



City of Austin

Law Department

City Hall, 301 West 2nd Street, P.O. Box 1088
Austin, Texas 78767-1088
(512) 974-2268

October 30, 2019

Via First Class Mail and Email: mark@marklittlefield.com

Robert Mark Littlefield
P.O. Box 90591
Austin, Texas 78709

Via First Class Mail and Email: unconventionalaustin@gmail.com

Unconventional Austin SPAC
1706 East 32nd Street
Austin, Texas 78722

Unconventional Austin SPAC
309 East 11th Street, Ste 2
Austin, Texas 78701

Re: Notice of Preliminary Hearing before the City of Austin Ethics Review Commission
Preliminary Hearing Date and Time: November 13, 2019 at 6:00 p.m.
Location: City Hall, Room 1027, 301 W. 2nd Street, Austin Texas 78701

Dear Mr. Littlefield and Representative(s) of Unconventional Austin SPAC:

On November 13, 2019, at the time and location stated above, the City of Austin Ethics Review Commission ("Commission") will hold a preliminary hearing (pursuant to Section 2-7-44 of the Austin City Code) on the complaint filed on October 18, 2019 by Robert Mark Littlefield against Unconventional Austin SPAC. The preliminary hearing will take place at a regular meeting of the Commission.

The issue to be addressed at the preliminary hearing will be whether there are reasonable grounds to believe that a violation of a provision within the jurisdiction of the Commission has occurred. Complainant Littlefield has alleged that Respondent Unconventional Austin SPAC violated City Code Section 2-2-32 (Reporting of Direct Campaign Expenditures) of Chapter 2-2 (Campaign Finance). Attached are copies of the following:

- City Code Chapter 2-2 (Campaign Finance)
- City Charter Article III, Section 8 (Limits on Campaign Contributions & Expenditures)
- City Code Chapter 2-7 (Ethics and Financial Disclosure), Articles 1 - 5; and
- City of Austin Ethics Review Commission Rules and Procedures for Complaints and Hearings under City Code Chapter 2-7 ("Hearing Rules").

Complainant and Respondent have the right to retain legal counsel to represent them in this matter. The procedures for the complainant to state the alleged violation and for the respondent to respond are set out in City Code Section 2-7-44, the Hearing Rules, and this letter.

The complainant is required to attend the preliminary hearing. At the Commission's discretion, the complainant or the complainant's counsel may be allowed up to ten minutes to state the alleged violation, to state why the conduct alleged would be a violation of a provision within the jurisdiction of the Commission, and to describe in narrative form the testimony and other evidence which would be presented at a final hearing to prove the alleged violation.

The respondent has the right to attend the preliminary hearing but is not required to do so. If the respondent chooses to attend the hearing, at the Commission's discretion, the respondent or the respondent's counsel may be allowed up to ten minutes to respond to the complaint.

Please be advised that any statements made by the parties to the Commission at the preliminary hearing shall be under oath, but cross examination is not allowed. Rule II(B) No witnesses, other than the parties or their counsel, are permitted to make statements at the preliminary hearing.

Although there is no requirement that either party file a written statement (other than the actual complaint, which has been provided to the Commissioners), the Commission in its discretion may consider a sworn written response by the respondent or other documents at the preliminary hearing. **To give the Commission sufficient time for review, please submit any documents you wish the Commission to consider at the preliminary hearing to me no later than 5:00 p.m. on Thursday, November 7, 2018.**

In addition, at the conclusion of the preliminary hearing, the complainant and the respondent may ask the Commission to request that certain persons and evidence be provided for a final hearing, if one is scheduled.

At the preliminary hearing, the Commission may set the complaint for final hearing, or the Commission may dismiss the complaint. If the respondent does not wish to contest the alleged violation, the respondent may admit to the violation at the preliminary hearing. If respondent agrees on the record that a violation has occurred, the Commission may consider an appropriate sanction or prosecution at the preliminary hearing, or the Commission may set the complaint for a final hearing for the purpose of receiving evidence and determining an appropriate sanction. City Code Section 2-7-44 (B); Rule II(D)(1)(c)

Ex Parte Communications Prohibited: Outside of a public meeting of the Commission, you may not directly or indirectly communicate with Commission members in regard to the complaint. *See* City Code Section 2-7-43 (Prohibition of Ex Parte Communications). All communications related to scheduling conflicts or other procedural concerns should be made to me.

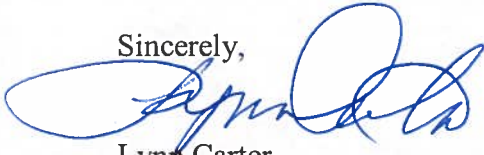
Please confirm whether you are able to attend the hearing at this date and time by contacting me as soon as possible. If you cannot attend and wish to request a postponement, please provide me a written postponement request (preferably by electronic mail) and include a statement of your reasons for not being able to attend the preliminary

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hearing as scheduled. Again, the complainant must attend the preliminary hearing, but the respondent's attendance is optional. Because of deadlines in City Code, Chapter 2-7, it is important that the preliminary hearing be conducted on a timely basis. I can be reached at lynn.carter@austintexas.gov or (512) 974-2268.

On behalf of the Commission, thank you for your cooperation in this matter.

Sincerely,



Lynn Carter
Assistant City Attorney
Executive Liaison for the Ethics Review Commission
Law Department, City of Austin

Enclosures

cc: Ethics Review Commissioners (by email)
Ashley Glotzer, Law Department
Sue Palmer, Law Department