



## COMPLAINT

Now comes Relator, Dario David Hunter (hereinafter 'Dario Hunter') and for his Complaint against Respondents, the Mahoning County Democratic Party Central Committee and David Betras, states as follows:

1. This is a mandamus action for a writ compelling Respondent, the Mahoning County Democratic Party Central Committee, to comply with R.C. 733.08(A) and meet to fill the current vacancy in the office of Mayor of the City of Youngstown. The aforementioned vacancy results from the former mayor-elect Jamael Tito Brown's refusal to take office as deemed by R.C. 3.30 due to his failure to timely procure bond as required by Youngstown Codified Ordinances 163.02(B).
2. This action in mandamus also seeks to compel David Betras, Chair of the Mahoning County Democratic Party, a position encompassing the duties of Chair of the Mahoning County Democratic Party Central Committee, to fulfill his duty under R.C. 733.08(A) mandating that either the committee Chairperson or Secretary send by mail to every member eligible to vote on filling the vacancy a written notice stating the date, time and place of the meeting and its purpose.
3. This Court has jurisdiction over this original action pursuant to the Ohio Constitution, Article IV, Section 2(B)(1)(b).
4. In support of this Complaint, the Relator, Dario Hunter, has included his affidavit affirming his personal knowledge of the matters averred therein.
5. Relator Dario Hunter is an Ohio citizen residing at 439 Pasadena Avenue, Youngstown, Ohio 44507 in Mahoning County.

6. Respondent the Mahoning County Democratic Party Central Committee (hereinafter 'the Central Committee') is composed of duly elected public officials all residing in Mahoning County, Ohio.
7. David Betras serves as the Chair of the Democratic Party of Mahoning County and is an Ohio citizen residing at 1491 Barbie Drive, Boardman, Ohio 44512.

FACTS GIVING RISE TO RELATOR'S  
CLAIMS FOR RELIEF

8. On Nov. 7, 2018, Jamael Tito Brown (hereinafter 'Brown') was elected to serve as Mayor of the City of Youngstown, as certified by the Mahoning County Board of Elections on Nov. 22, 2017, for a term commencing January 1, 2018 as per R.C. 733.02.
9. Although R.C. 733.69 requires that "[e]ach officer of a municipal corporation required by law or ordinance to give bond shall do so before entering upon the duties of the office," Brown did not obtain before January 1, 2018 the Faithful Performance Bond required by Youngstown Codified Ordinances 163.02(B).
10. Youngstown Codified Ordinances 163.02(B) states that "[t]he Mayor, Finance Director, Law Director shall be covered by individual faithful performance bonds. The Mayor, Law Director and Finance Director shall post individual Faithful Performance Bonds for faithful performance of their duties in the amount of one hundred thousand dollars (\$100,000) per bond."

11. Failure to obtain the aforementioned bond before entering upon the duties of office created the vacancy in the office of Mayor of Youngstown that is the subject of this complaint. R.C. 3.30 provides:

A person elected or appointed to an office who is required by law to give a bond or security previous to the performance of the duties imposed on him by his office, who refuses or neglects to give such bond or furnish such security within the time and in the manner prescribed by law, and in all respects to qualify himself for the performance of such duties, is deemed to have refused to accept the office to which he was elected or appointed. Such office shall be considered vacant and shall be filled as provided by law.

12. Subsequent to the start of the next term of office for the Mayor of Youngstown (Jan. 1, 2018), Brown proceeded to discharge the duties of office and has continued to do so up to and including the time of this complaint's filing.

13. On June 14, 2018, Relator Dario Hunter served a public records request on the Youngstown City Law Director, Jeff Limbian, by electronic mail (hereinafter, "the records request") asking for "a copy of the Faithful Performance Bond for Mayor Jamael Tito Brown." A true and exact copy of the chain of email correspondence related to the records request is attached hereto as Exhibit A.

14. On June 15, 2018, the records request was also forwarded to the Law Department Secretary, Vicki Markulin.

15. On Jun. 21, 2018, in response to the records request, Attorney Dana Lantz provided Relator Dario Hunter with a copy of a Faithful Performance Bond for Brown as Mayor indicating a bond signing date of Feb. 21, 2018 and stating Feb. 1, 2018 as the start of the term for Mayor as well as the bond's effective date. A true and exact copy of this bond document as provided via email is included in Exhibit A (pages 10 - 11).
16. The Feb. 21, 2018 bond as provided to Relator Dario Hunter on Jun. 21, 2018 does not bear a signature from Jamael Tito Brown.
17. On Jun. 25, 2018, Attorney Dana Lantz provided the Relator with a copy of the Feb. 21, 2018 bond bearing the signature of Jamael Tito Brown. A true and exact copy of this bond document as provided via email is included in Exhibit A (pages 21 - 22).
18. In its response to the public records request, the Youngstown Law Director's office could not provide a Faithful Performance Bond covering the period before Feb. 1, 2018.
19. In a Jul. 25, 2018 email, Law Director Jeff Limbian expressed his intention to "amend" the policy effective Feb. 1, 2018 to cover Jan. 1, 2018 and onwards.
20. Although Youngstown City Charter 6-1A provides that "[i]n case of the death, resignation or removal of the Mayor, the President of Council shall become the Mayor and serve for the unexpired term," Brown never actually became Mayor under R.C. 3.30 due to his failure to obtain the required bond on time.
21. The Youngstown City Charter does not address the issue of filling a vacancy caused by a mayor-elect's inability to take office; however, R.C. 733.08(A) provides that in such a circumstance "an appointment to take the office at the beginning of the term shall be made by the members of the central committee who reside in the city where the vacancy occurs."

22. Despite the requirement under R.C. 733.08(A) that “[n]ot less than five nor more than forty-five days after the vacancy occurs, the specified members of the city or county committee shall meet to make an appointment to fill the vacancy,” respondents have taken no steps to fulfill their duties under R.C. 733.08(A) over five months after the vacancy began.
23. Despite the requirement under R.C. 733.08(A) that “[n]ot less than four days before the date of the meeting the committee chairperson or secretary shall send, by mail to every member eligible to vote on filling the vacancy, a written notice stating the date, time, and place of the meeting and its purpose,” no notice has been sent out for a meeting of the Central Committee to fill the present vacancy in the office of Mayor and no such meeting has been held.
24. Although R.C. 733.08(A) stipulates that either the committee chairperson or secretary may send out notice of the required meeting to fill a vacancy, the *Constitution and Bylaws of the Mahoning County Democratic Party*, [https://docs.wixstatic.com/ugd/bef9b9\\_b70715a7ed17415394e29c745b149785.pdf](https://docs.wixstatic.com/ugd/bef9b9_b70715a7ed17415394e29c745b149785.pdf) (accessed June 26, 2017), do not enumerate such a function for the office of Secretary/First Vice Chair, restraining further actions under that position to performance of “duties requested by the chairperson.”
25. In light of the Respondents’ failure to perform their respective duties under R.C. 733.08(A), Relator Dario Hunter is filing this Complaint for a writ of mandamus.

#### RELATOR’S CLAIM

26. Former Mayor-Elect Jamael Tito Brown failed to obtain bond before entering upon the duties of office as Mayor of Youngstown, thereby under R.C. 3.30 refusing to accept the office to which he was elected and rendering that office vacant.
27. The Respondent the Central Committee therefore has the statutory obligation to fill the present vacancy in the office of Mayor of the City of Youngstown in accordance with R.C. 733.08(A).
28. The Respondent, David Betras, Chair of the Mahoning County Democratic Party, also has a statutory duty under R.C. 733.08(A) to send by mail to every member eligible to vote on filling the vacancy in the office of the Mayor of Youngstown a written notice stating the date, time and place of the meeting and its purpose.
29. Dario Hunter, a resident and elector in Youngstown, has the right to request a writ of mandamus to compel the Respondents to act to fulfill their obligations under R.C. 733.08(A) and thereby fill the vacancy in the office of Mayor of Youngstown.

WHEREFORE, Relator Dario Hunter respectfully requests that this Court

- (1) Issue a Peremptory Writ in Mandamus ordering that: (a) Respondent David Betras, Chair of the Mahoning County Democratic Party, fulfill his duties under R.C. 733.08(A) by sending notice of a meeting to fill the present vacancy in the office of Mayor of Youngstown or alternatively directing that the Secretary/First Vice Chair do so.
- (b) Respondent the Central Committee must hold said meeting to fill the vacancy in the office of Mayor of Youngstown in accordance with R.C. 733.08(A).
- (2) Award Relator court costs in this action; and
- (3) Grant such other and further relief as the Court may deem just and proper.

Respectfully submitted,

/s Dario David Hunter

Dario David Hunter  
Relator  
439 Pasadena Ave.  
Youngstown, OH 44507  
Tel: (330) 519-5969  
yisroelhunter@yahoo.com



**IN THE SUPREME COURT OF OHIO**

**STATE, EX REL.,  
DARIO DAVID HUNTER**

**Relator,**

**-vs-**

**THE MAHONING COUNTY  
DEMOCRATIC PARTY CENTRAL  
COMMITTEE**

**and**

**DAVID BETRAS**

**Respondents.**

**Case No. \_\_\_\_\_**

**ORIGINAL ACTION IN MANDAMUS**

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**AFFIDAVIT OF RELATOR, DARIO DAVID HUNTER**

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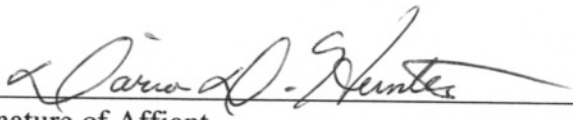
Dario David Hunter  
Relator  
439 Pasadena Avenue  
Youngstown, Ohio 44507  
Tel: (330)-519-5969  
yisroelhunter@yahoo.com

STATE OF OHIO )  
 ) SS:  
COUNTY OF MAHONING )

**VERIFYING AFFIDAVIT  
FOR WRIT OF MANDAMUS**

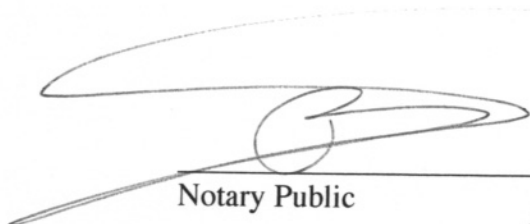
I, DARIO DAVID HUNTER, being duly sworn, state under penalty of law that the following is true:

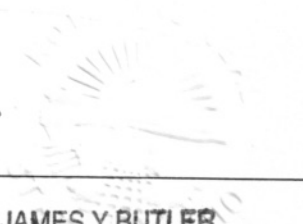
1. I have reviewed each and every line in the foregoing complaint for writ of mandamus and the exhibits attached thereto.
2. I am personally familiar with all of the matters alleged in the complaint.
3. The facts and allegations contained in the foregoing complaint are true.
4. The exhibits attached to the complaint are true and exact copies of the originals and are what they purport to be.
5. I have a good faith belief that Respondents, Mahoning County Democratic Party Central Committee and David Betras, have failed to comply with R.C. 733.08(A) for the reasons stated in the complaint.

  
\_\_\_\_\_  
Signature of Affiant

DARIO DAVID HUNTER  
\_\_\_\_\_  
Printed Name

SWORN TO before me and subscribed in my presence this 26TH day of June 2018.

  
\_\_\_\_\_  
Notary Public

  
**JAMES Y BUTLER**  
Notary Public - State of Ohio  
My Commission Expires Aug. 29, 20

From: **Dario Hunter** d\_hunter@alumni.princeton.edu  
Subject: **Public Records Request - Mayor's Bond**  
Date: June 14, 2018 at 4:53 PM  
To: jlimbian@youngstownohio.gov



---

Re: Public Records Request - Mayor's Bond

I request a copy of the Faithful Performance Bond for Mayor Jamael Tito Brown. I would prefer that you provide a copy of that record in an electronic form via this email address.

Please reply to confirm that you have received this request.

Thanks,  
Dario Hunter  
330-519-5969

**From:** Dario Hunter <d\_hunter@alumni.princeton.edu>  
**Subject:** Fwd: Public Records Request - Mayor's Bond  
**Date:** June 15, 2018 at 2:06 PM  
**To:** vmarkulin@youngstownohio.gov



As per our phone conversation earlier today, forwarding my public records request to you (attached below).

Thanks,  
Dario Hunter

Begin forwarded message:

**From:** Dario Hunter <d\_hunter@alumni.princeton.edu>  
**Subject:** Public Records Request - Mayor's Bond  
**Date:** June 14, 2018 at 4:53:14 PM EDT  
**To:** jlimbian@youngstownohio.gov

Re: Public Records Request - Mayor's Bond

I request a copy of the Faithful Performance Bond for Mayor Jamael Tito Brown. I would prefer that you provide a copy of that record in an electronic form via this email address.

Please reply to confirm that you have received this request.

Thanks,  
Dario Hunter  
330-519-5969

From: **Markulin, Victoria** vmarkulin@youngstownohio.gov  
Subject: RE: Public Records Request - Mayor's Bond  
Date: June 15, 2018 at 2:11 PM  
To: Dario Hunter d\_hunter@alumni.princeton.edu

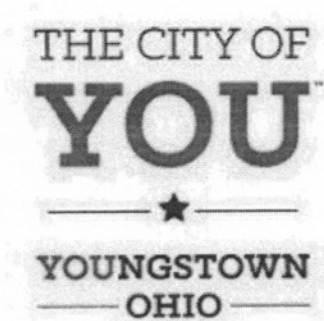


Mr. Hunter,

Your request has been received and forwarded for processing.

Thank you,

**Vicki Markulin**  
Executive Secretary  
Law Department  
Phone- (330)742-8874  
Fax- (330)742-8867



This email and the information contained herein may be privileged and/or confidential. It is intended only for use by the individual or entity to which it is addressed. If you have received this email in error, please notify the sender at the reply email address and delete from your system. Thank you.

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**From:** Dario Hunter [mailto:d\_hunter@alumni.princeton.edu]  
**Sent:** Friday, June 15, 2018 2:06 PM  
**To:** Markulin, Victoria  
**Subject:** Fwd: Public Records Request - Mayor's Bond

As per our phone conversation earlier today, forwarding my public records request to you (attached below).

Thanks,  
Dario Hunter

Begin forwarded message:

EXHIBIT A      PG. 3

**From:** Dario Hunter <[d\\_hunter@alumni.princeton.edu](mailto:d_hunter@alumni.princeton.edu)>  
**Subject:** Public Records Request - Mayor's Bond  
**Date:** June 14, 2018 at 4:53:14 PM EDT  
**To:** [jlimbian@youngstownohio.gov](mailto:jlimbian@youngstownohio.gov)

Re: Public Records Request - Mayor's Bond

I request a copy of the Faithful Performance Bond for Mayor Jamael Tito Brown. I would prefer that you provide a copy of that record in an electronic form via this email address.

From: **Lantz, Dana** danalantz@YoungstownOhio.gov  
Subject: Public records request  
Date: June 19, 2018 at 12:24 PM  
To: d\_hunter@alumni.princeton.edu

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Attorney Hunter:

I am in receipt this date of your public records request sent on June 15, 2018. I contacted our finance department to get the record you requested. Upon receipt I will forward same to you. Should you have any questions do not hesitate to contact me at 330.742.8874 or via this email address.

Regards,

Dana Lantz  
Deputy Law Director  
City of Youngstown

From: **Dario Hunter** d\_hunter@alumni.princeton.edu  
Subject: Re: Public records request  
Date: June 21, 2018 at 12:36 PM  
To: **Lantz, Dana** danalantz@YoungstownOhio.gov  
Cc: finance@youngstownohio.gov



Attorney Lantz:

It has been two days since you confirmed receipt of my request for the Faithful Performance Bond for Mayor Jamael Tito Brown - 6 days since the request was originally made. Were it a request asking for (for example) a range of emails over a period of months, considerable time might be needed to fulfill it. However, my request is for a single, rather notable document - one that should be readily known and accessible.

Does a Faithful Performance Bond for Mayor Jamael Tito Brown exist? (i.e. his individual bond as Mayor)

Since the Law Director is responsible for preparing the bond, according to R.C. 733.70, this should be a straightforward question for your office to answer.

If it will expedite the process of obtaining access to the record, I am more than happy to appear in person to view the record. I have CC'ed the Finance Dept. on this email; I ask that the relevant record holding department please advise.

Thanks,  
Dario D. Hunter

On Jun 19, 2018, at 12:23 PM, Lantz, Dana <danalantz@YoungstownOhio.gov> wrote:

Attorney Hunter:

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Regards,

Dana Lantz  
Deputy Law Director  
City of Youngstown



From: **Lantz, Dana** danalantz@YoungstownOhio.gov  
Subject: RE: Public records request  
Date: June 21, 2018 at 1:26 PM  
To: Dario Hunter d\_hunter@alumni.princeton.edu



Attorney Hunter:

It is my understanding that the Mayor does have a faithful performance bond. When I received your request, I was told that that bond was maintained in the Finance Department and I requested a copy from said department. However, that is not the case. As the Mayor is out of town and I cannot get a copy from him, a member of the Law Department reached out to the insurance company to provide us with a copy to avoid any further delay. As soon as that is emailed to me, which I am told will be today, I will forward it to you.

Thank you in advance for your patience in this matter.

Regards,

Dana Lantz

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**From:** Dario Hunter [mailto:d\_hunter@alumni.princeton.edu]  
**Sent:** Thursday, June 21, 2018 12:36 PM  
**To:** Lantz, Dana <danalantz@YoungstownOhio.gov>  
**Cc:** Finance Secretary <Finance@YoungstownOhio.gov>  
**Subject:** Re: Public records request

Attorney Lantz:

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Since the Law Director is responsible for preparing the bond, according to R.C. 733.70, this should be a straightforward question for your office to answer.

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Thanks,  
Dario D. Hunter

EXHIBIT A      PG. 7


On Jun 19, 2018, at 12:23 PM, Lantz, Dana <[danalantz@YoungstownOhio.gov](mailto:danalantz@YoungstownOhio.gov)> wrote:

Attorney Hunter:

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Regards,

Dana Lantz  
Deputy Law Director  
City of Youngstown

From: **Lantz, Dana** danalantz@YoungstownOhio.gov   
Subject: FW: PUBLIC OFFICIAL BOND- MAYOR BROWN  
Date: June 21, 2018 at 1:37 PM  
To: Dario Hunter d\_hunter@alumni.princeton.edu  
Cc: Miasek, Kyle kylemiasek@YoungstownOhio.gov

LD

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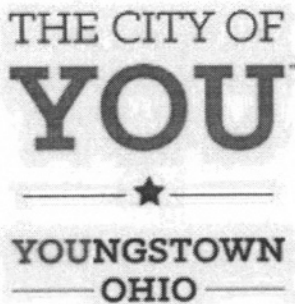
**From:** Markulin, Victoria  
**Sent:** Thursday, June 21, 2018 1:26 PM  
**To:** Lantz, Dana <danalantz@YoungstownOhio.gov>  
**Subject:** PUBLIC OFFICIAL BOND- MAYOR BROWN

Dana,

Per your request, please see attached.

Thank you,

**Vicki Markulin**  
Executive Secretary  
Law Department  
Phone- (330)742-8874  
Fax- (330)742-8867



This email and the information contained herein may be privileged and/or confidential. It is intended only for use by the individual or entity to which it is addressed. If you have received this email in error, please notify the sender at the reply email address and delete from your system. Thank you.



EXHIBIT A      PG. 9

Ohio



Copy

# Western Surety Company

## OFFICIAL BOND AND OATH

Effective Date: February 1st, 2018

KNOW ALL PERSONS BY THESE PRESENTS:

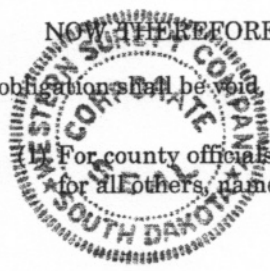
Bond No. 63534497

That we, JAMAE L BROWN, as Principal, and WESTERN SURETY COMPANY, a corporation duly licensed to do business in the State of Ohio, as Surety, are held and firmly bound unto the (1) City of Youngstown, in the penal sum of One Hundred Thousand and 00/100 DOLLARS (\$ 100,000.00), to the payment of which sum well and truly to be made, we jointly and severally bind ourselves and our legal representatives, firmly by these presents.

Dated this 21st day of February, 2018.

THE CONDITION OF THIS OBLIGATION IS SUCH, That whereas, the Principal was duly  elected  appointed to the office of Mayor in the City \_\_\_\_\_ of Youngstown, (City, County, Etc.) \_\_\_\_\_ (Name of Political Subdivision) State of Ohio, for the term of 4 year(s), commencing on the 1st day of February, 2018, and until his successor is elected and qualified.

NOW THEREFORE, if the said Principal shall faithfully perform the duties of his said office, then this obligation shall be void, and of no effect, otherwise to remain in full force and effect.



For county officials fill in "State of Ohio," for all others, name of political subdivision.

COUNTERSIGNED

By NOT NEEDED  
Ohio Resident Agent

Principal  
WESTERN SURETY COMPANY  
By Paul T. Bruffat  
Paul T. Bruffat, Vice President

OATH OF OFFICE

STATE OF OHIO }  
County of \_\_\_\_\_ } ss

\_\_\_\_\_, being duly sworn, says that he will support the Constitution of the United States, and the Constitution of the State of Ohio, and that he will faithfully discharge the duties of his office as \_\_\_\_\_.

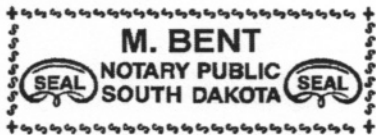
\_\_\_\_\_  
Principal  
Sworn to before me and signed in my presence this \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_

ACKNOWLEDGMENT OF SURETY  
(Corporate Officer)

STATE OF SOUTH DAKOTA }  
County of Minnehaha } ss

On this 21st day of February, 2018, before me, a Notary Public in and for said County, personally appeared Paul T. Bruflat, personally known to me, who being by me duly sworn, did say that he is the aforesaid officer of WESTERN SURETY COMPANY of Sioux Falls, South Dakota, a corporation duly organized and existing under the laws of said State of South Dakota, that the seal affixed to the foregoing instrument is the corporate seal of said corporation, that the said instrument was signed, sealed and executed in behalf of said corporation by authority of its Board of Directors, and further acknowledged that the said instrument and the execution thereof to be the voluntary act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last above written.



M. Bent  
Notary Public

My Commission Expires March 2, 2020

**From:** Dario Hunter d\_hunter@alumni.princeton.edu  
**Subject:** Re: PUBLIC OFFICIAL BOND- MAYOR BROWN  
**Date:** June 21, 2018 at 2:04 PM  
**To:** Lantz, Dana danalantz@YoungstownOhio.gov  
**Cc:** vmarkulin@youngstownohio.gov



Attorney Lantz:

Thank you for your prompt attention to my email from earlier today. I have a follow-up question / request:

- Was there any Faithful Performance Bond for Jamael Tito Brown as Mayor before the existence of the one you forwarded (dated Feb 21, 2018, stated as effective Feb. 1, 2018)?

If so, I hereby request a copy of that document.

Thanks,  
Dario D. Hunter

On Jun 21, 2018, at 1:37 PM, Lantz, Dana <danalantz@YoungstownOhio.gov> wrote:

---

**From:** Markulin, Victoria  
**Sent:** Thursday, June 21, 2018 1:26 PM  
**To:** Lantz, Dana <danalantz@YoungstownOhio.gov>  
**Subject:** PUBLIC OFFICIAL BOND- MAYOR BROWN

Dana,

Per your request, please see attached.

Thank you,

**Vicki Markulin**  
Executive Secretary  
Law Department  
Phone- (330)742-8874  
Fax- (330)742-8867

<image001.png>

This email and the information contained herein may be privileged and/or confidential. It is intended only for use by the individual or entity to which it is addressed. If you have received this email in error, please notify the sender at the reply email address and delete from your system. Thank you.

<JBROWN PUB OFFICIAL BOND COPY.pdf>

From: Lantz, Dana danalantz@YoungstownOhio.gov  
Subject: RE: PUBLIC OFFICIAL BOND- MAYOR BROWN  
Date: June 21, 2018 at 2:12 PM  
To: Dario Hunter d\_hunter@alumni.princeton.edu



Attorney Hunter:

I will further inquire about this and let you know as soon as I have an answer.

Regards,

Dana Lantz

---

**From:** Dario Hunter [mailto:d\_hunter@alumni.princeton.edu]  
**Sent:** Thursday, June 21, 2018 2:04 PM  
**To:** Lantz, Dana <danalantz@YoungstownOhio.gov>  
**Cc:** Markulin, Victoria <vmarkulin@youngstownohio.gov>  
**Subject:** Re: PUBLIC OFFICIAL BOND- MAYOR BROWN

Attorney Lantz:

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**To:** Lantz, Dana <[danalantz@YoungstownOhio.gov](mailto:danalantz@YoungstownOhio.gov)>  
**Subject:** PUBLIC OFFICIAL BOND- MAYOR BROWN

Dana,

Per your request, please see attached.

EXHIBIT A      PG. 13

Thank you,

**Vicki Markulin**

Executive Secretary

Law Department

Phone- (330)742-8874

Fax- (330)742-8867

<image001.png>

This email and the information contained herein may be privileged and/or confidential. It is intended only for use by the individual or entity to which it is addressed. If you have received this email in error, please notify the sender at the reply email address and delete from your system. Thank you.

<JBROWN PUB OFFICIAL BOND COPY.pdf>



From: **Dario Hunter** [d\\_hunter@alumni.princeton.edu](mailto:d_hunter@alumni.princeton.edu)  
Subject: Re: PUBLIC OFFICIAL BOND- MAYOR BROWN  
Date: June 22, 2018 at 2:35 PM  
To: Lantz, Dana [danalantz@YoungstownOhio.gov](mailto:danalantz@YoungstownOhio.gov)



Attorney Lantz:

Just a follow-up (one business day later) on the question stated in my June 21st email (from 2:04pm). I'm not sure what barriers you may be facing in providing an answer to that question, however, I feel reasonably assured that the Law Director's office ought to know of the existence of any bonds for the office of Mayor.

Are you waiting for a response from Mr. Brown himself? In light of his no doubt busy schedule, the amount of time it takes to answer the aforementioned stated 'yes or no' question is very much appreciated. (As well as, of course, any documentation that might result.)

I thank you in advance for your office's timely and direct response (as well as for your responses thus far).

Sincerely,  
Dario D. Hunter

On Jun 21, 2018, at 2:12 PM, Lantz, Dana <[danalantz@YoungstownOhio.gov](mailto:danalantz@YoungstownOhio.gov)> wrote:

Attorney Hunter:

I will further inquire about this and let you know as soon as I have an answer.

Regards,

Dana Lantz

---

**From:** Dario Hunter [[mailto:d\\_hunter@alumni.princeton.edu](mailto:d_hunter@alumni.princeton.edu)]  
**Sent:** Thursday, June 21, 2018 2:04 PM  
**To:** Lantz, Dana <[danalantz@YoungstownOhio.gov](mailto:danalantz@YoungstownOhio.gov)>  
**Cc:** Markulin, Victoria <[vmarkulin@youngstownohio.gov](mailto:vmarkulin@youngstownohio.gov)>  
**Subject:** Re: PUBLIC OFFICIAL BOND- MAYOR BROWN

Attorney Lantz:

Thank you for your prompt attention to my email from earlier today. I have a follow-up question / request:

- Was there any Faithful Performance Bond for Jamael Tito Brown as Mayor before the existence of the one you forwarded (dated Feb 21, 2018, stated as effective Feb. 1, 2018)?

If so, I hereby request a copy of that document.

Thanks,  
Dario D. Hunter

On Jun 21, 2018, at 1:37 PM, Lantz, Dana <[danalantz@YoungstownOhio.gov](mailto:danalantz@YoungstownOhio.gov)> wrote:

EXHIBIT A PG. 15

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**From:** Markulin, Victoria  
**Sent:** Thursday, June 21, 2018 1:26 PM  
**To:** Lantz, Dana <[danalantz@YoungstownOhio.gov](mailto:danalantz@YoungstownOhio.gov)>  
**Subject:** PUBLIC OFFICIAL BOND- MAYOR BROWN

Dana,

Per your request, please see attached.

Thank you,

**Vicki Markulin**  
Executive Secretary  
Law Department  
Phone- (330)742-8874  
Fax- (330)742-8867

<image001.png>

This email and the information contained herein may be privileged and/or confidential. It is intended only for use by the individual or entity to which it is addressed. If you have received this email in error, please notify the sender at the reply email address and delete from your system. Thank you.

<JBROWN PUB OFFICIAL BOND COPY.pdf>

From: **Lantz, Dana** danalantz@YoungstownOhio.gov  
Subject: RE: PUBLIC OFFICIAL BOND- MAYOR BROWN  
Date: June 25, 2018 at 7:25 AM  
To: Dario Hunter d\_hunter@alumni.princeton.edu



Attorney Hunter:

I want you to know that I am not in any way being evasive. I was not assigned to the Law department during the administration change. As such, I was not privy to any information regarding the securing of faithful performance bonds from the Mayor or Law Director, which is why I do not have a yes or no answer for you. As soon as I get the information you requested, I will forward it to you.  
Regards,

Dana Lantz

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**From:** Dario Hunter [mailto:d\_hunter@alumni.princeton.edu]  
**Sent:** Friday, June 22, 2018 2:36 PM  
**To:** Lantz, Dana <danalantz@YoungstownOhio.gov>  
**Subject:** Re: PUBLIC OFFICIAL BOND- MAYOR BROWN

Attorney Lantz:

Just a follow-up (one business day later) on the question stated in my June 21st email (from 2:04pm). I'm not sure what barriers you may be facing in providing an answer to that question, however, I feel reasonably assured that the Law Director's office ought to know of the existence of any bonds for the office of Mayor.

Are you waiting for a response from Mr. Brown himself? In light of his no doubt busy schedule, the amount of time it takes to answer the aforementioned stated 'yes or no' question is very much appreciated. (As well as, of course, any documentation that might result.)

I thank you in advance for your office's timely and direct response (as well as for your responses thus far).

Sincerely,  
Dario D. Hunter

On Jun 21, 2018, at 2:12 PM, Lantz, Dana <[danalantz@YoungstownOhio.gov](mailto:danalantz@YoungstownOhio.gov)> wrote:

Attorney Hunter:

I will further inquire about this and let you know as soon as I have an answer.

Regards,

Dana Lantz

**From:** Dario Hunter [mailto:[d\\_hunter@alumni.princeton.edu](mailto:d_hunter@alumni.princeton.edu)]  
**Sent:** Thursday, June 21, 2018 2:04 PM  
**To:** Lantz, Dana <[danalantz@YoungstownOhio.gov](mailto:danalantz@YoungstownOhio.gov)>  
**Cc:** Markulin, Victoria <[vmarkulin@youngstownohio.gov](mailto:vmarkulin@youngstownohio.gov)>  
**Subject:** Re: PUBLIC OFFICIAL BOND- MAYOR BROWN

Attorney Lantz:

Thank you for your prompt attention to my email from earlier today. I have a follow-up question / request:

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Thanks,  
Dario D. Hunter

On Jun 21, 2018, at 1:37 PM, Lantz, Dana  
<[danalantz@YoungstownOhio.gov](mailto:danalantz@YoungstownOhio.gov)> wrote:

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**From:** Markulin, Victoria  
**Sent:** Thursday, June 21, 2018 1:26 PM  
**To:** Lantz, Dana <[danalantz@YoungstownOhio.gov](mailto:danalantz@YoungstownOhio.gov)>  
**Subject:** PUBLIC OFFICIAL BOND- MAYOR BROWN

Dana,

Per your request, please see attached.

Thank you,

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Phone- (330)742-8874  
Fax- (330)742-8867

<image001.png>

EXHIBIT A      PG. 18

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<JBROWN PUB OFFICIAL BOND COPY.pdf>

From: **Lantz, Dana** danalantz@YoungstownOhio.gov  
Subject: FW: BOND- MAYOR BROWN  
Date: June 25, 2018 at 1:24 PM  
To: Dario Hunter d\_hunter@alumni.princeton.edu

LD

Attorney Hunter:

The attached document, signed by the Mayor is an executed copy of the performance bond I was provided by the Mayor's assistant, Mr. Lyons. I reiterated your request for the January information and was advised that Attorney Limbian is handling that. Please contact Attorney Limbian for further information.

Regards,

Dana Lantz

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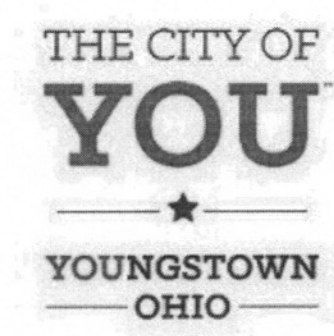
**From:** Markulin, Victoria  
**Sent:** Monday, June 25, 2018 10:06 AM  
**To:** Lantz, Dana <danalantz@YoungstownOhio.gov>  
**Subject:** BOND- MAYOR BROWN

Dana,

Per your request, please see attached copy of signed Bond for Mayor Brown.

Thank you,

**Vicki Markulin**  
Executive Secretary  
Law Department  
Phone- (330)742-8874  
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EXHIBIT A PG. 20

Ohio

**COPY**



# Western Surety Company

## OFFICIAL BOND AND OATH

Effective Date: February 1st, 2018

KNOW ALL PERSONS BY THESE PRESENTS:

Bond No. 63534497

That we, JAMAEEL BROWN, as Principal,  
 and WESTERN SURETY COMPANY, a corporation duly licensed to do business in the State of Ohio, as  
 Surety, are held and firmly bound unto the (1) City of Youngstown, in the  
 penal sum of One Hundred Thousand and 00/100 DOLLARS (\$ 100,000.00),  
 to the payment of which sum well and truly to be made, we jointly and severally bind ourselves and our legal  
 representatives, firmly by these presents.

Dated this 21st day of February, 2018.

THE CONDITION OF THIS OBLIGATION IS SUCH, That whereas, the Principal was duly

elected

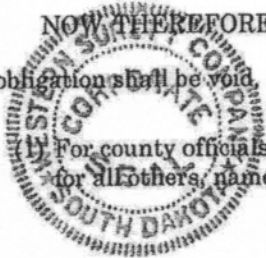
to the office of Mayor in the

appointed

City of Youngstown,  
(City, County, Etc.) (Name of Political Subdivision)

State of Ohio, for the term of 4 year(s), commencing on the 1st day of February,  
2018, and until his successor is elected and qualified.

NOW, THEREFORE, if the said Principal shall faithfully perform the duties of his said office, then this  
obligation shall be void, and of no effect, otherwise to remain in full force and effect.



For county officials fill in "State of Ohio,"  
for all others, name of political subdivision.

COUNTERSIGNED

By NOT NEEDED  
Ohio Resident Agent

Principal  
WESTERN SURETY COMPANY  
By Paul T. Bruhat  
Paul T. Bruhat, Vice President

OATH OF OFFICE

STATE OF OHIO }  
County of \_\_\_\_\_ } ss

\_\_\_\_\_, being duly sworn, says that he will support the Constitution of the United States, and the Constitution of the State of Ohio, and that he will faithfully discharge the duties of his office as \_\_\_\_\_.

Principal

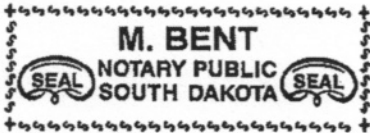
Sworn to before me and signed in my presence this \_\_\_\_\_ day of \_\_\_\_\_,

ACKNOWLEDGMENT OF SURETY  
(Corporate Officer)

STATE OF SOUTH DAKOTA }  
County of Minnehaha } ss

On this 21st day of February, 2018, before me, a Notary Public in and for said County, personally appeared Paul T. Bruflat, personally known to me, who being by me duly sworn, did say that he is the aforesaid officer of WESTERN SURETY COMPANY of Sioux Falls, South Dakota, a corporation duly organized and existing under the laws of said State of South Dakota, that the seal affixed to the foregoing instrument is the corporate seal of said corporation, that the said instrument was signed, sealed and executed in behalf of said corporation by authority of its Board of Directors, and further acknowledged that the said instrument and the execution thereof to be the voluntary act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last above written.



*M. Bent*

Notary Public

My Commission Expires March 2, 2020



From: **Dario Hunter** d\_hunter@alumni.princeton.edu  
Subject: Re: BOND- MAYOR BROWN  
Date: June 25, 2018 at 3:53 PM  
To: Jeff Limbian jlimbian@youngstownohio.gov



Atty. Limbian:

I reiterate my question from my June 21, 2018 email to Atty. Dana Lantz:

- Was there any Faithful Performance Bond for Jamael Tito Brown as Mayor before the existence of the one you forwarded (dated Feb 21, 2018, stated as effective Feb. 1, 2018)?

I thank you in advance for your timely and direct response.

Sincerely,  
Dario D. Hunter

On Jun 25, 2018, at 1:24 PM, Lantz, Dana <danalantz@YoungstownOhio.gov> wrote:

Attorney Hunter:

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Regards,

Dana Lantz

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**From:** Markulin, Victoria  
**Sent:** Monday, June 25, 2018 10:06 AM  
**To:** Lantz, Dana <danalantz@YoungstownOhio.gov>  
**Subject:** BOND- MAYOR BROWN

Dana,

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Thank you,

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From: **Limbian, Jeff** [jlimbian@youngstownohio.gov](mailto:jlimbian@youngstownohio.gov)  
Subject: Re: BOND- MAYOR BROWN  
Date: June 25, 2018 at 7:44 PM  
To: Dario Hunter [d\\_hunter@alumni.princeton.edu](mailto:d_hunter@alumni.princeton.edu)



Yes. I was able to find the bond. It is effective February. Due to your interest I was able to see that the bond reflected the application process and not when we needed it to commence. We are working to amend it to reflect 1-1-18. Thank you for your input to rectify this discrepancy. While it should not be an issue, public vigilance helps our efforts to do everything by the book. The Brown administration is dedicated to transparent and honest government. Again thank you for your attention to this matter. Jeff Limbian

Sent from my iPhone

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EXHIBIT A      Pg. 24

<image001.png>

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<BOND MAYOR BROWN.pdf>