



Volusia County
FLORIDA

Legal Department

November 1, 2013

VIA FACSIMILE
(386) 226-4886

Jason Harr, Esq.
1326 S. Ridgewood Ave.
Suite Twelve
Daytona Beach, FL 32114

Re: Michael Snipes - IA - 2013-06-318

Dear Mr. Harr,

Pursuant to your request, I have confirmed that former Beach Department Capt. Scott Dowling was the source of the text messages and Facebook posting provided to Beach Director Mark Swanson in July 2013. As we previously discussed, although the information was provided to Director Swanson by a third party, upon receipt of same, Director Swanson made the decision to request the initiation of an internal affairs investigation. As we also discussed, since your client was disciplined for actions he admitted to, the source of the information to Director Swanson is not relevant to the County's case. Therefore, I will not be calling Mr. Dowling as a witness at the Personnel Board hearing on November 5, 2013; however, I understand that you have him under subpoena for the presentation of your case. Please let me know if you have any further questions regarding this issue.

Also, be advised that Jeffrey Mandel, Esq. will be present at the hearing as the legal advisor to the Personnel Board.

Sincerely,



Nancye R. Jones
Assistant County Attorney

NRJ/sns