



October 25, 2017

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KEVIN A. LANTZ
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JENNIFER A. KIRBY**
DAVID B. SHAVER
CHRISTOPHER T. HERMAN**
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*Also admitted in New York
**Also admitted in Kentucky

Daniel J. Durocher
Montgomery County Public Defender's Office
117 S. Main Street, Ste. 400
Dayton, OH 45422-2005

Re: Dayton Metro Library/Esrati
SDT File No. 2399.705

Settlement Communication Subject to Evid. Rule 408

Dear Mr. Durocher:

We enjoyed meeting with both you, and your client, David Esrati on October 3 to discuss the August 19, 2017, incident which occurred at the main library located at 215 E. 3rd St., Dayton, OH. As we discussed during that meeting, our investigation revealed that one of the contract guards, Edward Hynes misrepresented the facts to his supervisor, Sgt. Donovan, which ultimately led to Mr. Esrati's ejection from the library. Hynes initially reported that he had been approached by an unknown white female approximately 15-17 years old, who expressed concerns that Mr. Esrati was taking pictures of her without her permission. Per Mr. Hynes report, the unknown patron specifically asked him if there's anything he could do about it. Subsequent investigation revealed that the information provided by Mr. Hynes was inaccurate, as there was no complaint lodged by any patron. During the meeting, Tim Kambitsch apologized to Mr. Esrati for the unfortunate incident which was precipitated as a result of the contract officer's misrepresentation. Mr. Kambitsch further informed you that upon learning of this misrepresentation, he immediately took steps to preclude Mr. Hynes from ever working at any of the Dayton Metro library facilities.

Mr. Esrati stated that the apology and termination of the officer were not acceptable and requested the following relief as a resolution to his threatened litigation:

1. Your attorney fees be paid;
2. Additional training be provided to the G4S security guards;
3. The firing of Sgt. Donovan and the other officer present;
4. A public apology; and

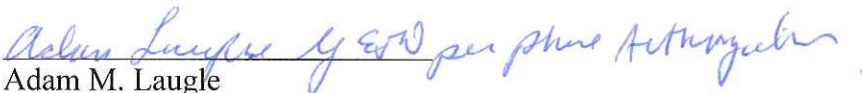
5. Establishment and funding of a Dolly Parton Imagination Library Program in Mr. Esrati's name.

In response, we have been requested to solicit the amount of fees being sought, as well as an itemized statement setting forth the activities performed and hourly rate. Upon submission, additional consideration for the requested payment shall be made. The Board, would also consider working in conjunction with G4S Security to provide additional training to the security officers. It was suggested that such training be provided by a third party vendor and the precise scope of the training to be decided upon, based upon the recommendation of the vendor. The remaining items that you proposed did not receive favorable consideration by the Board.

The unfortunate removal of Mr. Esrati from the library was precipitated by the improper actions of the security guard that was under contract with the library. By falsifying the circumstances which ultimately resulted in Mr. Esrati's ejection, the guard was not acting pursuant to a library policy. Moreover, no library personnel were involved in his removal, and as a consequence, there is no civil rights violation committed by the library. If additional compensation or other relief is sought, we would suggest pursuing your claim against the security company and its officer.

Very truly yours,


Edward J. Dowd


Adam M. Laugle

EJD/sva