

Exhibit 7

IN THE SUPREME COURT OF OHIO

THE STATE OF OHIO ex rel.	:	
MARY JANE HORTON,	:	
	:	Supreme Court Case No. 2020-0348
Relator	:	
v.	:	
	:	
MICHAEL KILBANE	:	
	:	
And	:	
	:	
CITY OF INDEPENDENCE, OHIO	:	
	:	
Respondents.	:	

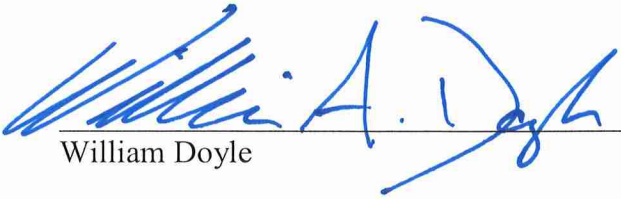
AFFIDAVIT OF WILLIAM DOYLE

William Doyle, being first duly cautioned and sworn, swears the following to be true based on his personal knowledge:

1. I am an attorney at Taft Stettinius & Hollister LLP, in Cleveland, Ohio, and Assistant Law Director for the City of Independence, Ohio.
2. On July 12, 2019, The Chandra Law Firm submitted a public records request on behalf of Leonard Mazzola (a former City police officer).
3. The City provided documents responsive to Lt. Mazzola’s request on September 4, 2019 and September 13, 2019.
4. On February 18, 2020, Mr. Mazzola’s counsel sent me a letter clarifying that Mr. Mazzola’s request was seeking a “Memorandum from Lt. Mazzola to Ptl. Brian Dalton date January 7, 2019 regarding Performance Standard 10/1/18-12/31/18.”
5. In response to the February 18, 2020 letter, the City produced on February 24, 2020, a certain reprimand issued to Patrolman Brian Dalton on January 7, 2019 and signed by him (the “Dalton Reprimand”).
6. A true and accurate copy of the Dalton Reprimand as produced by the City, and an email transmitting the same to The Chandra Law Firm, is attached hereto as Exhibit A.
7. The Dalton Reprimand is a document responsive to Item 3 of Relator’s public records request to the City.

If I am called to testify, I will testify to these statements under oath.

FURTHER AFFIANT SAYETH NAUGHT.




William Doyle

Sworn and subscribed before me this 6th day of April, 2021.



JEFFREY CURTIN
Notary Public, State of Ohio
My Commission Expires
December 9, 2022




Notary Public
My commission expires: 12/09/2022

Doyle Affidavit

-

Exhibit A

Archived: Tuesday, April 6, 2021 12:55:51 PM
From: [Doyle, William A.](#)
Sent: Monday, February 24, 2020 11:42:31 AM
To: [Ashlie Case Sletvold](#)
Cc: [O'Brien, Gregory J.](#)
Subject: RE: July 12, 2019 Public Records Request
Response requested: No
Sensitivity: Normal
Attachments:
[Mazzola Memo to Dalton \(1-7-2019\).pdf](#) 

Hi Ashlie,
I've attached the document referenced in your February 18, 2020 letter—the "Memorandum from Lt. Mazzola to Ptl. Brian Dalton dated January 7, 2019 regarding Performance Standard 10/1/18-12/31/18."
Please let me know if you have any questions or if you would like to discuss. Also, please direct any future public records requests to me, not to Messrs. Togliatti/Kilbane.
Thank you,
Will

Taft/ **William A. Doyle**, Attorney
Litigation; Intellectual Property/Patent
Direct: 216.706.3887 | Office Ext: 73887
Taft Office: Cleveland

From: Ashlie Case Sletvold <ashlie.sletvold@chandralaw.com>
Sent: Tuesday, February 18, 2020 5:02 PM
To: Doyle, William A. <wdoyle@taftlaw.com>
Subject: Re: July 12, 2019 Public Records Request

Thanks for the quick response, Will. No rush to provide it before tomorrow morning. Thanks.
On Tue, Feb 18, 2020 at 4:38 PM Doyle, William A. <wdoyle@taftlaw.com> wrote:

I want to say that for some reason we couldn't find that one, but let me confirm. Probably won't have an answer to you before the CMC tomorrow.

Taft/ **William A. Doyle**
Attorney
wdoyle@taftlaw.com
Dir: 216.706.3887
Tel: 216.241.2838 | Fax: 216.241.3707
200 Public Square, Suite 3500
Cleveland, OH 44114-2302

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taftlaw.com

From: Ashlie Case Sletvold <ashlie.sletvold@chandralaw.com>
Sent: Tuesday, February 18, 2020 4:32 PM

To: Doyle, William A. <wdoyle@taftlaw.com>

Cc: O'Brien, Gregory J. <gobrien@taftlaw.com>; Mandel, Josh M. <jmandel@taftlaw.com>; Anthony Togliatti (togliattia@independenceohio.org) <togliattia@independenceohio.org>; Michael Kilbane <kilbanem@independenceohio.org>; linkerl@independenceohio.org

Subject: Re: July 12, 2019 Public Records Request

Good afternoon, please see attached follow up regarding July 12, 2019 public-records request.

On Fri, Sep 13, 2019 at 3:31 PM Doyle, William A. <wdoyle@taftlaw.com> wrote:

Ashlie,

Final docs attached.

Will

From: Doyle, William A. <wdoyle@taftlaw.com>

Sent: Wednesday, September 4, 2019 9:38 AM

To: Ashlie Case Sletvold <ashlie.sletvold@chandraLaw.com>

Cc: O'Brien, Gregory J. <gobrien@taftlaw.com>; Mandel, Josh M. <jmandel@taftlaw.com>; Anthony Togliatti (togliattia@independenceohio.org) <togliattia@independenceohio.org>; Michael Kilbane <kilbanem@independenceohio.org>; linkerl@independenceohio.org

Subject: July 12, 2019 Public Records Request

Ashlie,

Please see attached.

Will

Taft /

William A. Doyle / Attorney

Taft Stettinius & Hollister LLP

200 Public Square, Suite 3500

Cleveland, OH 44114-2302

Tel: 216.241.2838 • Fax: 216.241.3707

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"While the people retain their virtue and vigilance, no administration, by any extreme of wickedness or folly, can very seriously injure the government in the short space of four years." ~Abraham Lincoln, First Inaugural Address, March 4, 1861

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“While the people retain their virtue and vigilance, no administration, by any extreme of wickedness or folly, can very seriously injure the government in the short space of four years.” ~Abraham Lincoln, First Inaugural Address, March 4, 1861

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City of Independence, Ohio

"THE HEART OF CUYAHOGA COUNTY"

6800 BRECKSVILLE ROAD

INDEPENDENCE, OHIO 44131

Police Department

(216) 524-1234

FAX (216) 328-0110

To: Ptl. Brian Dalton
From: Lt. Len Mazzola
CC: Chief Michael Kilbane
Date: 01/07/2019
Re: Performance Standard 10/01/18-12/31/18

Ptl. Dalton,

I have completed calculating the numbers for the 10/01/18-12/31/18 Performance Standard reporting period. During this period you wrote 20 citations. The Performance Standard outlined via email delivered to all Patrol, stated that each officer would be responsible to have a minimum of 10 citations per month, thus a total of 30 for each quarterly reporting period.

You have failed to comply with this directive issued. Per Chief Kilbane, this letter serves as a written reprimand to document the situation. Failure to meet acceptable Performance Standard numbers going forward will result in progressively more severe discipline. All other members of the Patrol division have met the Performance Standard for this reporting period.

Please sign below acknowledging receipt of this written reprimand.

Ptl. Brian Dalton

REFUSED NO JUST CAUSE!
I HAVE BEEN THREATENED AND AM SIGNING THIS UNDER DURESS!

Please let me know if there is anything I can do to help moving forward to avoid any issues.

B Dalton

Lt. Len Mazzola