

Attorney John Bonin's Letter of Clarification to the Mason County Journal

Ms. Natalie Johnson
Mason County Journal
Hand Delivered

Re: Need for correction on pg. 2 of the 2/10/11 Mason County Journal - Miles Anti-Harassment Hearing

Dear Ms. Johnson and Editor,

I have reviewed your story on the Miles Ant-Harassment petition. With due respect, you need to listen to the audio of the proceedings as you have made significant factual errors.

Commissioner Miles voluntarily dismissed his petition without hearing, and reached an agreement with Mr. Dobson which was reflected in court and on the record. The court audio record states, by the Judge himself, that the Judge did not review the record, hear the evidence, or reach factual determinations.

Anti-Harassment petitions are not matters that are addressed in the way you have presented it to the public. In such matters, one side files a petition alleging to set a hearing. The other side gets notice and has the right to file competing evidence. A hearing is set, and at that hearing the materials that one side or the other has filed is either subject to oral motion to strike or admitted. The parties then present their case through live testimony and presentation of witnesses. After that happens, the Judge considers all the evidence - on both sides - and makes a ruling.

None of these events took place. None of the events took place because the matter was resolved in the court room hallway by agreement of the parties before any of these events took place.

None of the information you have cited in your story was ever reviewed by the Judge. There was no "Judge apparently agreeing" to any of the one sided recitations you have generated in your story.

I have the disc if you would like to come and listen to it. You can also order it yourself from the Mason County Clerk. The program to listen to it is known as FTR Gold.

The true story that should have been reflected is contained above. The false nature of your story and the presentment of disputed evidence never even considered by the Court, and never subject to rebuttal, paints a picture that is damaging to Commissioner Miles - who utilized my services that day to broker peace.

You were also at the next Commission meeting. You heard Mr. Dobson announce his intent to breach that agreement. You also heard another Commissioner and Mr. Dobson state that "the Judge dismissed it" and "I know, I was there". The other Commissioner certainly was there. He was there in the hallway as one of Mr. Dobson's subpoenaed witnesses. I do not recall seeing him in the actual court proceeding where the agreement was reached. I also

know that Mr. Dobson was personally present while his attorney affirmed the agreement and on the record.

After the agreement was reached, all the witnesses - on both sides - were told that they were no longer necessary because an agreement was reached and that they could therefore go home.

Please listen to the proceeding and correct your story to reflect that you are in error, and that the Judge expressly indicated that he had neither reviewed the file nor entered any factual determinations as he had accepted and affirmed that agreement reached on the record.

Sincerely,

John Bonin

Approved by Commissioner Jack Miles for publication