

## **LINDSAY LAW**

46 HAYWOOD STREET, SUITE 200  
HAYWOOD PARK HOTEL ATRIUM  
ASHEVILLE, NORTH CAROLINA 28801

**STEPHEN P. LINDSAY, ESQUIRE**

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### **Facsimile Transmission**

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To: Mr. Zach Ollis  
Attention: Mr. Ollis and Attorney Nager  
From: Steve Lindsay  
RE: Joey Davis  
Date: February 20, 2017  
Fax Number: 828-859-6653

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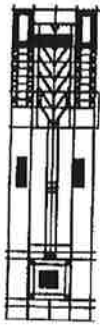
Number of Pages Transmitted (Including Cover Sheet): 3  
Contents / Notes:

Pam Knighten  
Legal Assistant  
Lindsay Law Firm

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**LINDSAY  
LAW**

February 20, 2017

Mr. Zach Ollis  
Tryon Town Manager  
301 North Trade Street  
Tryon, NC 28782

RE: Joey Davis

VIA FAX TO TOWN ATTORNEY BAILEY NAGER AT 828-859-6653

Dear Mr. Ollis and Attorney Nager:

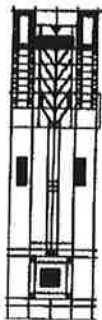
I understand that there will be a Town Council meeting Tuesday night and that there will likely be public discussion about the termination of Mr. Davis and the ongoing SBI investigation. The purpose of this letter is to make clear that any untruthful public statements made by you or members of the Council will be considered by Mr. Davis and me as additional damages to his reputation and to our contention that his termination was unlawful.

As you are aware, Mr. Davis did not receive any money from the transactions at hand. He reported to you, and has maintained all along, that he was pressured into making these payments. He has fully cooperated in this ongoing investigation and will continue to do so. If the transfer of these funds occurred due to some form of undue and/or unlawful influence, Mr. Davis would not, as you have suggested and expressed to the media and others, be an offender. Rather, he would, like Tryon, be a victim in this mess.

I would also like to express my concern over your insisting to withhold a portion of Mr. Davis' vacation pay to cover the "losses" you believe Tryon has suffered. As you know, he is presently unemployed but, like most people, continues to have monthly bills to pay. Although we agreed to the Town's position, I want to be clear that this was done without prejudice to Mr. Davis' right to get that money at a later date. Regardless, I simply fail to see how Mr. Davis should ever have to pay back money he did not receive. Do you not find it more appropriate to get that money back from the person who received it? I'm more than a bit surprised that the money has not been returned by the recipient. Do you have any explanation as to why that has not occurred?

On behalf of Mr. Davis, and as his attorney, we request and expect you to make every effort to clarify on the record that he did not, directly or indirectly, receive any money from these matters and that he has and will continue to assist both law enforcement and Tryon in the full investigation and prosecution of any wrongdoing uncovered. As this investigation is pending, we are not at liberty to comment any further about what or who is/are the target(s) of this investigation.

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**L**LINDSAY  
LAW

Finally, I again request that you immediately reinstate Mr. Davis and place him on paid administrative leave pending the outcome of the investigation.

Sincerely yours,

  
Stephen P. Lindsay

cc: J. Davis