
From: Michael Wynne <mwynne@gcfirm.com>
To: Mateer, Jeff
CC: McCarty, Darren
Sent: 9/27/2020 10:01:45 PM
Subject: Undisclosed Conflicts of Interest

Dear Mr. Mateer:

I understand that you previously indicated to counsel that all communications regarding that certain litigation involving the Mitte Foundation ("Mitte Litigation") be directed to your attention.

In your email correspondence on July 24, 2020, you acknowledged that the Office of the Attorney General has intervened in the Mitte Litigation pursuant to your statutory charge to protect the public interest in charity. You also acknowledged that you received and appreciated the information provided to you to aid in your efforts to represent the public interest in charity. You also noted that not providing status updates on your efforts in respect of such matters is necessary to preserve the perception of impartiality.

Understanding the foregoing, I remain concerned that there has been little to no action by you or your office in any of the matters in which you have intervened, despite your knowledge of the immense waste of charitable funds by the Mitte Foundation that has been ongoing for over two and a half years.

My concern was heightened when I learned that in May 2020, during the course of the proceedings, Layla Milligan, the wife of Gregory S. Milligan, the receiver in the Mitte Litigation was hired by the Office of the Attorney General Bankruptcy and Collections Division. While it was already concerning that in more than one hearing in this matter Joshua Godbey of your office continually referenced prior engagements with Gregory S. Milligan that were not otherwise disclosed, it is also entirely concerning that this potential conflict with Layla Milligan was not disclosed.

Further complicating matters is the involvement of Rachel Obaldo in the Mitte Litigation. As you know Rachel Obaldo also works in the Bankruptcy and Collections Division. Around the same time that Layla Milligan was hired, Rachel Obaldo began appearing in the Mitte Litigation as counsel for the OAG, despite that the proceedings having no crossover with the Bankruptcy and Collections Division.

As you are aware and as others in your office have acknowledged, Gregory S. Milligan stands to receive a significant, and nearly 50 times above market, fee (~\$5,000,000) for his services as receiver in the Mitte Litigation. Given your previously expressed desire to maintain the perception of impartiality, it is gravely concerning to me that the aforementioned potential conflicts were not disclosed at any time in the proceedings or to the parties. The receiver fee agreement is a grotesque waste of charitable funds and clear self-dealing that has been ignored. Now that we have learned that his wife is an employee in your office, and was hired while this litigation has been ongoing, further exacerbates the inaction.

I am bringing this to your attention immediately for an explanation prior to us filing anything in regards to this serious issue.

Best,

Michael J. Wynne

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