



San Diego City Attorney Mara W. Elliott

FOR IMMEDIATE RELEASE: June 29, 2017

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City Attorney Statement on Release of Confidential Memorandum

City Attorney Mara W. Elliott today issued the following statement on the unauthorized release to proponents of the Soccer City ballot initiative of a confidential City memorandum:

This week I learned that a confidential memorandum from the City Attorney to the Mayor and City Council, dated June 15, 2017, has been provided to FS Investors, the group behind the Soccer City ballot initiative that will go before voters next year.

The 16-page memorandum analyzes the City's position and risks as it negotiates the terms of the Qualcomm Stadium lease that would be required should the Soccer City initiative pass. The Mayor and City Council members requested this analysis so they could best protect the public's interest in their dealings with FS Investors. Nearly a dozen attorneys in my office devoted hundreds of hours to researching and preparing this memorandum.

The person or persons who gave this confidential legal analysis to FS Investors did more than commit a crime. They betrayed the taxpayers of San Diego.

Make no mistake: this was not a "leak" to inform the public. This was a covert and strategic act that undermines the City's position in negotiations. It was committed by a person or persons who clearly have greater allegiance to FS Investors than to the citizens they serve.

I have asked Nick Stone of FS Investors, through his attorney Christopher Garrett of Latham & Watkins LLP, to explain to me how he came into possession of this confidential document. He has yet to respond. I ask him again to come forward and make a full accounting on the record.

Given this egregious breach of public trust, I further expect that the person or persons responsible will step forward, identify themselves, and resign their positions with the City.

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