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January 11, 2019

P. Craig Silva
Williams Porter Day & Neville, P.C.
P.O. Box 10700
Casper, WY 82602

RE: Cain v. City

Craig:

I have received your letter of January 3, 201[9], and hope things are well with you also. Unfortunately, the attempt by the Rawlins City Council to give "substantial reconsideration" of its decision not to take action on my client's complaint fell far short of what is required by the *Gronberg* decision. There was no presentation of the facts and no true opportunity for public participation. City Manager Scott Hannum did not share his analysis of whether Wyoming Waste Connections was in compliance with city ordinances that was presented during the executive session. The "opportunity" for public participation, I hate to say, was nothing more than a ruse – one easily apparent to the members of the public at the meeting. Former Mayor Grauberger asked for "discussion" and within two seconds said, "Hearing none," he proceeded with the vote. Anyone familiar with the conduct of government meetings in Rawlins or throughout the state know that when the presiding official asks for "discussion," it is typically aimed at the other members of the governing board. One member of the audience even remarked that Grauberger pointed to the other council members when he asked for discussion. My client wants a true public airing of this issue and will continue to pursue this litigation until that is accomplished.

I regret that the litigation must continue and am open to legitimate ways to resolve the matter short of a hearing and court order. In the meantime, I will object to your motion for summary judgment on the basis that discovery – particularly the need to depose Hannum and Grauberger – must first be conducted.

With regards,



Bruce T. Moats

cc: Ms. Cain