

**From:** Peter Keith/CTYATT  
**To:** Scott Emblidge <emblidge@mesllp.com>, David Waggoner <davidpwaggoner@gmail.com>, John St.Croix <john.st.croix@sfgov.org>, Mabel Ng <Mabel.Ng@sfgov.org>, Shepard Kopp <shep@shepardkopplaw.com>, Sherri Kaiser <Sherri.Kaiser@sfgov.org>, Mardoux Torrise <torrise@mesllp.com>

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**Date:** Wednesday, May 16, 2012 01:45PM  
**Subject:** Mayor's Response to Request for Protective Order - Date Corrected

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I did not fix the signature line of the brief to reflect today's date. Here is a copy dated May 16, to avoid confusion. There are no other changes. I apologize for the error.

Peter J. Keith  
Deputy City Attorney  
San Francisco City Attorney's Office  
1390 Market Street, 6th floor  
San Francisco, CA 94102  
Tel. 415-554-3908  
Fax 415-554-3837  
email: peter.keith@sfgov.org

**From:** Peter Keith/CTYATT  
**To:** Scott Emblidge <emblidge@mesllp.com>@SFGOV  
**Cc:** David Waggoner <davidpwaggoner@gmail.com>, John St.Croix <john.st.croix@sfgov.org>, Mabel Ng <Mabel.Ng@sfgov.org>, Shepard Kopp <shep@shepardkopplaw.com>, Sherri Kaiser <Sherri.Kaiser@sfgov.org>, Mardoux Torrise <torrise@mesllp.com>  
**Date:** 05/16/2012 12:59 PM  
**Subject:** Mayor's Response to Request for Protective Order

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[attachment "Mayors Response to Sheriffs Request For Protective Order.pdf" deleted by Peter Keith/CTYATT]

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**From:** Scott Emblidge <emblidge@mesllp.com>  
**To:** Sherri Kaiser <Sherri.Kaiser@sfgov.org>  
**Cc:** David Waggoner <davidpwaggoner@gmail.com>, Mardoux Torrise <torrise@mesllp.com>, John St.Croix <john.st.croix@sfgov.org>, Mabel Ng <Mabel.Ng@sfgov.org>, Peter Keith <peter.keith@sfgov.org>, Shepard Kopp <shep@shepardkopplaw.com>  
**Date:** 05/15/2012 10:04 PM  
**Subject:** Re: Request for Protective Order

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The Commission, through Chairperson Hur, grants your request.

Sent from my iPhone

On May 15, 2012, at 9:34 PM, "Sherri Kaiser" <[Sherri.Kaiser@sfgov.org](mailto:Sherri.Kaiser@sfgov.org)> wrote:

I am in receipt of your request. Due to a preexisting obligation for both Mr. Keith and myself at 10 am, I am requesting that the Commission extend the deadline for the City's submission to 1:00 pm if possible. Thank you for your consideration.

On May 15, 2012, at 9:19 PM, "Scott Emblidge" <[emblidge@mesllp.com](mailto:emblidge@mesllp.com)> wrote:

The Ethics Commission through Chairperson Hur requests that the City respond to the Sheriff's request for a protective order. Please provide a response not to exceed five double-spaced pages no later than noon tomorrow, May 16. The Ethics Commission requests that the City not publicly disseminate the material at issue until the Commission rules on the Sheriff's request, which the Commission, through Chairperson Hur, intends to do promptly.

G. Scott Emblidge  
Moscone Emblidge & Sater LLP  
220 Montgomery Street, Suite 2100  
San Francisco, California 94104  
Tel. (415) 362-3599 Fax. (415) 362-2006

**From:** Sherri Kaiser [<mailto:Sherri.Kaiser@sfgov.org>]  
**Sent:** Tuesday, May 15, 2012 6:21 PM  
**To:** David Waggoner  
**Cc:** Scott Emblidge; Mardoux Torrise; John St.Croix; Mabel Ng; Peter Keith; Shepard Kopp  
**Subject:** Re: Request for Protective Order

Dear Mr. Emblidge:

I have forwarded to you the relevant briefing, court order and correspondence that will allow you to evaluate the factual basis of Sheriff Mirkarimi's assertions. In the event that the Commission determines that it may have jurisdiction and/or a legal basis to issue a protective order directing the City to refuse to disclose a public record under the Sunshine Ordinance, the City requests an opportunity to respond. We will wait for your instructions.

I will monitor my email this evening, and we will do our best to respond in short order if requested.

Best regards,  
Sherri Kaiser

-----David Waggoner <[davidpwaggoner@gmail.com](mailto:davidpwaggoner@gmail.com)> wrote: -----

To: Scott Emblidge <[emblidge@mesllp.com](mailto:emblidge@mesllp.com)>, Mardoux Torrise <[torrise@mesllp.com](mailto:torrise@mesllp.com)>, "John St.Croix" <[john.st.croix@sfgov.org](mailto:john.st.croix@sfgov.org)>, Mabel Ng <[Mabel.Ng@sfgov.org](mailto:Mabel.Ng@sfgov.org)>

From: David Waggoner <[davidpwaggoner@gmail.com](mailto:davidpwaggoner@gmail.com)>

Date: 05/15/2012 05:28PM

Cc: Peter Keith <[peter.keith@sfgov.org](mailto:peter.keith@sfgov.org)>, Sherri Kaiser <[sherri.kaiser@sfgov.org](mailto:sherri.kaiser@sfgov.org)>, Shepard Kopp <[shep@shepardkopplaw.com](mailto:shep@shepardkopplaw.com)>

Subject: Request for Protective Order  
Dear Mr. Emblidge,

Please find a Request for Protective Order attached. Please transmit this Request to the Chairperson as soon as possible.

Thank you,  
David Waggoner

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David P. Waggoner, Esq.  
2079 Market Street, # 1  
San Francisco, CA 94114  
(415) 305-7708

This message contains information which may be confidential and privileged. Unless you are the intended addressee (or authorized to receive for the intended addressee), you may not use, copy or disclose to anyone the message or any information contained in the message. The unintended transmission of any confidential or privileged information shall not constitute waiver of the attorney-client privilege or any other privilege. If you have received the message in error, please advise the sender by reply at [davidpwaggoner@gmail.com](mailto:davidpwaggoner@gmail.com) and delete the message.

[attachment "Request for Protective Order.pdf" removed by Sherri Kaiser/CTYATT]

Attachments:

Mayors Response to Sheriffs Request For Protective Order 051612.pdf