Subject: Re: F-Words During the City of Newton, IA City Council Meetings - Some bring troubles, others produce chuckles.
From: Matt Brick <Matt.Brick@brickgentrylaw.com>
Date: 12/15/23, 16:53
To: "cipher.hunter@phoenixharbor.ai" <cipher.hunter@phoenixharbor.ai>
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X-Mozilla-Status2: 00000000
Return-Path: <Matt.Brick@brickgentrylaw.com>
X-Original-To: cipherhunter@phoenixharbor.ai
Delivered-To: cipher.hunter@phoenixharbor.ai
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Mr. Merritt,

I am not a record custodian for the City of Newton so, if you are making a records request for a copy of a record, you will need to send that to the appropriate City official and pay the required fee. That said, the meeting referred to in "reference (1.)" is the October 2, 2023 City Council meeting. A link to that video is attached below:

Sincerely,

Matthew S. Brick
Brick Gentry PC
6701 Westown Parkway, Suite 100
West Des Moines, Iowa 50266
Phone: 515-274-1450
Fax: 515-274-1488
Matt.Brick@BrickGentryLaw.com
www.BrickGentryLaw.com

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On Dec 1, 2023, at 11:38 AM, cipher.hunter@phoenixharbor.ai wrote:

Mr. Brick,

I am requesting a copy of the city council meeting video including the dialog shown in reference (1.).

References:

*"They pull buildings down in Alaska. They can pull buildings down in Iowa in October, November, December. You know when they could have? They could have pulled the building down three **effing** years ago."* Brick said, prompting some chuckles from council members. *"So, yeah, weather will not be a delay."*

"No matter what, we're going to have a hearing in February where we'll show up and either say, 'They did a good job' or 'They did a crap job' or 'They're not done with it.' So the judge wanted to make sure they stayed involved in this given the problems the city has had the past couple of years," Brick said."

1. Braunschweig, Christopher. "Settlement Agreement Requires Owner to Demolish Damaged Downtown Building." *Newton Daily News*, Newton Daily News, 5 Oct. 2023, www.newtondailynews.com/news/local/2023/10/05/settlement-agreement-requires-owner-to-demolish-damaged-downtown-building/. Accessed 1 Dec. 2023.

"An Iowa man is suing the City of Newton for arresting him after he attempted to criticize the city's police at a public meeting of elected officials."

*"Video of the meeting shows that during the public comment period, Peterson began reading a prepared statement in which he called the mayor and the police chief "the top two **fascists** in this town" and called for both to be removed from office."*

2. Kauffman, Clark. "City Sued for Arresting Man Who Criticized Newton Mayor and Police - Iowa Capital Dispatch." *Iowa Capital Dispatch*, 12 Oct. 2023, iowacapitaldispatch.com/2023/10/12/city-sued-for-arresting-man-who-criticized-newton-mayor-and-police/. Accessed 1 Dec. 2023.

3. Iowa Rules of the Court Chapter 32

Rule 32:4.4 RESPECT FOR RIGHTS OF THIRD PERSONS

(a) In representing a client, **a lawyer shall not use means that have no substantial purpose other than to embarrass**, delay, **or** burden a third person, **or** use methods of obtaining evidence that violate the legal rights of such a person.

Using an abridged form of an explicit f-word while publicly persecuting a third party's (opposing party) mistakes, inadequacies, or failures while representing and communicating with a government body client that has arrested a citizen for using a non-explicit f-word in the same municipal chambers just doesn't seem logical. Evidence indicating the word was abridged while utilized provides evidence that the speaker knew its use was inappropriate, yet evidence suggests he did it anyway.

Respectfully,

Michael J. Merritt

"Bricks made with testimony lacking evidence are equivalent
to bricks made with straw without clay."

Cipher Hunter

https://phoenixharbor.net/2023/12/01/f-words-during-the-city-of-newton-ia-city-council-meetings-some-bring-troubles-others-produce-chuckles/

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