July 17, 2013

Jan I. Goldsmith
City Attorney
1200 Third Avenue, Suite 1620
San Diego, CA 92101-4178

VIA E-MAIL TO:
JANGOLDSMITH@SANDIEGO.GOV
& FIRST CLASS MAIL

Dear Mr. Goldsmith:

Thank you for your July 16, 2013 letter.

Bob Filner will, of course, cooperate with any investigation the City may undertake. At this time, however, it is my understanding - and please correct me if I am wrong - that no City employee (or non-employee, for that matter) has made a complaint against Mr. Filner. I have heard many people accuse (and apparently many have already convicted the Mayor) based on anonymous and unsubstantiated allegations.

It is therefore difficult to determine exactly what the City would want him to say in response to your letter to him of July 12, 2013. He denies sexually harassing any City employees.

If the City wishes to conduct an investigation (and it should), Mr. Filner will fully cooperate with any investigation. While I believe it is highly inappropriate under the circumstances, pending the investigation, Mr. Filner will comply with your request to avoid meeting alone with women on City business or in a City building. If you are going to insist on such a rule, Mr. Filner would request a prompt and objective investigation, as required by FEHA, to avoid having this turn into a bigger media event than it already is, with the understanding that if not warranted, such a restriction will be withdrawn promptly.

If there are any specific allegations raised by any complainants, please let me know so Mr. Filner can respond to your request.

Very truly yours,

POPE, BERGER & WILLIAMS, LLP

Harvey C. Berger

cc: Bob Filner