

Rhode Island Ethics Commission
40 Fountain St., 8th Floor
Providence, RI 02903

Request for Addendum to Advisory Opinion

Thursday, January 3, 2019

Justin Katz, with Robert Coulter and Nancy Driggs
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To whom it may concern:

Please consider this letter as an addendum to my request for an advisory opinion dated December 28, 2018. One additional consideration has arisen that suggests a possible future need for related advisory opinions, and in the interest of reducing the workload for the Ethics Commission, I suggest those questions be taken along with the prior two questions.

Of the lawsuits filed by we three Tiverton Town Council members, as described in my previous letter, the one on which Nancy Driggs appeared included two other plaintiffs: Justin LaCroix and Richard Rom. Mr. LaCroix is now on the town's Budget Committee and has chosen to withdraw from the suit, as well. Mr. Rom has remained on the suit and has publicly stated that the matter is too important to let drop, although without any indication of his intention to pursue it in the near future.

As previously described, although the lawsuits filed (and now motioned for voluntary dismissal) by Robert Coulter and myself were separate from that filed by Driggs, LaCroix, and Rom, they are substantively similar.

In light of the (perhaps remote) possibility that Mr. Rom will request some sort of action on the case during our time in office, and with the reminder that the named defendants are the Board of Canvassers and Town Clerk, not the Town Council, we ask the Ethics Commission:

1. Whether the council member who previously joined Mr. Rom on his lawsuit must recuse from the council's participation in the matter, if any.
2. Whether the two council members who filed lawsuits separate from, but similar to, Mr. Rom's must recuse from the council's participation in the matter, if any.
3. Whether the Town Solicitor hired by these council members must recuse from handling the case, should it arise.

Sincerely,



Justin Katz