

Barbara A. Belovich  
[bbelovich@k-blaw.com](mailto:bbelovich@k-blaw.com)

September 26, 2013

Jamael Tito Brown, President of Council  
Youngstown City Council  
26 S. Phelps Street  
Youngstown, Ohio 44503

Annie Gillam, First Ward Councilwoman  
1724 Kimmel Street  
Youngstown, Ohio 44505

T. J. Rodgers, Second Ward Councilman  
226 Beachwood Drive  
Youngstown, Ohio 44505

L. Nathaniel Pinkard, Third Ward Councilman  
218 Upland Avenue  
Youngstown, Ohio 44504

Mike Ray, Fourth Ward Councilman  
377 Division Street  
Youngstown, Ohio 44509

Paul Drennen, Fifth Ward Councilman  
2714 Normandy Drive  
Youngstown, Ohio 44511

Janet Tarpley, Sixth Ward Councilwoman  
34 Elva Avenue  
Youngstown, Ohio 44512

John R. Swierz, Seventh Ward Councilman  
1641 Bancroft Avenue  
Youngstown, Ohio 44514

Re: Lyndsey Hughes

Dear Council Member:

Andrew Margolius, Emily Gilbert, and I represent Lyndsey Hughes in matters pertaining to her employment with the City of Youngstown as the Director of Downtown Events and Special Projects. Ms. Hughes has experienced sexual harassment, including unwelcomed sexual advances, requests for sexual favors, and other verbal and physical harassment of a sexual nature during her tenure.

DeMaine Kitchen is and has been the perpetrator of these acts against Ms. Hughes.

We sent a letter on September 19, 2013, a copy of which is enclosed, to Law Director, Anthony J. Farris.

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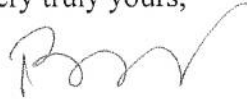
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Because you are a council member and supervise Ms. Hughes' actions, this letter is being sent to you. According to the City of Youngstown's policy that does not tolerate sexual harassment in employment, we ask that you investigate Ms. Hughes' claims and contact either me or Mr. Margolius should you be interested in discussing this matter.

Very truly yours,



Barbara A. Belovich  
Co-Counsel for Lyndsey Hughes

BAB/cm  
Enclosure

cc: Andrew Margolius, Esq.  
[andrew@margoliuslaw.com](mailto:andrew@margoliuslaw.com)  
Emily Gilbert, Esq.  
[emily@margoliuslaw.com](mailto:emily@margoliuslaw.com)  
Co-Counsel for Lyndsey Hughes  
Margolius, Margolius and Associates, LPA  
55 Public Square, Suite 1100  
Cleveland, Ohio 44113  
216/621-2034  
and  
Anthony J. Farris, Law Director, City of Youngstown  
and  
Lyndsey Hughes

SEPTEMBER 19, 2013

September 19, 2013

By Certified and Regular U.S. Mail

Anthony J. Farris, Law Director  
City of Youngstown  
City Hall  
26 S. Phelps Street, 4<sup>th</sup> Floor  
Youngstown, Ohio 44503

Re: Lyndsey Hughes

Dear Mr. Farris:

Andrew Margolius and I represent Lyndsey Hughes (“Ms. Hughes”) in matters pertaining to her employment with the City of Youngstown as the Director of Downtown Events and Special Projects.

Ms. Hughes has experienced sexual harassment, including unwelcomed sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature during her tenure. DeMaine Kitchen (“Kitchen”) is and has been the perpetrator of these acts against Ms. Hughes.

The City of Youngstown first became aware of Kitchen’s harassment of Ms. Hughes when, in January 2011, Ms. Hughes discussed the matter with the President of Council at that time, Charles Sammarone (“Sammarone”). At that time, Ms. Hughes revealed the constant sexual harassment which included inappropriate comments, his rubbing his erect penis on Ms. Hughes, inappropriate text messages and other harassment. Sammarone responded with, “What do you expect, you are a pretty, young girl.”

Rather than conduct an investigation, Sammarone called a meeting between Ms. Hughes, Jamael Tito Brown, a council member, and himself. Sammarone had Ms. Hughes describe the harassment in front of Mr. Brown, who recognized the severe and pervasive nature of the harassment. After about ten minutes into the meeting, Kitchen arrived. When Ms. Hughes asked Sammarone why Kitchen was there, Sammarone replied, “Because this shit needs to stop.” Sammarone told Kitchen to not talk or message Ms. Hughes again.

Kitchen stayed away from Ms. Hughes for several months until he once again began his abuse towards Ms. Hughes. After Sammarone became Mayor of Youngstown and Kitchen became

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his Chief of Staff, Kitchen frequented the sixth floor of the City Hall. During this period of time, Kitchen would comment on Ms. Hughes' physical appearance and tell her that she was "missing out" on him.

In June 2013, Kitchen began another torrent of harassment towards Ms. Hughes. And this time it was most egregious.

On July 2, 2013, Kitchen twice came to Ms. Hughes' office to talk about the upcoming Jazz Festival and talked about the problems going on with the promoter of the event. The first visit was all business and went without incident. On the second visit, Kitchen talked to Ms. Hughes about her physical appearance and his attraction to her. He then smoothed his trousers over his erect penis to show Ms. Hughes his attraction. Ms. Hughes told him to stop. At that point, Ms. Hughes received a phone call and kept the person on the phone with her as she exited the building. All the while, Kitchen followed her and whispered in her ear that no one needed to know.

Thereafter, Kitchen sent a series of text messages attempting to explain himself and promote (legitimize) his attraction to Ms. Hughes. She ignored him.

Thereafter, the Jazz Fest occurred. On July 24, 2013, in a closed door session with Kitchen present, Council called for the suspension of Ms. Hughes. Since then, the police department conducted an investigation but found no impropriety on Ms. Hughes' part.

Though a prior attorney informed you of Ms. Hughes complaints of harassment, the City has chosen to retaliate against her by first the suspension and second, the investigation. Ms. Hughes' complaints to the Mayor were ignored.

Please view this letter as a formal request, on Ms. Hughes' behalf, that the City of Youngstown preserve all potentially relevant evidence in this case, including evidence that is maintained electronically or digitally, with metadata intact, as well as evidence in document form. In addition, as I am sure you are aware, the City of Youngstown has an obligation to place a "litigation hold" on the destruction or overwriting of data, including back-up storage mechanisms, vis-à-vis all electronically stored data that relate to Ms. Hughes and her employment. As such, I would ask that you provide me with a copy of Ms. Hughes' entire personnel file, including all electronic data.

Although resolution of this matter appears distant, I am not adverse to attempts to find it. Should you wish to discuss this matter, I encourage you to contact me within ten (10) days from the date of this letter. If you are insured in these matters, or have outside counsel, please forward this letter to that entity or person.

Anthony J. Farris, Law Director  
City of Youngstown  
September 19, 2013  
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Very truly yours,

KRONENBERG + BELOVICH LAW, LLC



Barbara A. Belovich

MARGOLIUS, MARGOLIUS & ASSOCIATES



Andrew Margolius

BAB/cm

cc: Lyndsey Hughes