

Thomas More Society

PRO-LIFE LAW CENTER

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Dear Mr. Lance Malina:

I am writing you to express the profound concern of my clients, Fox Valley Families Against Planned Parenthood, et al, over the alleged “independence” of the investigator whom your client, the Mayor of Aurora, plans to appoint to look into the apparent fraud perpetrated by Planned Parenthood and its subsidiary, Gemini Development, on Aurora’s citizens in applying for an occupancy permit.

We have found that the proposed appointee, Mr. Richard Martens, occupies a law office within the same suite of offices occupied by your law firm. As we are currently in an adversarial position with your law firm in the federal district court, there is no way that a lawyer who offices down the hallway from you and Mr. Barnicle who are defending the lawsuit we brought for our clients to redress flagrant violations of their First Amendment rights could even remotely be deemed “independent.”

Moreover, as your law firm is Aurora’s general outside counsel responsible for defending the city in connection with entitlement proceedings, such as zoning and licensure disputes, how could someone so closely related to your law firm be expected to take a neutral viewpoint when the very integrity of Aurora’s entitlement process—as pursued in this instance -- is now being questioned and challenged.

The issues to be addressed in the city’s investigation require a thorough, fully objective examination of their entire process by which Gemini Development sought its certificate of occupancy—a process during which applicants are routinely asked about expected users of the facility in question. Here, it’s vital that the investigation include thorough questioning of all persons involved as to whether, by whom, and to whom such questions were asked here, and what, if any, responses were made. The responses so far disclosed that were made in written form are patently false and misleading.

Sincerely,



Thomas Brejcha,
President and Chief Counsel,
Thomas More Society