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10 Attorneys for the People of the State of California

11 BEFORE THE DEPARTMENT OF JUSTICE

12 OFFICE OF THE ATTORNEY GENERAL

13 STATE OF CALIFORNIA
14

15
16 **In the Matter of the Investigation of**
Possibly Unlawful and Wasteful Activities
17 **by Officials, Officers, and Employees of the**
City of Bell, and the Possible Need for
18 **Changes in California Law.**

SUBPOENA TO PRODUCE DOCUMENTS
(GOVERNMENT CODE § 11181)

19
20 TO: Custodian of Records, City of Bell

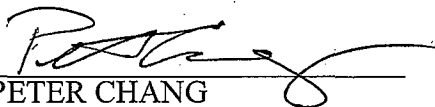
21 Pursuant to the powers conferred by Government Code sections 11180-11189
22 upon the Attorney General of the State of California as head of the Department of Justice, which
23 powers and authority to conduct the above-entitled investigation have been delegated to Deputy
24 Attorney General Peter Chang,

25 YOU ARE COMMANDED to produce documents described in Request No. 1 of
26 Schedule C hereto which are in your possession or under your control by 1:00 p.m. on
27 Wednesday, July 28, 2010 at City Hall of the City of Bell, 6330 Pine Avenue, Bell, California
28 90201. You are further commanded to produce documents described in Request Nos. 2-4 of

1 Schedule C hereto which are in your possession or under your control by 1:00 p.m. on Friday,
2 August 6, 2010, at the Office of the Attorney General, 300 South Spring Street, Suite 1702, Los
3 Angeles, California 90013, to the attention of Susan Leach.

4 This subpoena requires the production of the original of each document unless
5 there is in your possession or under your control only a copy or photographic record thereof, in
6 which case this request is for a true and legible copy of each such document. Failure to comply
7 with the requirements of this subpoena will subject you to liability for proceedings and penalties
8 provided by law.

9 Given under my hand this 26th day of July, 2010.

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11 
12 PETER CHANG
13 Deputy Attorney General
14 Telephone: (916) 445-1968

15 TO THE PERSON SERVED: You may seek the advice of an attorney in any
16 matter connected with this subpoena. You should consult your attorney promptly so that any
17 problems concerning your production of documents may be resolved within the time required by
18 this subpoena. You are further advised that you are hereby served this subpoena on behalf of the
19 City of Bell, as a person upon whom a copy of this subpoena may be delivered to effect service
20 on said party under the provisions of the California Code of Civil Procedure section 416.50.

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DECLARATION OF PETER CHANG

I, Peter Chang, declare as follows:

1. I am a Deputy Attorney General of the State of California.
2. The Attorney General of California, pursuant to Government Code section 11180, has authorized an investigation of the City of Bell as may pertain to possible violations of various state laws and the waste and misuse of public funds and any possible need for changes in California law. I, among others, have been delegated the authority to conduct the investigation and hold hearings in connection therewith by the Attorney General of California pursuant to Government Code section 11182.

3. I have issued a subpoena to produce books, records and documents in connection with this investigation. The documents listed and/or described in Schedule C hereto, to the extent they may exist, are under the possession or control of the organization on behalf of which the person authorized to receive service of process is served. Based upon investigation conducted thus far, I believe that these documents contain information relevant to this investigation.

4. The facts set forth herein are personally known to me and I have first-hand knowledge of the same. If called as a witness, I could and would competently testify thereto under oath.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated this 26th day of July, 2010 at Sacramento, California.



PETER CHANG

1 3. "Document" means the original or any identical copy and all nonidentical
2 copies (whether different from the original because of notes or underlining made thereon,
3 attachments affixed thereto, annotations, marks, transmissions, highlighting of any kind, or
4 otherwise) of any written, printed, electronically generated/retained recorded material, or
5 electronic data of writings of every kind and description that are fixed in any form of physical
6 media. Physical media include, but are not limited to, paper media, phonographic media,
7 photographic film media (including pictures, prints, films, slides, and microfilm), magnetic media
8 (including but not limited to hard disks, floppy disks, compact disks, and magnetic tapes of any
9 kind), computer media, optical media, magneto-optical media, and other physical media on which
10 notations or markings of any kind can be affixed. Documents include, by way of example only,
11 any memorandum, request envelope, correspondence, electronic mail, report, note, Post-It,
12 message, telephone message, telephone log, diary, journal, appointment calendar, calendar, group
13 scheduler calendar, drawing, painting, accounting paper, minutes, working paper, financial report,
14 accounting report, work papers, drafts, facsimile, facsimile transmission, report, contract, invoice,
15 record of purchase or sale, Teletype message, chart, graph, index, directory, computer directory,
16 computer disk, computer tape, computer file, or any other written, printed, typed, punched, taped,
17 filmed, or graphic matter, however produced or reproduced. Documents also include the file,
18 folder tabs, and labels appended to or containing any documents. Documents include electronic
19 mail messages.

20 4. The term "and" means and/or.

21 5. The term "or" means and/or.

22 6. "Relating to" means constituting, containing, concerning, discussing,
23 describing, analyzing, identifying, or stating.

24 7. "Compensation" means, but is not limited to, any salaries, wages, and other job-
25 related earnings, including but not limited to pension or retirement benefits, healthcare benefits,
26 cash and in-kind gifts, bonuses and awards, fringe benefits, childcare services, and advance
27 commissions.

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SCHEDULE B
INSTRUCTIONS

1. The relevant period of this subpoena is, unless otherwise so indicated, January 1, 2003, through the date of responding to this subpoena. This subpoena shall be deemed continuing in nature so as to require production of all documents and information responsive to any Request in this subpoena produced or obtained by you up to fourteen calendar days prior to the date of your full compliance with this subpoena. Any documents relating to this period are to be produced, regardless of whether the documents came into existence before, after, or during this period.

2. This subpoena is for production of the original of each document unless there is in your possession or under your control only a copy or photographic record thereof, in which case this request is for a true and legible copy of each such document. The subpoena also includes the production of all non-identical copies of documents, including drafts and copies upon which notations or additional writings have been made.

3. If documents responsive to a particular Request no longer exist for reasons other than the ordinary course of business or the implementation of the document retention policy as disclosed or described in response to this subpoena, but you have reason to believe responsive documents have been in existence, state the circumstances under which they were lost or destroyed, describe the documents to the fullest extent possible, state the Request(s) to which they are responsive, and identify persons having knowledge of the content of such documents.

4. Documents provided shall be complete and, unless privileged, unredacted and submitted as found in your files (*e.g.*, documents that in their original condition were stapled, clipped or otherwise fastened together shall be produced in such form). You may submit photocopies on white paper (with color photocopies where necessary to interpret the document), in lieu of original documents, provided that such copies are accompanied by an affidavit of an officer of the City of Bell stating that the copies are true, correct and complete copies of the original documents. The affidavit must also state that a diligent search for all requested documents has been conducted and must be signed under oath by the person most knowledgeable

1 about the documents and efforts made by you to comply with the subpoena. If there are no
2 documents responsive to a document request, as to each such document request, please so
3 indicate.

4 5. Computer files, including but not limited to all electronic mail messages, shall
5 be produced in electronic form, together with instructions and all other materials necessary to use
6 or interpret the data. Electronic mail messages should also be provided, even if only available on
7 backup or archive tapes or disks. Physical media (other than paper media) must be accompanied
8 by (a) an identification of the generally available software needed to open and view and document
9 or (b) a copy of the software needed to open and view the document.

10 6. Each document produced pursuant to this subpoena should be identified
11 according to the paragraph of the subpoena to which it is responsive. In lieu of indicating on each
12 document the paragraph to which it is responsive, you may provide an index of all documents you
13 produce, as long as this index shows the appropriate paragraph to which each document or group
14 of documents is responsive. Responsive documents from each person's files shall be produced
15 together, in one box or in consecutive boxes, or on one disk or consecutive disks, and within each
16 box or disk in file folders that segregate the person's files by specification number. If a document
17 is responsive to more than one specification, produce the document in response to the
18 specification to which it is primarily responsive. Mark each page or electronic medium (disk, tape
19 or CD) with corporate identification and consecutive document control numbers. Number each
20 box or electronic medium and mark each with the name(s) of the person(s) whose files are
21 contained therein, the Requests(s) to which they are responsive, and the document control
22 numbers contained therein.

23 7. For data produced in spreadsheets or tables, identify the fields and codes and a
24 description of the information contained in each coded field.

25 8. The document request contained herein should be deemed to include all
26 relevant documents in the personnel files of all your former and present officials, council
27 members, officers, directors, employees, agents, consultants, representatives, and, unless
28 privileged, attorneys.

1 9. If any documents are withheld from production based on a claim of privilege,
2 provide a statement of the claim of privilege and all facts relied upon in support thereof. To the
3 extent the claim of privilege involves any employee, agent, representative, or outside attorney,
4 identify the person's name, division, and organization. If the claim of privilege relates to or relies
5 on the privileged status of any document, provide a log that includes each document's authors,
6 addressees, date, a description of each document, all recipients of the original and any copies, and
7 the Request(s) of this subpoena to which the document is responsive. Attachments to a document
8 should be identified as such and entered separately on the log. For each author, addressee, and
9 recipient, state the person's full name, title, and employer or firm, and denote all attorneys with
10 an asterisk. Include the number of pages of each document and provide a sufficient description of
11 the document to identify its general subject matter without revealing information over which a
12 privilege is claimed. For each document withheld under a claim that it constitutes or contains
13 attorney work product, also state whether the City asserts that the document was prepared in
14 anticipation of litigation or for trial and, if so, identify the anticipated litigation or trial upon
15 which the assertion is based. Submit all non-privileged portions of any responsive document
16 (including non-privileged or redactable attachments) for which a claim of privilege is asserted
17 (except where the only non-privileged information has already been produced in response to this
18 instruction), noting where redactions in the document have been made. Documents authored by
19 outside lawyers representing the City that were not directly or indirectly furnished to the City or
20 any third-party, such as internal law firm memoranda, may be omitted from the log.

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SCHEDULE C

1. All contracts governing the employment of Robert Rizzo, Angela Spaccia, and Randy Adams in place since January 1, 2004.

2. All documents relating to all Compensation provided by the City of Bell to Robert Rizzo, Angela Spaccia, Randy Adams, Oscar Hernandez, Teresa Jacobo, Luis Artiga, Lorenzo S. Velez, and George Mirabal, including but not limited to employment contracts, records reflecting terms of employment, records reflecting the basis for the Compensation, payroll records, and receipts. This request is not limited to any time period.

3. All resolutions of the City of Bell relating to the Compensation of Robert Rizzo, Angela Spaccia, Randy Adams, Oscar Hernandez, Teresa Jacobo, Luis Artiga, Lorenzo S. Velez, and George Mirabal.

4. All minutes of the meetings of the City Council of the City of Bell relating to the Compensation of Robert Rizzo, Angela Spaccia, Randy Adams, Oscar Hernandez, Teresa Jacobo, Luis Artiga, Lorenzo S. Velez, and George Mirabal.

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