

Simpson, Greg

From: PIC Request
Sent: Wednesday, October 21, 2020 10:57 AM
To: PIC Opinion Committee; PIC Human Resources Division; PIC Press Office; PIC Executive Administration Division
Subject: Public Information Request No.R006987

This email was sent to you from the Public Information Coordinator's Office.

The OAG received a public information request on October 20, 2020 as follows:

- Communications between employees of the Office of the Attorney General, including Attorney General Ken Paxton, and Nate Paul;
- Communications between employees of the Office of the Attorney General, including Attorney General Ken Paxton, and Sheena Paul;
- Communications between employees of the Office of the Attorney General, including Attorney General Ken Paxton, and attorneys representing Nate Paul;
- Communications between employees of the Office of the Attorney General, including Attorney General Ken Paxton, and Michael Wynne;
- Communications between employees of the Office of the Attorney General, including Attorney General Ken Paxton, and Brandon Cammack;
- Communications between employees of the Office of the Attorney General, including Attorney General Ken Paxton, and entities in which Nate Paul owns and interest;
- Communications between employees of the Office of the Attorney General, including Attorney General Ken Paxton, and Laura Olson;
- Documents related to the resignation of Jeff Mateer;
- Documents related to the placement of Director of Law Enforcement David Maxwell on leave;
- Documents related to the placement of Deputy Attorney General Mark Penley on leave;
- ~~-Documents related to the placement of Deputy Attorney General Ryan Bangert on leave;~~
- Documents related to the termination of Deputy Attorney General Blake Brickman;
- Documents related to the termination of Deputy Attorney General Lacey Mase;
- Documents related to the investigation of Nate Paul's complaint regarding the investigation of him by the FBI and/or Texas Rangers;
- Documents and communications related to the August 1, 2020 Attorney General Opinion related to property foreclosures;

TJ Turner
Cain & Skarnulis PLLC

This message is being
Administration. Please
documents.

Thank you.

*Jamie - Here are the
docs I have that are
responsive to this
request.*

[Signature]

ecutive
1 has responsive

Simpson, Greg

From: Paxton, Ken
Sent: Friday, October 2, 2020 3:33 PM
To: Simpson, Greg
Subject: Emergency leave

Pursuant to our conversation, please place Jeffrey Mateer, Mark Penley, and David Maxwell on paid emergency leave until October 19, 2020 while we investigate conduct and actions of these employees.

Please remove access to all IT and badge access. During this time they should refrain from partaking in any actions on behalf of this office or interfering with ongoing matters.

This is effective immediately. Thank you.

Ken Paxton
Texas Attorney General

Simpson, Greg

From: Paxton, Ken
Sent: Friday, October 2, 2020 3:37 PM
To: Simpson, Greg
Subject: Paid Investigative Leave

Pursuant to our conversation, please place Jeffrey Mateer, Mark Penley, and David Maxwell on paid investigative leave until October 19, 2020 while we investigate conduct and actions of these employees.

Please remove access to all IT and badge access. During this time they should refrain from partaking in any actions on behalf of this office or interfering with ongoing matters.

This is effective immediately. Thank you.

Ken Paxton
Texas Attorney General

Simpson, Greg

From: Simpson, Greg
Sent: Friday, October 2, 2020 3:43 PM
To: Gustafson, Shelli
Subject: FW: Paid Investigative Leave

From: Paxton, Ken <Ken.Paxton2@oag.texas.gov>
Sent: Friday, October 2, 2020 3:37 PM
To: Simpson, Greg <Greg.Simpson@oag.texas.gov>
Subject: Paid Investigative Leave

Pursuant to our conversation, please place Jeffrey Mateer, Mark Penley, and David Maxwell on paid investigative leave until October 19, 2020 while we investigate conduct and actions of these employees.

Please remove access to all IT and badge access. During this time they should refrain from partaking in any actions on behalf of this office or interfering with ongoing matters.

This is effective immediately. Thank you.

Ken Paxton
Texas Attorney General

Simpson, Greg

From: Brickman, Blake
Sent: Monday, October 5, 2020 11:21 AM
To: Hornsey, Brittany
Cc: Simpson, Greg
Subject: meeting

Hi Britany –

Mr. Webster just came in my office to talk to me. Please share this email with him as I don't believe he has an email set up yet in the system.

As I expressed to him in person, I will not talk with Mr. Webster alone in light of the current situation. I am willing to meet with him with other deputies present.

Mr. Webster also asked that I convey this to HR, which is why I am copying Mr. Simpson.

Thank you,

Blake Brickman
Deputy Attorney General for Policy and Strategic Initiatives

Office of the Attorney General
P.O. Box 12548
Austin, Texas 78711-2548
(512) 936-1178



Simpson, Greg

From: Hornsey, Brittany
Sent: Monday, October 5, 2020 12:52 PM
To: Simpson, Greg
Subject: FW: Sending on behalf of the First Assistant

From: Hornsey, Brittany
Sent: Monday, October 5, 2020 12:52 PM
To: Brickman, Blake <Blake.Brickman@oag.texas.gov>
Cc: Webster, Brent <Brent.Webster@oag.texas.gov>
Subject: Sending on behalf of the First Assistant

Dear Blake,

I was looking forward to meeting with you today. Unfortunately, I was disappointed in your tone and refusal to talk to me one-on-one. As you know, I am new today, and I came to you and asked for you to put in writing your job summary and what you do at the Attorney General's office, since I do not know, and I have just met you. I still need you to provide that to me in writing by the end of the day. Additionally, Ken Paxton approached you this morning and requested that you put in writing the project information relating to 313 agreements as this issue is important to the office. You interrupted Ken and said, "I will not talk to you without another Deputy present." This is the similar statement you made to me with a witness present. I understand this is an awkward time, but we need to work together to keep the agency running effectively. I do not believe that meeting with the deputies as a group is constructive for our initial meeting, nor is it sustainable for this office. As the new First Assistant, on my first day, I simply want to understand each deputy's job duties. Therefore, I'm requesting to meet with you today at 2:00 p.m. If this time is not convenient, please let me know a time that will work for you. And I also need the written summary of your job and projects by 5 p.m.

I look forward to meeting with you.

Sincerely,

Brent Webster

Simpson, Greg

From: Hornsey, Brittany
Sent: Monday, October 5, 2020 1:51 PM
To: Simpson, Greg
Subject: FW: Sending on behalf of the First Assistant

From: Brickman, Blake <Blake.Brickman@oag.texas.gov>
Sent: Monday, October 5, 2020 1:46 PM
To: Webster, Brent <Brent.Webster@oag.texas.gov>
Cc: Hornsey, Brittany <Brittany.Hornsey@oag.texas.gov>
Subject: RE: Sending on behalf of the First Assistant

Hi Brent –

I again reiterate that I am not willing to meet with you alone – given the current circumstances.

I will be happy to meet with you with the other deputies present to have a discussion about my job duties. Please ask Brittany to set up that meeting and I will gladly participate.

I have been working on the 313 Agreements issue (and many other legislative proposals) with Ryan Fisher and Colleen Tran over the last several weeks and months. It is my understanding that Ms. Tran has a memo on the 313 issue that she and/or Mr. Fisher drafted. Perhaps General Paxton or you can ask her for it as I do not have a copy.

Additionally, I could have discussed 313 Agreements in our legislative meeting with General Paxton, you, and the legislative team that occurred this morning at 9am. But, as you know, you dismissed me from the legislative meeting at the very beginning – without any explanation.

As the Deputy Attorney General for Policy and Strategic Initiatives, I work and meet regularly with the legislative team. For you to dismiss me from today's meeting came as a surprise, but I complied with your order to leave so that important meeting could happen without disturbance. That meeting had been delayed and re-scheduled by General Paxton several times over the last several weeks, and it was critical that decisions points be made today with the legislative session upcoming.

Since I started with the agency in February 2020 I meet weekly with the First Assistant and Mr. Fisher to discuss OAG's legislative strategy.

I also work closely with our Director of Communications and meet weekly with the First Assistant and the Director of Communications to discuss and plan OAG's communications strategy. I am usually involved in the approval of press releases but did not see the announcement today announcing your hire until it was released publicly.

Finally, I agree with you that we all need to work together to keep the agency running effectively.

Sincerely,

Blake

From: Hornsey, Brittany <Brittany.Hornsey@oag.texas.gov>
Sent: Monday, October 5, 2020 12:52 PM
To: Brickman, Blake <Blake.Brickman@oag.texas.gov>
Cc: Webster, Brent <Brent.Webster@oag.texas.gov>
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I look forward to meeting with you.

Sincerely,

Brent Webster

Simpson, Greg

From: Webster, Brent
Sent: Tuesday, October 6, 2020 10:22 PM
To: Simpson, Greg
Subject: RE: Meeting Requested

Greg,

I would like to talk to you about this tomorrow. In person meetings and me stopping by or giving him basic instructions is normal in any business and this cannot continue with Blake.

Brent

From: Brickman, Blake <Blake.Brickman@oag.texas.gov>
Sent: Tuesday, October 6, 2020 7:13 PM
To: Webster, Brent <Brent.Webster@oag.texas.gov>
Subject: Re: Meeting Requested

Brent -

What will be the subject matter discussed at these meetings?

If they relate in any way to my cooperation with law enforcement, I insist on being accompanied by the other deputies so that there are witnesses to our conversation.

If these meetings with you and the General relate to routine business, then there is no reason for you or the General to object to my being joined by one or more of the other deputies.

You know this is a most reasonable request under these circumstances.

Just yesterday, you instructed me to leave a very important legislative meeting with the General (which I always attend as part of my job responsibilities) without any explanation.

You also came into my office yesterday while you were accompanied by an armed guard, an unprecedented act that seemed designed to intimidate me.

And you also instructed me, without any precedent, without explanation, and contrary to any office policy, to leave my personal cellphone in my car.

It is reasonable to interpret those actions as an effort to retaliate against me and intimidate me.

I am more than willing to meet with you and the General in the presence of one or more deputies of my choosing.

If that is not acceptable to you, please explain why.

Thank you,

Blake

On Oct 6, 2020, at 5:06 PM, Webster, Brent <Brent.Webster@oag.texas.gov> wrote:

Good Afternoon Blake,

Once again, I'm asking you to meet with me tomorrow at 2pm in my office. If you have a conflict, please provide an alternative time. There will not be any other deputies present for this meeting.

The General would like to also meet with you, individually, at some point tomorrow. Can you provide me the times you are not in any meetings, tomorrow, so that I can assist in coordinating the meeting with the General.

Thank you,

Brent

Simpson, Greg

From: Simpson, Greg
Sent: Wednesday, October 7, 2020 8:18 AM
To: Webster, Brent
Subject: RE: Meeting Requested

Brent,

Let me know when you have a minute to discuss. I'll be glad to come over, or give me a shout at your convenience.

Thanks.

From: Webster, Brent <Brent.Webster@oag.texas.gov>
Sent: Tuesday, October 6, 2020 10:22 PM
To: Simpson, Greg <Greg.Simpson@oag.texas.gov>
Subject: RE: Meeting Requested

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I would like to talk to you about this tomorrow. In person meetings and me stopping by or giving him basic instructions is normal in any business and this cannot continue with Blake.

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Thank you,

Blake

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The General would like to also meet with you, individually, at some point tomorrow. Can you provide me the times you are not in any meetings, tomorrow, so that I can assist in coordinating the meeting with the General.

Thank you,

Brent

Text Message
Friday 5:24 PM

Hello Mark, this is Greg Simpson in HR. I've been directed by General Paxton to let you know that he is placing you on paid investigative leave effective immediately for two weeks. Please call me if you have any questions.

Text Message
Friday 5:30 PM

Hello David, this is Greg Simpson in HR. I've been directed by General Paxton to let you know that he is placing you on paid investigative leave effective immediately for two weeks. Please call me if you have any questions.



David >

Text Message
Tue, Oct 6, 1:18 PM

Okay, did you get Greg's text last evening? He texted you from his work phone. If you want to notify HR of your report, you can text him back with the following (it mirrors the letter the group sent):

We are not sure if this is responsive.

Greg, on October 1, I reported to an appropriate law enforcement authority a potential violation of law committed by Warren Kenneth Paxton, Jr., in his official capacity as the current Attorney General of Texas. I have a good faith belief that the Attorney General is violating federal and/or state law, including prohibitions relating to improper influence, abuse of



Text Message





David >

Paxton, Jr., in his official capacity as the current Attorney General of Texas. I have a good faith belief that the Attorney General is violating federal and/or state law, including prohibitions relating to improper influence, abuse of office, bribery, and other potential criminal offenses. I have knowledge of relevant facts to these potential offenses and have provided information concerning those facts to the appropriate law enforcement authority.

Wed, Oct 7, 7:28 PM

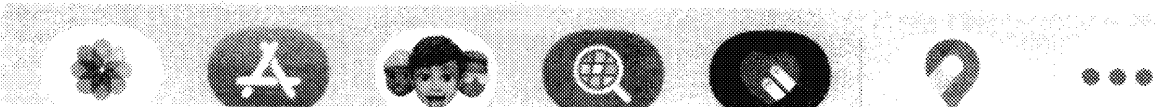
Greg did you get my text?

I did. Thanks, David.

Mon, Oct 12, 1:40 PM



Text Message



Simpson, Greg

From: Simpson, Greg
Sent: Wednesday, October 7, 2020 4:54 PM
To: Webster, Brent
Subject: Language

Brent, the suggested concluding language is below. In the event that Blake continues to refuse to meet with you and you decide to terminate his employment, let's talk in the morning about how to notify him.

Blake, please understand that your continuing refusal to meet with or communicate with me regarding your job may result in the termination of your employment.

Simpson, Greg

From: Brickman, Blake
Sent: Thursday, October 8, 2020 8:10 AM
To: Simpson, Greg
Subject: Fwd: Meeting Requested

FYI. Please see below chain.

Begin forwarded message:

From: "Brickman, Blake" <Blake.Brickman@oag.texas.gov>
Date: October 7, 2020 at 9:36:48 PM CDT
To: "Webster, Brent" <Brent.Webster@oag.texas.gov>
Subject: Re: Meeting Requested

The communications meeting was actually Monday afternoon. Not Tuesday. Thanks,

Blake

On Oct 7, 2020, at 8:56 PM, Brickman, Blake <Blake.Brickman@oag.texas.gov> wrote:

Hi Brent -

I'm not refusing to meet with you or the General. I'm willing to meet. In fact, we met on Tuesday morning in the strategy meeting (with General Paxton present), and again yesterday in the communications meeting. And we are meeting again tomorrow in both the deputies meeting (General Paxton is included) and the legislative meeting (that was supposed to occur today).

What are the topics that you and the General would like to discuss with me alone? You have refused to answer that question. And why alone? I'm merely insisting that another current deputy attorney general be present.

You know this is a reasonable request in light of the current circumstances. You further know that it would in no way impede our ability to perform our jobs. Any prudent person acting in good faith should readily agree to this. So what is your objection to my being accompanied by another deputy from our office in these meetings?

Also, I was on a work-related call with Zina Bash (a member of the senior OAG team) on my cellphone when you came in my office and asked me to take my cellphone to my car on Monday morning.

Thank you,

Blake

On Oct 7, 2020, at 6:17 PM, Webster, Brent
<Brent.Webster@oag.texas.gov> wrote:

Blake,

Being employed here, you will need to be able to regularly meet with me, and I will regularly be stopping by your office, with or without anyone accompanying me. I am your supervisor, and responsible for employees on this floor. Many of your colleagues have already met with me.

My decision to ask you to put your cell phone in your car on Monday, was directly related to me noticing you on your phone and you being distracted from work. I asked you to put your cell phone into your car to eliminate the distraction.

Once again, I'm asking you to meet with me tomorrow at 11:30 am, in my office. If you have a conflict, please provide an alternative time. There will not be any other deputies present for this meeting.

The General would like to also meet with you, individually, at some point tomorrow. Can you provide me the times you are not in any meetings, tomorrow, so that I can assist in coordinating the meeting with the General.

Blake, please understand that your continuing refusal to meet with, or communicate with me and the General, regarding your job, may result in the termination of your employment.

Thank you,

<image002.png>	Brent Webster
	<i>First Assistant Attorney General</i>
	Office of the Attorney General
	P.O. Box 12548 Austin, Texas 78711-2548

From: Brickman, Blake <Blake.Brickman@oag.texas.gov>
Sent: Tuesday, October 6, 2020 7:13 PM
To: Webster, Brent <Brent.Webster@oag.texas.gov>
Subject: Re: Meeting Requested

Brent -

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Thank you,

Brent

Simpson, Greg

From: Brickman, Blake
Sent: Thursday, October 8, 2020 8:35 AM
To: Simpson, Greg
Subject: Fwd: Meeting Requested

FYI

Begin forwarded message:

From: "Webster, Brent" <Brent.Webster@oag.texas.gov>
Date: October 8, 2020 at 8:16:41 AM CDT
To: "Brickman, Blake" <Blake.Brickman@oag.texas.gov>
Subject: RE: Meeting Requested

Blake,

This isn't complicated. I will be in my office at 11:30 am today. I truly hope you decide to come by and talk with me.

Brent

From: Brickman, Blake <Blake.Brickman@oag.texas.gov>
Sent: Wednesday, October 7, 2020 8:56 PM
To: Webster, Brent <Brent.Webster@oag.texas.gov>
Subject: Re: Meeting Requested

Hi Brent -

I'm not refusing to meet with you or the General. I'm willing to meet. In fact, we met on Tuesday morning in the strategy meeting (with General Paxton present), and again yesterday in the communications meeting. And we are meeting again tomorrow in both the deputies meeting (General Paxton is included) and the legislative meeting (that was supposed to occur today).

What are the topics that you and the General would like to discuss with me alone? You have refused to answer that question. And why alone? I'm merely insisting that another current deputy attorney general be present.

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<image002.png>

Brent Webster
First Assistant Attorney General
Office of the Attorney General
P.O. Box 12548
Austin, Texas 78711-2548

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Brent



Mark >

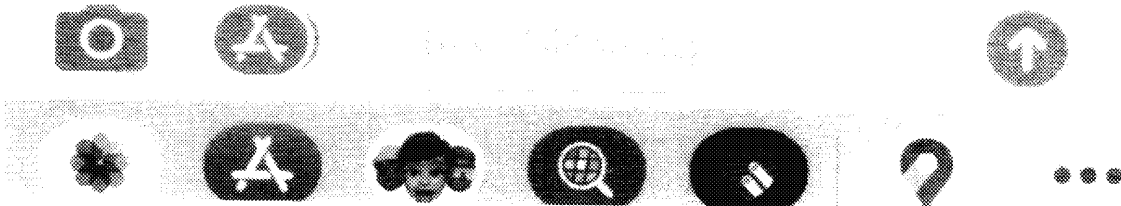
Text Message
Friday 6:24 PM

Hello Mark, this is Greg Simpson in HR. I've been directed by General Paxton to let you know that he is placing you on paid investigative leave effective immediately for two weeks. Please call me if you have any questions.

Yesterday 6:21 PM

Greg: What is your direct number?
Thanks, Mark

Hi Mark. You can call me at
[REDACTED]



Simpson, Greg

From: Brickman, Blake
Sent: Thursday, October 8, 2020 9:04 AM
To: Simpson, Greg
Subject: FW: Meeting Requested

From: Brickman, Blake
Sent: Thursday, October 8, 2020 9:03 AM
To: Webster, Brent <Brent.Webster@oag.texas.gov>
Subject: RE: Meeting Requested

Good morning Brent –

I respectfully disagree. This actually is very complicated. And further complicated by your attempts to intimidate me (as outlined below), and by your insistence that we meet alone about a topic you wont reveal in light of the current circumstances.

Blake

From: Webster, Brent <Brent.Webster@oag.texas.gov>
Sent: Thursday, October 8, 2020 8:17 AM
To: Brickman, Blake <Blake.Brickman@oag.texas.gov>
Subject: RE: Meeting Requested

Blake,

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First Assistant Attorney General
Office of the Attorney General
P.O. Box 12548
Austin, Texas 78711-2548

From: Brickman, Blake <Blake.Brickman@oag.texas.gov>
Sent: Tuesday, October 6, 2020 7:13 PM
To: Webster, Brent <Brent.Webster@oag.texas.gov>
Subject: Re: Meeting Requested

Brent -

What will be the subject matter discussed at these meetings?

If they relate in any way to my cooperation with law enforcement, I insist on being accompanied by the other deputies so that there are witnesses to our conversation.

If these meetings with you and the General relate to routine business, then there is no reason for you or the General to object to my being joined by one or more of the other deputies.

You know this is a most reasonable request under these circumstances.

Just yesterday, you instructed me to leave a very important legislative meeting with the General (which I always attend as part of my job responsibilities) without any explanation.

You also came into my office yesterday while you were accompanied by an armed guard, an unprecedented act that seemed designed to intimidate me.

And you also instructed me, without any precedent, without explanation, and contrary to any office policy, to leave my personal cellphone in my car.

It is reasonable to interpret those actions as an effort to retaliate against me and intimidate me.

I am more than willing to meet with you and the General in the presence of one or more deputies of my choosing.

If that is not acceptable to you, please explain why.

Thank you,

Blake

On Oct 6, 2020, at 5:06 PM, Webster, Brent <Brent.Webster@oag.texas.gov> wrote:

Good Afternoon Blake,

Once again, I'm asking you to meet with me tomorrow at 2pm in my office. If you have a conflict, please provide an alternative time. There will not be any other deputies present for this meeting.

The General would like to also meet with you, individually, at some point tomorrow. Can you provide me the times you are not in any meetings, tomorrow, so that I can assist in coordinating the meeting with the General.

Thank you,

Brent

Simpson, Greg

From: Webster, Brent
Sent: Thursday, October 8, 2020 9:04 AM
To: Simpson, Greg
Subject: FW: Meeting Requested

Update on my conversation:

From: Brickman, Blake <Blake.Brickman@oag.texas.gov>
Sent: Thursday, October 8, 2020 9:03 AM
To: Webster, Brent <Brent.Webster@oag.texas.gov>
Subject: RE: Meeting Requested

Good morning Brent –

I respectfully disagree. This actually is very complicated. And further complicated by your attempts to intimidate me (as outlined below), and by your insistence that we meet alone about a topic you wont reveal in light of the current circumstances.

Blake

From: Webster, Brent <Brent.Webster@oag.texas.gov>
Sent: Thursday, October 8, 2020 8:17 AM
To: Brickman, Blake <Blake.Brickman@oag.texas.gov>
Subject: RE: Meeting Requested

Blake,

This isn't complicated. I will be in my office at 11:30 am today. I truly hope you decide to come by and talk with me.

Brent

From: Brickman, Blake <Blake.Brickman@oag.texas.gov>
Sent: Wednesday, October 7, 2020 8:56 PM
To: Webster, Brent <Brent.Webster@oag.texas.gov>
Subject: Re: Meeting Requested

Hi Brent -

I'm not refusing to meet with you or the General. I'm willing to meet. In fact, we met on Tuesday morning in the strategy meeting (with General Paxton present), and again yesterday in the communications meeting. And we are meeting again tomorrow in both the deputies meeting (General Paxton is included) and the legislative meeting (that was supposed to occur today).

What are the topics that you and the General would like to discuss with me alone? You have refused to answer that question. And why alone? I'm merely insisting that another current deputy attorney general be present.

You know this is a reasonable request in light of the current circumstances. You further know that it would in no way impede our ability to perform our jobs. Any prudent person acting in good faith should readily agree to this. So what is your objection to my being accompanied by another deputy from our office in these meetings?

Also, I was on a work-related call with Zina Bash (a member of the senior OAG team) on my cellphone when you came in my office and asked me to take my cellphone to my car on Monday morning.

Thank you,

Blake

On Oct 7, 2020, at 6:17 PM, Webster, Brent <Brent.Webster@oag.texas.gov> wrote:

Blake,

Being employed here, you will need to be able to regularly meet with me, and I will regularly be stopping by your office, with or without anyone accompanying me. I am your supervisor, and responsible for employees on this floor. Many of your colleagues have already met with me.


My decision to ask you to put your cell phone in your car on Monday, was directly related to me noticing you on your phone and you being distracted from work. I asked you to put your cell phone into your car to eliminate the distraction.

Once again, I'm asking you to meet with me tomorrow at 11:30 am, in my office. If you have a conflict, please provide an alternative time. There will not be any other deputies present for this meeting.

The General would like to also meet with you, individually, at some point tomorrow. Can you provide me the times you are not in any meetings, tomorrow, so that I can assist in coordinating the meeting with the General.

Blake, please understand that your continuing refusal to meet with, or communicate with me and the General, regarding your job, may result in the termination of your employment.

Thank you,

 **Brent Webster**
First Assistant Attorney General
Office of the Attorney General
P.O. Box 12548
Austin, Texas 78711-2548

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Thank you,

Brent

Simpson, Greg

From: Webster, Brent
Sent: Thursday, October 8, 2020 11:41 AM
To: Simpson, Greg
Subject: Meeting agenda

Greg,

When you are available, we need to plan a meeting to discuss

Aaron Reitz – Positions available?

Blake Brickman – his continued refusal to meet with me

Thank you,

Brent

Simpson, Greg

From: Webster, Brent
Sent: Thursday, October 8, 2020 11:42 AM
To: Simpson, Greg
Subject: FW: Meeting Requested

Just FYI, its now 1140 and Blake has not come by my office.

From: Brickman, Blake <Blake.Brickman@oag.texas.gov>
Sent: Thursday, October 8, 2020 9:03 AM
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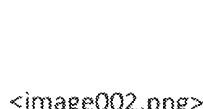
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Thank you,

	<p>Brent Webster <i>First Assistant Attorney General</i></p> <hr/> <p>Office of the Attorney General P.O. Box 12548 Austin, Texas 78711-2548</p>
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Thank you,

Brent

Simpson, Greg

From: Simpson, Greg
Sent: Thursday, October 8, 2020 11:50 AM
To: Webster, Brent
Subject: RE: Meeting agenda

Brent,

I'm available at your convenience today or tomorrow to discuss both of these issues. Just let me know if you'd like me to come to your office and when.

Thanks!

From: Webster, Brent <Brent.Webster@oag.texas.gov>
Sent: Thursday, October 8, 2020 11:41 AM
To: Simpson, Greg <Greg.Simpson@oag.texas.gov>
Subject: Meeting agenda

Greg,

When you are available, we need to plan a meeting to discuss

Aaron Reitz – Positions available?
Blake Brickman – his continued refusal to meet with me

Thank you,

Brent

Simpson, Greg

From: Simpson, Greg
Sent: Tuesday, October 13, 2020 1:07 PM
To: Webster, Brent
Subject: RE: vacation for Maxwell

Understood. CAPPs records do not show that he took any leave in September. October shows that he's on Investigative Leave beginning 10/5. It's my understanding that he was on vacation before that time, but I don't know when it began (normally, employees don't enter leave in CAPPs until they return). We can call his EA and find out when his vacation began, but I won't do that unless you tell me you want me to.

From: Webster, Brent <Brent.Webster@oag.texas.gov>
Sent: Tuesday, October 13, 2020 12:44 PM
To: Simpson, Greg <Greg.Simpson@oag.texas.gov>
Subject: RE: vacation for Maxwell

Note - this is walled off as we discussed.

From: Webster, Brent
Sent: Tuesday, October 13, 2020 12:43 PM
To: Simpson, Greg <Greg.Simpson@oag.texas.gov>
Subject: vacation for Maxwell

What days was Mr. Maxwell on vacation this month and the month of September?

Simpson, Greg

From: Webster, Brent
Sent: Thursday, October 15, 2020 3:42 PM
To: Simpson, Greg
Subject: Extension of investigative admin leave

Greg,

Based on the continuing in depth investigation, and the need for more time to complete the investigation, KP authorizes you to extend the admin leave for Penley and Maxwell two weeks from the current deadline, with an end date on Monday November 2nd.

Thank you,

Brent Webster

Simpson, Greg

From: Simpson, Greg
Sent: Thursday, October 15, 2020 3:45 PM
To: Webster, Brent
Subject: RE: Extension of investigative admin leave

Brent,

We'll enter the leave in CAPPs and I'll notify Mr. Penley and Mr. Maxwell of the extension of leave.

Thank you.

From: Webster, Brent <Brent.Webster@oag.texas.gov>
Sent: Thursday, October 15, 2020 3:42 PM
To: Simpson, Greg <Greg.Simpson@oag.texas.gov>
Subject: Extension of investigative admin leave

Greg,

Based on the continuing in depth investigation, and the need for more time to complete the investigation, KP authorizes you to extend the admin leave for Penley and Maxwell two weeks from the current deadline, with an end date on Monday November 2nd.

Thank you,

Brent Webster



Mark >

Text Message
Fri, Oct 2, 5:24 PM

Hello Mark, this is Greg Simpson in HR. I've been directed by General Paxton to let you know that he is placing you on paid investigative leave effective immediately for two weeks. Please call me if you have any questions.

Wed, Oct 7, 6:21 PM

Greg: What is your direct number?

Thanks, Mark

Hi Mark. You can call me at [REDACTED]

Thu, Oct 15, 4:24 PM

Mark, I've been directed by The First Assistant to let you know





Mark >

have any questions.

Wed, Oct 7, 6:21 PM

Greg: What is your direct number?

Thanks, Mark

Hi Mark. You can call me at



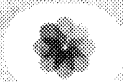
Thu, Oct 15, 4:24 PM

Mark, I've been directed by The First Assistant to let you know that he is extending your paid investigative leave until close of business on Monday, November 2, 2020. Please call me if you have any questions.

Thanks, Greg. Message received.



Text Message

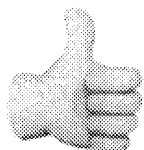




David >

Thu, Oct 15, 4:26 PM

David, I've been directed by the First Assistant to let you know that he is extending your paid investigative leave until close of business on Monday, November 2, 2020. Please call me if you have any questions.



Text Message



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Simpson, Greg

From: Webster, Brent
Sent: Monday, October 19, 2020 1:22 PM
To: Simpson, Greg
Subject: Investigative Leave Ryan Vassar

Please immediately place Ryan Vassar on Investigative leave for two weeks.

Simpson, Greg

From: Simpson, Greg
Sent: Monday, October 19, 2020 6:16 PM
To: De La Garza, Henry
Subject: Advice
Attachments: Statement October 2020.docx; RE: HR Continuity

Henry,

I'd appreciate your review and any advice you could provide.

Thank you

October 19, 2020

I have recently been contacted by my supervisor, Lacey Mase, on numerous occasions demanding information about Executive Administration's response to the recent complaint made by several deputy attorneys general, including Ms. Mase, against the Attorney General. I've been subjected to a number of uncomfortable conversations over the last two weeks which have been stressful and disruptive. This stands in contrast to my previous relationship with Ms. Mase, which was good and productive. Some of these recent contacts with Ms. Mase include:

- On October 8, 2020, I met with the General, First Assistant, and Tom Taylor in the General's office. After that meeting was over I received a text from Ms. Mase asking how my meeting with the General went. I had not told Ms. Mase about that meeting. I called Ms. Mase on my way home and she said that Blake Brickman had told her that I was in the General's office, and she wanted to know what we talked about. I was vague about what was discussed and stated that we discussed Investigative Leave and a personnel issue. She demanded to know if Blake Brickman was discussed and said she wanted to know if Blake was going to get fired. I didn't want to answer the questions and I hesitated. Ms. Mase loudly and repeatedly told me that she is my supervisor and that I needed to respond to her questions. She again demanded to know what was discussed, what each person said at the meeting, and what exactly was going to happen to Blake. I told Ms. Mase that no one was getting fired, but that Blake may be moved to another office in the WPC. Ms. Mase was angry at my response and repeatedly stated that moving Blake is "retaliation." She told me that I should not trust the General and the First Assistant, that I don't know what I'm dealing with, and screamed at me multiple times that I was "fucked." She told me that if I was not giving my advice to the General and First Assistant in writing, I am also "fucked" because they would later mischaracterize my advice to pin blame on me if something went wrong later. Later that evening I received a text message from Ms. Mase apologizing for how she had spoken to me and stating that she realized that her demands had put me in an "untenable" position and that she was sorry for that. I was relieved and hoped that Ms. Mase would not again demand information inappropriately.
- On October 15, I received a phone call from Ms. Mase stating that she'd heard I was in a meeting with the First Assistant and Lesley French and she asked in a confrontational tone what we had discussed. I told her that I was called in to discuss an investigation, but that that conversation did not occur. Ms. Mase quickly got angry and demanded to know why I wasn't telling her that we discussed a litigation hold. She said she "knew" that I was involved with the litigation hold and that it was discussed at the meeting. She said that a litigation hold is something she should have been consulted with because she is the deputy AG for administration. I told her I didn't know what she was talking about, that it was my understanding that GCD handled lit holds and told her my only knowledge of the lit hold was that I was a recipient of the lit hold. She demanded to know what else we discussed and I told her that we discussed how Investigative Leave is administered and nothing else.
- On October 16, I received an email from Ms. Mase, which I've attached.

Simpson, Greg

From: Mase, Lacey
Sent: Sunday, October 18, 2020 9:25 AM
To: Simpson, Greg
Subject: RE: HR Continuity

Thank you, Greg. This is helpful.

A couple of questions related to the information you provided:

- Was the voluntary transfer from Exec to Special Lit re: Aaron Reitz? If so, Mr. Webster let me know that Reitz will remain in Exec.
- I recall you being involved in a discussion with Mr. Webster and Tom Taylor about moving Blake Brickman, Deputy AG for Policy and Strategic Initiatives, physically off the 8th floor and moving him to the Wm. P. Clements building. Was that the Oct 8 meeting, and what is the status of that personnel action?
- Can you please provide me an update on the status of David Maxwell and Mark Penley's investigative leave?

Both of these actions are within HR's purview and, thus, within my purview. Also, both are the type of actions which, for as long as either Mandy Crawford or I have been the Deputy AG for Admin, you have run through us for discussion with the First Assistant. As I'm sure you can imagine, I'm concerned about who will advise Mr. Webster about the risks associated with the personnel actions he's taken and will contemplate after your departure since he's actively excluding me from these conversations.

Thanks for your assistance,



Lacey E. Mase
Deputy Attorney General for Administration
Office of the Attorney General
P.O. Box 12548
Austin, Texas 78711-2548
(512) 463-2147

From: Simpson, Greg <Greg.Simpson@oag.texas.gov>
Sent: Friday, October 16, 2020 3:59 PM
To: Mase, Lacey <Lacey.Mase@oag.texas.gov>
Subject: RE: HR Continuity

Lacey,

Thanks for your kind comments. I've so enjoyed working with you and it's my sincere hope that our paths will cross again. I'll miss working with you and talking to you everyday, but we'll have to stay in touch!

Re assignments from the General or First Assistant, I don't have anything open or ongoing now. To date, I've attended meetings or responded to requests as follows:

- On October 5 I attended a very brief 9:00 meeting with the First Assistant, Ryan Fisher and several others in the First Assistant's office. I was there only initially when the First Assistant introduced himself and then was told I wasn't needed for the actual meeting.
- Brent and I met in my office late in the day on October 5, but it was informal and not about any specific work issue.
- I met with the General and First Assistant on October 8. My involvement was to discuss investigative leave generally and also to discuss a separate personnel issue. The First Assistant also wanted some information about how to accomplish a voluntary transfer of an employee from Exec to Special Litigation.
- I've responded to several email requests from the First Assistant for policies from the Policy Manual.
- I met with the First Assistant on October 15 to discuss an issue related to an investigation. Prior to beginning any substantive discussion, I told him that I was going to submit my resignation to you that day and so we did not end up discussing an investigation, though I did answer a few questions about investigative leave again.

I hope this helps, but let me know if you need something else.

Thanks!

From: Mase, Lacey <Lacey.Mase@oag.texas.gov>
Sent: Friday, October 16, 2020 10:34 AM
To: Simpson, Greg <Greg.Simpson@oag.texas.gov>
Subject: HR Continuity

Good morning, Greg,

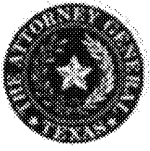
First, I am deeply saddened by the news of your upcoming retirement. Your value to this agency is simply immeasurable, and you will be missed by so many, both professionally and personally.

You know better than anyone that proper handling of the agency's HR functions help ensure the agency is complying with state and federal law, OAG, TWC, and CPA rules, and agency policies and procedures, which ultimately protects taxpayer dollars from being spent on employment law claims, and other things, that could and should have been mitigated or avoided completely. Over the last two weeks, I understand that the Attorney General and the new First Assistant have engaged you on several topics without alerting me or including me as your Executive Deputy and direct supervisor. For as long as I've held my position, the First Assistant has never gone around me or cut me out of operations I oversee as part of my job duties. Now that you've announced your retirement, it's especially critical that I'm aware of what you've been tasked with so (1) I can ensure continuity of operations as you begin to transition out and after your retirement, and (2) I can do my best to ensure decision makers, such as the First Assistant and the Attorney General, are fully aware of the risks associated with their actions and decisions. To this end, please send me the following:

- A list of ongoing or open tasks/discussions/activities assigned to you by the First Assistant or the Attorney General
- A list of meetings you've attended or will attend pertaining to HR activities at the direction of the First Assistant or the Attorney General

I appreciate you more than you'll ever know.

Lacey E. Mase
Deputy Attorney General for Administration



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P. O. Box 12548
Austin, Texas 78711-2548
(512) 463-2147

Simpson, Greg

From: De La Garza, Henry
Sent: Monday, October 19, 2020 6:44 PM
To: Simpson, Greg; Webster, Brent
Subject: FW: Advice
Attachments: Statement October 2020.docx; RE: HR Continuity

PRIVILEGED

This email contains legal advice.

Brent and Greg,

After reviewing this statement, my legal opinion is that the agency has legitimate, non-retaliatory reasons to end Ms. Mase's at-will employment with the OAG. It is an affirmative defense to a suit under the Whistleblower Act "that the employing state or local governmental entity would have taken the action against the employee that forms the basis of the suit based solely on information, observation, or evidence that is not related to the fact that the employee made a report protected under this chapter of a violation of law." Tex. Gov't Code 554.004(b). The attached statement provides evidence that *after* Ms. Mase joined in the report against the Attorney General, she has engaged in egregious misconduct unrelated to the report, including:

- Abuse of supervisory authority
- Unethical behavior
- Use of an insubordinate or unprofessional tone towards management
- Conduct or performance resulting in workplace disruption

In addition, the statement confirms that Ms. Mase has displayed poor judgment and deficient decision-making in the last few weeks. Overall, her conduct since making her accusations is unacceptable and worthy of immediate separation based on agency policy and relevant law, particularly since she is an appointed and high-level member of Executive Administration.



HENRY DE LA GARZA

Chief Employment Counsel & Ethics Advisor
Deputy Director, Human Resources Division
Office of the Attorney General

From: Simpson, Greg <Greg.Simpson@oag.texas.gov>
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I have recently been contacted by my supervisor, Lacey Mase, on numerous occasions demanding information about Executive Administration's response to the recent complaint made by several deputy attorneys general, including Ms. Mase, against the Attorney General. I've been subjected to a number of uncomfortable conversations over the last two weeks which have been stressful and disruptive. This stands in contrast to my previous relationship with Ms. Mase, which was good and productive. Some of these recent contacts with Ms. Mase include:

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- On October 15, I received a phone call from Ms. Mase stating that she'd heard I was in a meeting with the First Assistant and Lesley French and she asked in a confrontational tone what we had discussed. I told her that I was called in to discuss an investigation, but that that conversation did not occur. Ms. Mase quickly got angry and demanded to know why I wasn't telling her that we discussed a litigation hold. She said she "knew" that I was involved with the litigation hold and that it was discussed at the meeting. She said that a litigation hold is something she should have been consulted with because she is the deputy AG for administration. I told her I didn't know what she was talking about, that it was my understanding that GCD handled lit holds and told her my only knowledge of the lit hold was that I was a recipient of the lit hold. She demanded to know what else we discussed and I told her that we discussed how Investigative Leave is administered and nothing else.
- On October 16, I received an email from Ms. Mase, which I've attached.

Simpson, Greg

From: Mase, Lacey
Sent: Sunday, October 18, 2020 9:25 AM
To: Simpson, Greg
Subject: RE: HR Continuity

Thank you, Greg. This is helpful.

A couple of questions related to the information you provided:

- Was the voluntary transfer from Exec to Special Lit re: Aaron Reitz? If so, Mr. Webster let me know that Reitz will remain in Exec.
- I recall you being involved in a discussion with Mr. Webster and Tom Taylor about moving Blake Brickman, Deputy AG for Policy and Strategic Initiatives, physically off the 8th floor and moving him to the Wm. P. Clements building. Was that the Oct 8 meeting, and what is the status of that personnel action?
- Can you please provide me an update on the status of David Maxwell and Mark Penley's investigative leave?

Both of these actions are within HR's purview and, thus, within my purview. Also, both are the type of actions which, for as long as either Mandy Crawford or I have been the Deputy AG for Admin, you have run through us for discussion with the First Assistant. As I'm sure you can imagine, I'm concerned about who will advise Mr. Webster about the risks associated with the personnel actions he's taken and will contemplate after your departure since he's actively excluding me from these conversations.

Thanks for your assistance,



Lacey E. Mase
Deputy Attorney General for Administration
Office of the Attorney General
P.O. Box 12548
Austin, Texas 78711-2548
(512) 463-2147

From: Simpson, Greg <Greg.Simpson@oag.texas.gov>
Sent: Friday, October 16, 2020 3:59 PM
To: Mase, Lacey <Lacey.Mase@oag.texas.gov>
Subject: RE: HR Continuity

Lacey,

Thanks for your kind comments. I've so enjoyed working with you and it's my sincere hope that our paths will cross again. I'll miss working with you and talking to you everyday, but we'll have to stay in touch!

Re assignments from the General or First Assistant, I don't have anything open or ongoing now. To date, I've attended meetings or responded to requests as follows:

- On October 5 I attended a very brief 9:00 meeting with the First Assistant, Ryan Fisher and several others in the First Assistant's office. I was there only initially when the First Assistant introduced himself and then was told I wasn't needed for the actual meeting.
- Brent and I met in my office late in the day on October 5, but it was informal and not about any specific work issue.
- I met with the General and First Assistant on October 8. My involvement was to discuss investigative leave generally and also to discuss a separate personnel issue. The First Assistant also wanted some information about how to accomplish a voluntary transfer of an employee from Exec to Special Litigation.
- I've responded to several email requests from the First Assistant for policies from the Policy Manual.
- I met with the First Assistant on October 15 to discuss an issue related to an investigation. Prior to beginning any substantive discussion, I told him that I was going to submit my resignation to you that day and so we did not end up discussing an investigation, though I did answer a few questions about investigative leave again.

I hope this helps, but let me know if you need something else.

Thanks!

From: Mase, Lacey <Lacey.Mase@oag.texas.gov>
Sent: Friday, October 16, 2020 10:34 AM
To: Simpson, Greg <Greg.Simpson@oag.texas.gov>
Subject: HR Continuity

Good morning, Greg,

First, I am deeply saddened by the news of your upcoming retirement. Your value to this agency is simply immeasurable, and you will be missed by so many, both professionally and personally.

You know better than anyone that proper handling of the agency's HR functions help ensure the agency is complying with state and federal law, OAG, TWC, and CPA rules, and agency policies and procedures, which ultimately protects taxpayer dollars from being spent on employment law claims, and other things, that could and should have been mitigated or avoided completely. Over the last two weeks, I understand that the Attorney General and the new First Assistant have engaged you on several topics without alerting me or including me as your Executive Deputy and direct supervisor. For as long as I've held my position, the First Assistant has never gone around me or cut me out of operations I oversee as part of my job duties. Now that you've announced your retirement, it's especially critical that I'm aware of what you've been tasked with so (1) I can ensure continuity of operations as you begin to transition out and after your retirement, and (2) I can do my best to ensure decision makers, such as the First Assistant and the Attorney General, are fully aware of the risks associated with their actions and decisions. To this end, please send me the following:

- A list of ongoing or open tasks/discussions/activities assigned to you by the First Assistant or the Attorney General
- A list of meetings you've attended or will attend pertaining to HR activities at the direction of the First Assistant or the Attorney General

I appreciate you more than you'll ever know.

Lacey E. Mase
Deputy Attorney General for Administration



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P.O. Box 12548
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Simpson, Greg

From: Mase, Lacey
Sent: Monday, October 19, 2020 8:54 PM
To: Simpson, Greg
Subject: FW: HR Continuity

Greg,

As a follow-up and addition to my email from yesterday, this afternoon around 1:45, Ryan Vassar let me know that he'd been placed on investigative leave, effective immediately. The First Assistant would not tell Ryan why he was being placed on investigative leave before an armed investigator from CID, Amy Briggs, escorted Ryan out of the building.

Can you please call me tomorrow to discuss this action? I have several concerns and want to ensure I have all the facts about how this decision was made before I raise my concerns with the First Assistant. We can also discuss my questions from yesterday's email.

Thanks,

Lacey

From: Mase, Lacey
Sent: Sunday, October 18, 2020 9:25 AM
To: Simpson, Greg <Greg.Simpson@oag.texas.gov>
Subject: RE: HR Continuity

Thank you, Greg. This is helpful.

A couple of questions related to the information you provided:

- Was the voluntary transfer from Exec to Special Lit re: Aaron Reitz? If so, Mr. Webster let me know that Reitz will remain in Exec.
- I recall you being involved in a discussion with Mr. Webster and Tom Taylor about moving Blake Brickman, Deputy AG for Policy and Strategic Initiatives, physically off the 8th floor and moving him to the Wm. P. Clements building. Was that the Oct 8 meeting, and what is the status of that personnel action?
- Can you please provide me an update on the status of David Maxwell and Mark Penley's investigative leave?

Both of these actions are within HR's purview and, thus, within my purview. Also, both are the type of actions which, for as long as either Mandy Crawford or I have been the Deputy AG for Admin, you have run through us for discussion with the First Assistant. As I'm sure you can imagine, I'm concerned about who will advise Mr. Webster about the risks associated with the personnel actions he's taken and will contemplate after your departure since he's actively excluding me from these conversations.

Thanks for your assistance,

Lacey E. Mase
Deputy Attorney General for Administration



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From: Simpson, Greg <Greg.Simpson@oag.texas.gov>
Sent: Friday, October 16, 2020 3:59 PM
To: Mase, Lacey <Lacey.Mase@oag.texas.gov>
Subject: RE: HR Continuity

Lacey,

Thanks for your kind comments. I've so enjoyed working with you and it's my sincere hope that our paths will cross again. I'll miss working with you and talking to you everyday, but we'll have to stay in touch!

Re assignments from the General or First Assistant, I don't have anything open or ongoing now. To date, I've attended meetings or responded to requests as follows:

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- I met with the General and First Assistant on October 8. My involvement was to discuss investigative leave generally and also to discuss a separate personnel issue. The First Assistant also wanted some information about how to accomplish a voluntary transfer of an employee from Exec to Special Litigation.
- I've responded to several email requests from the First Assistant for policies from the Policy Manual.
- I met with the First Assistant on October 15 to discuss an issue related to an investigation. Prior to beginning any substantive discussion, I told him that I was going to submit my resignation to you that day and so we did not end up discussing an investigation, though I did answer a few questions about investigative leave again.

I hope this helps, but let me know if you need something else.

Thanks!

From: Mase, Lacey <Lacey.Mase@oag.texas.gov>
Sent: Friday, October 16, 2020 10:34 AM
To: Simpson, Greg <Greg.Simpson@oag.texas.gov>
Subject: HR Continuity

Good morning, Greg,

First, I am deeply saddened by the news of your upcoming retirement. Your value to this agency is simply immeasurable, and you will be missed by so many, both professionally and personally.

You know better than anyone that proper handling of the agency's HR functions help ensure the agency is complying with state and federal law, OAG, TWC, and CPA rules, and agency policies and procedures, which ultimately protects taxpayer dollars from being spent on employment law claims, and other things, that could and should have been

mitigated or avoided completely. Over the last two weeks, I understand that the Attorney General and the new First Assistant have engaged you on several topics without alerting me or including me as your Executive Deputy and direct supervisor. For as long as I've held my position, the First Assistant has never gone around me or cut me out of operations I oversee as part of my job duties. Now that you've announced your retirement, it's especially critical that I'm aware of what you've been tasked with so (1) I can ensure continuity of operations as you begin to transition out and after your retirement, and (2) I can do my best to ensure decision makers, such as the First Assistant and the Attorney General, are fully aware of the risks associated with their actions and decisions. To this end, please send me the following:

- A list of ongoing or open tasks/discussions/activities assigned to you by the First Assistant or the Attorney General
- A list of meetings you've attended or will attend pertaining to HR activities at the direction of the First Assistant or the Attorney General

I appreciate you more than you'll ever know.



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Deputy Attorney General for Administration

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Simpson, Greg

From: Webster, Brent
Sent: Monday, October 19, 2020 9:45 PM
To: Simpson, Greg
Cc: De La Garza, Henry
Subject: Lacey Mase

Greg and Henry,

I have instructed Lacey Mase not to have any contact with the HR Department until she and I meet tomorrow at 11 am in my office. She has also been instructed to cancel the 10 am meeting. Lets plan to connect at 9 am and map out our plans for the 11 am meeting.

If Lacey contacts either of you, do not talk to her. It will be an insubordinate act for her to disregard my instructions to have no contact with anyone in HR.

Thanks,

Brent.

Simpson, Greg

From: Simpson, Greg
Sent: Tuesday, October 20, 2020 8:11 AM
To: Webster, Brent; De La Garza, Henry
Subject: FW: HR Continuity

From: Mase, Lacey <Lacey.Mase@oag.texas.gov>
Sent: Monday, October 19, 2020 8:54 PM
To: Simpson, Greg <Greg.Simpson@oag.texas.gov>
Subject: FW: HR Continuity

Greg,

As a follow-up and addition to my email from yesterday, this afternoon around 1:45, Ryan Vassar let me know that he'd been placed on investigative leave, effective immediately. The First Assistant would not tell Ryan why he was being placed on investigative leave before an armed investigator from CID, Amy Briggs, escorted Ryan out of the building.

Can you please call me tomorrow to discuss this action? I have several concerns and want to ensure I have all the facts about how this decision was made before I raise my concerns with the First Assistant. We can also discuss my questions from yesterday's email.

Thanks,

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From: Mase, Lacey
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To: Simpson, Greg <Greg.Simpson@oag.texas.gov>
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DRAFT

EMPLOYMENT SEPARATION REQUEST

The Office of the Attorney General (OAG) is an at-will employer. Dismissal from employment may occur at any time.

Table with 2 columns: Field Name and Value. Fields include EMPLOYEE, POSITION/CLASSIFICATION, DIVISION, FIELD OFFICE/SECTION, IMMEDIATE SUPERVISOR, DATE, REQUESTOR/TITLE, and REQUESTED DATE OF SEPARATION.

REASON(S) FOR EMPLOYMENT SEPARATION (Check all that apply)

- Checkboxes for: Conduct and/or Performance (Complete Section Below.), Job Abandonment (Consult with the Human Resources Division regarding employee's employment/leave status.), and Other.

CONDUCT AND/OR PERFORMANCE:

Succinctly describe conduct or identify the employee's performance deficiencies warranting separation/termination:

Per agency policy, employees of the Office of the Attorney General (OAG) are expected to behave in a professional manner that provides the highest quality of work and customer service. Every OAG employee is expected to acquaint himself/herself with performance criteria for his/her job and with all policies, procedures, rules, and standards of conduct established by the OAG and the employee's division, section, or unit. As the State's chief legal officer, the Attorney General must rely on his employees to fulfill his constitutional and statutory responsibilities. Employees who form part of his Executive Administration, especially those appointed by him, are held to a higher standard and are expected to support the Attorney General. Mr. Brickman was appointed Director of Policy and Strategic Initiatives and began his employment on February 1, 2020. In this appointed and high-level position, Mr. Brickman forms part of an important inner circle, which requires a basic level of trust. It is well known that approximately two weeks ago Mr. Brickman and other members of the Attorney General's Executive Administration accused the Attorney General of criminal conduct. It is unclear whether Mr. Brickman made those accusations in good faith. Regardless, an employee's right to make good-faith accusations is recognized and respected. (Those accusations, however, are vehemently denied.) That aside, it is still necessary for Mr. Brickman to comply with agency policies. Even though the Attorney General and First Assistant Attorney General have attempted to work with Mr. Brickman during the last few weeks, Mr. Brickman has engaged in the following misconduct, as identified in the agency's "Unacceptable Conduct" policy:

Original: Master Personnel File
Copy: Division

7/2016

- Intentional disobedience or refusal to perform a reasonable directive from management
- Use of an insubordinate or unprofessional tone towards management
- Deterioration in the quality or quantity of work as to reflect a willful or substantial disregard for OAG work standards

Although we have been committed to avoiding an adverse personnel action against you at this time, you have engaged in an insubordinate attitude towards me and the Attorney General that has rendered the current working relationship strained, inefficient, and unworkable. Besides displaying an insubordinate tone, you have specifically refused specific and reasonable directives. In addition, your work product has fallen to a point that makes this involuntary separation of your at-will employment necessary.

(Check all that apply)

- The act(s) explained above warrant(s) immediate separation.
- The above-described conduct and the employee's performance deficiencies warrant separation.
- Besides the conduct described above, the employee has received corrective/disciplinary actions for prior conduct deficiencies. (Identify and attach documentation of these prior actions if available.)

What attempt(s) have been made to correct the employee's conduct/performance? (Identify any informal coaching sessions, formal counseling sessions, reprimands/warnings, etc. Attach documentation of prior action(s), if available.)

Action(s) and Date(s)

Does the employee display a reasonable probability of improvement? Yes No

TO BE COMPLETED BY REQUESTOR:

Has the requestor already consulted with the Human Resources Division regarding this Employment Separation Request?

- Yes No, but requestor is submitting this request for review.

Will the employee be allowed to resign?

- Yes No To Be Determined

If required by Division Management, is a completed approval cover page attached?

- Yes No N/A

DRAFT

Requestor's Signature _____ Date _____

Original: Master Personnel File
Copy: Division

7/2016



DRAFT

EMPLOYMENT SEPARATION REQUEST

The Office of the Attorney General (OAG) is an at-will employer.
Dismissal from employment may occur at any time.

EMPLOYEE: Lacey Mase	POSITION/CLASSIFICATION: Deputy Attorney General for Administration
DIVISION: Executive Administration	FIELD OFFICE/SECTION:
IMMEDIATE SUPERVISOR: Brent Webster, First Assistant Attorney General	DATE: 10/19/2020
REQUESTOR/TITLE: Brent Webster, First Assistant Attorney General	REQUESTED DATE OF SEPARATION: 10/19/2020

REASON(S) FOR EMPLOYMENT SEPARATION (Check all that apply)

<input checked="" type="checkbox"/> Conduct and/or Performance (Complete Section Below.)
<input type="checkbox"/> Job Abandonment (Consult with the Human Resources Division regarding employee's employment/leave status.)
<input type="checkbox"/> Other:

CONDUCT AND/OR PERFORMANCE:

Succinctly describe conduct or identify the employee's performance deficiencies warranting separation/termination:

Per agency policy, employees of the Office of the Attorney General (OAG) are expected to behave in a professional manner that provides the highest quality of work and customer service. Every OAG employee is expected to acquaint himself/herself with performance criteria for his/her job and with all policies, procedures, rules, and standards of conduct established by the OAG and the employee's division, section, or unit.

As the State's chief legal officer, the Attorney General must rely on his employees to fulfill his constitutional and statutory responsibilities. Employees who form part of his Executive Administration, especially those appointed by him, are held to a higher standard and are expected to support the Attorney General. Because Ms. Mase is one of those appointed employees who form part of this important inner circle, the Attorney General and the First Assistant Attorney General must share a basic level of trust with Ms. Mase that can allow them to effectively do this agency's work.

It is well known that approximately two weeks ago Ms. Mase and other members of the Attorney General's Executive Administration accused the Attorney General of criminal conduct. The Attorney General and I recognize and respect your right to make such accusations, which the Attorney General vehemently denies. That aside, it is still necessary for you to comply with agency policies. Even though we have attempted to work with you during the last few weeks, you have engaged in the following misconduct per the "Unacceptable Conduct" policy:

- Abuse of supervisory authority towards her subordinate employees

- Unethical behavior
- Use of an insubordinate or unprofessional tone towards management
- Conduct or performance resulting in workplace disruption

Although we have been committed to avoiding an adverse personnel action against you at this time, your misconduct, especially the abuse of your supervisory authority, your abusive treatment of employees, and your flagrant disregard for the attorney-client privilege make this involuntary separation of your at-will employment necessary.

(Check all that apply)

- The act(s) explained above warrant(s) immediate separation.
- The above-described conduct and the employee's performance deficiencies warrant separation.
- Besides the conduct described above, the employee has received corrective/disciplinary actions for prior conduct deficiencies. (Identify and attach documentation of these prior actions if available.)

What attempt(s) have been made to correct the employee's conduct/performance? (Identify any informal coaching sessions, formal counseling sessions, reprimands/warnings, etc. Attach documentation of prior action(s), if available.)

Action(s) and Date(s)

Does the employee display a reasonable probability of improvement? Yes No

TO BE COMPLETED BY REQUESTOR:

Has the requestor already consulted with the Human Resources Division regarding this Employment Separation Request?

- Yes
- No, but requestor is submitting this request for review.

Will the employee be allowed to resign?

- Yes
- No
- To Be Determined

If required by Division Management, is a completed approval cover page attached?

- Yes
- No
- N/A

DRAFT

Requestor's Signature _____ Date _____

PRIVILEGED

This document contains legal advice.

It appears that the agency has legitimate, non-retaliatory reasons to end Ms. Mase's at-will employment with the OAG today (10/19/2020). Here is a draft justification (if needed).

Per agency policy, employees of the Office of the Attorney General (OAG) are expected to behave in a professional manner that provides the highest quality of work and customer service. Every OAG employee is expected to acquaint himself/herself with performance criteria for his/her job and with all policies, procedures, rules, and standards of conduct established by the OAG and the employee's division, section, or unit.

As the State's chief legal officer, the Attorney General must rely on his employees to fulfill his constitutional and statutory responsibilities. Employees who form part of his Executive Administration, especially those appointed by him, are held to a higher standard and are expected to support the Attorney General. Because Ms. Mase is one of those appointed employees who form part of this important inner circle, the Attorney General and the First Assistant Attorney General must share a basic level of trust with her.

It is well known that approximately two weeks ago she and other members of the Attorney General's Executive Administration accused the Attorney General of criminal conduct. The agency recognizes and respects her right to make such accusations, which the Attorney General vehemently denies. That aside, it is still necessary for her to comply with agency policies. Even though the Attorney General and the First Assistant have attempted to work with her during the last few weeks, they have learned that she engaged in the following misconduct per the "Unacceptable Conduct" policy:

- Abuse of supervisory authority
- Unethical behavior
- Use of an insubordinate or unprofessional tone towards management
- Conduct or performance resulting in workplace disruption

Although the agency has been committed to avoiding an adverse personnel action against her, her misconduct, especially the abuse of her supervisory authority, her abusive treatment of employees, and her flagrant disregard for the attorney-client privilege make this involuntary separation of her at-will employment necessary and justified.

If Ms. Mase agrees to resign, the agency would allow her to exhaust available non-sick leave to make her separation effective in November (which would give her health insurance until 11/30/2020). If she is unable to secure a job before she exhausts her leave, she can apply for unemployment benefits with the Texas Workforce Commission. Because her involuntary separation is based partially on performance issues, the agency would be willing not to challenge a claim for unemployment benefits.

Ms. Mase can be thanked for her service.

PRIVILEGED

This email contains legal advice.

It appears that the agency has legitimate, non-retaliatory reasons to end Mr. Brickman's at-will employment with the OAG today (10/19/2020). Here is a draft of a justification (if needed).

Per agency policy, employees of the Office of the Attorney General (OAG) are expected to behave in a professional manner that provides the highest quality of work and customer service. Every OAG employee is expected to acquaint himself/herself with performance criteria for his/her job and with all policies, procedures, rules, and standards of conduct established by the OAG and the employee's division, section, or unit.

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It is well known that approximately two weeks ago Mr. Brickman and other members of the Attorney General's Executive Administration accused the Attorney General of criminal conduct. It is unclear whether Mr. Brickman made those accusations in good faith. Regardless, an employee's right to make good-faith accusations is recognized and respected. (As you know, those accusations are vehemently denied.) That aside, it is still necessary for Mr. Brickman to comply with agency policies. Even though the Attorney General and First Assistant Attorney General have attempted to work with Mr. Brickman during the last few weeks, Mr. Brickman has engaged in the following misconduct, as identified in the agency's "Unacceptable Conduct" policy:

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- Deterioration in the quality or quantity of work as to reflect a willful or substantial disregard for OAG work standards

Although the agency has been committed to avoiding an adverse personnel action against Mr. Brickman, Mr. Brickman has engaged in an insubordinate attitude towards the Attorney General and the First Assistant. This misconduct has rendered the current working relationship strained, inefficient, and unworkable. Besides displaying an insubordinate tone, Mr. Brickman has also refused specific and reasonable directives. In addition, his work product has apparently fallen to a point that makes this involuntary separation of his at-will employment necessary.

Mr. Brickman can be allowed to resign and exhaust his available non-sick leave. If he is unable to secure a job before he exhausts his leave, he can apply for unemployment benefits with the Texas Workforce Commission. Because his involuntary separation is based partially on performance issues, the agency would be willing not to challenge a claim for unemployment benefits.

Mr. Brickman can be thanked for his service.