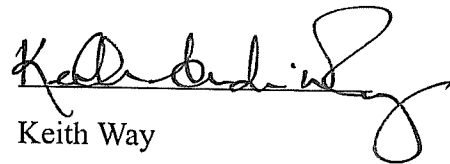
KEITH WAY AFFIDAVIT

I, Keith Way, after being duly sworn do depose and say as follows:

1. I was a member of the Charlotte Mecklenburg Police Department for 24.5 years. I was hired on February 24, 1988 and was a member of the recruit class no. 90. I retired on March 01, 2017.
2. During the recruit class presentation about benefits, I was informed about the opportunity to participate in the Volunteer Police Pledge Fund. The class was told that if we agreed to have \$5 deducted weekly from our pay, which Funds would be used to provide \$10 to each Pledge Fund participant who retired, we would receive at our retirement an amount equal to \$10 x the then number of Pledge Fund participants. We were told this was approved by the City of Charlotte.
3. While joining the Pledge Fund was said to be "voluntary," there was social and command pressure to join. It was made clear that joining the Pledge Fund would benefit the senior members of the Charlotte Mecklenburg Police Department for whom we would be working and who would have some influence over our careers, would resulting in participants being part of the team, and would benefit me and my classmates when we retired in an amount equal to \$10 x the then number of Pledge Fund participants.
4. My recollection is that a majority of recruits in Pledge class 90 joined the Pledge Fund. Jeffry Butler and Terry Roper, who have also retired, but not received their Pledge Fund payment, were also in my class. I understand that the other members in recruit class no. 90 who joined the Pledge Fund have already received their payouts.
5. The Pledge Fund was administered by the Human Resources Department of the Charlotte Mecklenburg Police Department and the Finance Department or Payroll Department. A list of Pledge Fund participants was maintained by the Human Resources Department of the Charlotte Mecklenburg Police Department and the weekly Pledge Fund deductions were taken out by the Finance Department or the Payroll Department of the City of Charlotte.
6. When I retired, I was told by the head of the Charlotte Mecklenburg Police Department, Human Resources Department Justin Lee that there was not sufficient funds to pay Pledge Fund participants immediately upon retirement, in fact payments had been substantially delayed because of the number of retirees and the salary deduction process. To determine where one was on the list, one would have to check with the head of the

Charlotte Mecklenburg Police Department Human Resources Department Human Resources department.

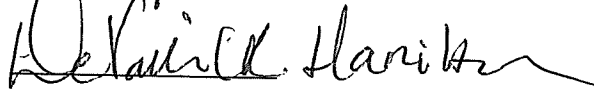
7. The head of the Human Resources Department was occupied by a sworn officer early in my career, but later by a civilian employee of the City of Charlotte who was assigned to the Charlotte Mecklenburg Police Department Human Resources department. The last years of my employment the position was occupied by Justin Lee.
8. My understanding is that Mr. Lee is still an employee of the City of Charlotte, but no longer works in the Charlotte Mecklenburg Police Department. As part of the out processing, I met with Mr. Lee, who upon reviewing the Pledge Fund participant list he maintained in his office, confirmed that I was a Pledge Fund participant.
9. Mr. Lee explained the Pledge Fund payout process as part of the same meeting where he explained the other retirement benefit to which I was entitled, and Mr. Lee definitely described the Pledge Fund and referred to the Pledge Fund as a benefit of being a member of the Charlotte Mecklenburg Police Department. Mr. Lee explained that my Pledge Fund payment would be delayed but did not provide specific guidance when I might expect it.
10. Some time passed after which I again contacted Mr. Lee who, after checking his list, informed me that I was the next person on the list to receive a Pledge Fund benefit and should receive my check in several weeks. Unfortunately, that never happened, and I have yet to receive the payout I was promised at the Police Academy benefits briefing presented to recruit class no. 90.


Keith Way

North Carolina Mecklenburg County
I, Deborah L. Harris Notary Public for
Said County and State, do hereby certify that Keith Way
Personally appeared before me this day and acknowledged the
due execution of the foregoing instrument.

Witness my hand and official seal, this the 28 day of September 2021

(Official Seal)


Notary Public

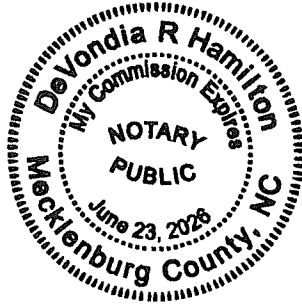


EXHIBIT I

AFFIDAVIT OF KATRINA GRAUE

I, Katrina Graue, after being duly sworn does depose and say:

1. I was an employee of the City of Charlotte and a member of the Charlotte-Mecklenburg Police Department for 29 years. I was hired on July 25, 1990, and a member of the Police Academy Recruit Class no. 102. I retired on July 1, 2019. During my career, I rose from recruit to Deputy Chief and occupied a number of different job positions as a Deputy Chief.
2. During the recruit class presentation about benefits, I was informed by Charlotte Police Department Human Resources representative about the opportunity to participate in the Voluntary Police Pledge Fund. The Pledge Fund was presented as a benefit of employment of the Charlotte Police Department along with other benefits like life insurance and 401K retirement plans.
3. The Pledge Fund presentation was straightforward. A Pledge Fund participant agreed to support a retiring Pledge Fund participant or the beneficiary of a deceased Pledge Fund participant with a \$10 contribution by having \$5 deducted from his or her pay for two consecutive weeks when needed, such that the retiring participant would receive \$10 from each then Pledge Fund participant. In exchange for his or her participation, the Pledge Fund participant would receive \$10 from each then Pledge Fund participant upon his or her retirement or his or her beneficiary would receive the amount upon death.
4. While joining the Pledge Fund was said to be "voluntary," there was certainly strong social and command pressure to join. It was clear that joining the Pledge Fund was expected and it did not feel like it was optional. I understood that it would benefit retirees and me, one day, when I retired. It would also result in me being part of the "team," and would benefit me and my classmates when we retired in an amount equal to \$10 times the then number of Pledge Fund participants.
5. Based on the explanations provided, I did not believe the Pledge Fund was "voluntary," but rather was presented in the first few days of the Police Academy in a way that created substantial pressure to join. I know from conversation that my classmates who also joined did not believe it was voluntary. My recollection is that a majority of the recruits in Recruit Class 102 joined the Pledge Fund and also felt social and command pressure to join.
6. The Pledge Fund was never an organization and certainly never administered anything; rather the Pledge Fund was administered by the Human Resources Department of the Charlotte Mecklenburg Police Department which maintained the list of Pledge Fund participants.
7. It is my understanding that when a Pledge Fund participant retired or passed (a) the Human Resources Department of the Charlotte Mecklenburg Police Department would advise the Finance Department of the City of Charlotte of the retirement or death, (b) the Finance Department would deduct \$5 from the weekly pay of each Pledge Fund participant as required

to meet the obligation, (c) the Finance Department would then cause a check to be written in the amount of \$10 x the number of Pledge Fund participants, (d) the Finance Department would transfer that check to the Human Resources Department of the Charlotte-Mecklenburg Police Department, and (e) the Human Resources Department would cause the check would be delivered to the retired Pledge Fund participant or would cause the check to be delivered to a member of the Charlotte Mecklenburg Police Department for delivery to the retired Pledge Fund participant. More recently, the Finance Department would write the check to Pledge Fund bank account advising the identity of the intended beneficiary.

8. At some point, the checks from the City of Charlotte were made out to the Voluntary Police Pledge Fund and would be given to a member of Police Department indicating the Pledge Fund participant to whom the check amount should be directed.

9. I was part of leadership group on the Charlotte Mecklenburg Police Department that was aware an Audit of the Pledge Fund. We were told that the audit would be made available, but it was not. I asked for a copy of the report and was told it had been given to another police assistant Chief but was told by her it was not given to her. I believe that the audit was undertaken by Marie Marsicano in City Audit.

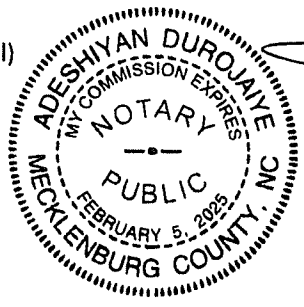
Katrina Graue

Katrina Graue

North Carolina Mecklenburg County
I, Adeshiyam Durgajays a Notary Public for
Said County and State, do hereby certify that Katrina Graue
personally appeared before me this day and acknowledged the
due execution of the foregoing instrument.

Witness my hand and official seal, this the 23rd day of Aug., 2021

(Official Seal)



Adeshiyam Durgajays
Notary Public