

## Andrew Gasser

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**From:** Rob Hanlon <Robert@ROBHANLONLAW.COM>  
**Sent:** Monday, October 22, 2018 11:27 AM  
**To:** Andrew Gasser  
**Subject:** Kirk Allen et al v ALG TWP et al

Mr. Gasser:

As you know, I responded to Mr. Kelly with regard to the request of the Township Supervisor, Charles Lutzow, via yourself, to have me negotiate a settlement on behalf of the Township with Plaintiffs. As you know, I declined to represent the Township's interests for reasons that are set forth below. I believe Mr. Kelly's response is as self-serving as his decisions to refuse to provide documents to the Plaintiffs in the present case. I also believe there is a Freudian slip in which Mr. Kelly says that the parties are FEE to talk between themselves. It is ironic that significant fees that are at issue are the fees that have been incurred by the Township while following the advice of Mr. Kelly. Nevertheless, I'm sure the Township can solve its own problems and we need not participate in those discussions.

Robert T. Hanlon  
131 East Calhoun  
Woodstock, Illinois 60098  
815-206-2200

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**From:** James P. Kelly [mailto:jpkelly@mkm-law.com]  
**Sent:** Friday, October 19, 2018 11:49 AM  
**To:** Rob Hanlon  
**Cc:** clutzow@algonquintownship.com  
**Subject:** RE: Kirk Allen et al v ALG TWP et al

Mr. Hanlon,

It is my understanding that the Supervisor and Highway Commissioner, the parties, have discussed how to structure a settlement with the Plaintiffs. The conclusion of the discussion was that Mr. Gasser "volunteered" to attempt to negotiate a global settlement of this lawsuit. The parties are fee to talk between themselves.

How Mr. Gasser effectuates the negotiation is up to him. The Supervisor will consider any thing presented by Mr. Gasser.

James P. Kelly  
**Matuszewich & Kelly LLP**  
Crystal Lake, Illinois  
Chicago, Illinois

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**From:** Rob Hanlon [mailto:Robert@ROBHANLONLAW.COM]  
**Sent:** Thursday, October 18, 2018 3:21 PM  
**To:** James P. Kelly (jpkelly@mkm-law.com)  
**Subject:** Kirk Allen et al v ALG TWP et al

Mr. Kelly:

In a very unusual request received today, I was asked if I would be willing to negotiate a settlement with Plaintiffs in the above referenced case on behalf of **your client, Algonquin Township**. It was also reported to me that this request came to me with your blessing. I could perceive it as an olive branch on one hand and perhaps not on the other.

As you know, I do not represent Algonquin Township and I cannot represent any of the Township's interests either directly or indirectly. There is a concurrent conflict of interest. The Rules of Professional Conduct prohibit me from undertaking such a settlement discussion on behalf of Algonquin Township. I therefore perceive the request of me to undertake such a negotiation was done to entrap me in a violation of the ethical rules that govern my conduct as an attorney. I'm sure that if you discuss settlement with Plaintiffs' counsel, you might ultimately secure a settlement that we would also support. However, I suspect that the board would have to accept that it will need to produce the records sought by Plaintiffs or acknowledge the non-existence of the records. This isn't rocket science from the Township's legal perspective. It was caught with its pants down, and its time to zip up.

The incesseent petty and vindictative behavior that permeates the Township Board with its animous directed at Mr. Gasser and myself ought to come to an end. Importantly, I think it is actually in your best interests to advance that proposition as well.

As to the other lawsuits, if you wish to discuss them in terms of settlement, perhaps you could undertake to provide sound advice to the board in executive sesssion to pursue settlement of these cases. The amount of money the Township (your client) will be spending will exceed any benefit the board or its members derive from their conduct. I perceive that the Township will be spending more and more of its money on attorneys for reasons that beguile logic.

**Robert T. Hanlon**  
**131 East Calhoun**  
**Woodstock, Illinois 60098**  
**815-206-2200**

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