

FILED
01-04-2022
Clerk of Circuit Court
Waukesha County
2021CV001710

STATE OF WISCONSIN CIRCUIT COURT WAUKESHA COUNTY
BRANCH 3

MICHAEL J. GABLEMAN,
IN HIS OFFICIAL CAPACITY AS SPECIAL COUNSEL
TO THE WISCONSIN ASSEMBLY, EX REL. WISCONSIN
STATE ASSEMBLY,

Petitioner,

V.

Case No. 2021-CV-1710

Code: Unclassified

ERIC GENRICH, PERSONALLY, AND IN HIS OFFICIAL
CAPACITY AS MAYOR OF GREEN BAY, WISCONSIN,

Respondent.

AFFIDAVIT OF VANESSA R. CHAVEZ

STATE OF Iowa)
COUNTY OF Linn)

I, Vanessa R. Chavez, being first duly sworn on oath, deposes and states as follows:

1. From March 2016 until November 19, 2021, I was the City Attorney for the City of Green Bay. I have personal knowledge and belief as to the matters set forth below.
2. Eric Genrich has been the Mayor of the City of Green Bay, Wisconsin since April 15, 2019.
3. On October 5, 2021, Michael Gableman and a member of his staff attended a meeting of the City of Green Bay Common Council. Just before the meeting commenced, I introduced myself to both Mr. Gableman and his staff, and informed them that the City had been attempting to contact them unsuccessfully. Mr. Gableman and his staff indicated they were aware and would be in contact with the City. No further representations were made to me at that time.

4. During that meeting of the Common Council, and in Mr. Gableman and his staff's presence, the City of Green Bay Common Council retained Law Forward; Stafford Rosenbaum LLP; and States United Democracy Center in open session for the purpose of representing the City with respect to the matters involving Mr. Gableman.
5. During that same meeting, Mr. Gableman requested to speak to the Common Council, at which time he announced that he had served subpoenas on Mayor Genrich and at least one other official. Mayor Genrich noted he had not received a subpoena. Mr. Gableman then stated it would be served the next day.
6. I believed Mr. Gableman was aware that the City had retained Law Forward; Stafford Rosenbaum LLP; and States United Democracy Center to represent the City of Green Bay with respect to Mr. Gableman's proceedings as he spoke directly about the retention of counsel by the City as part of his comments to the Common Council during that meeting.
7. Shortly thereafter, the City's retained counsel contacted Mr. Gableman and his staff regarding the status of proceedings. I had no further contact with Mr. Gableman or anyone from his office after I introduced myself to him on October 5, 2021. I believed at that time, that Mr. Gableman and his staff were aware that communications should be directed to the City's retained counsel based on their knowledge of the City's retained counsel, engagement with said retained counsel, and the fact that I had not personally heard from Mr. Gableman or his staff after that.
8. On October 19, 2021, I announced my resignation from the City of Green Bay, which was made public that same day during the Common Council's meeting.
9. In mid-November 2021, and as part of my transition from the office of City Attorney, I discovered two emails from the Office of Special Counsel.

10. The first email read:

From: 3 <3@wispecialcounsel.org>
Sent: Wednesday, October 20, 2021 11:57 AM
To: Vanessa Chavez <Vanessa.Chavez@greenbaywi.gov>
Subject: Subpoenas from Wisconsin Special Counsel

Ms. Chavez: I am writing to follow up on the depositions scheduled for this Friday, October 22, 2021. I understand you been in discussions with someone in our office to reschedule. We are looking to reschedule the PMK for Mayor's office and Clerk's office during the week of Nov. 15. Please contact me to discuss at your earliest convenience.

Thank you,
Carol M.

11. The second email read:

From: Coms <Coms@wispecialcounsel.org>
Sent: Thursday, October 21, 2021 11:38 AM
To: Vanessa Chavez <Vanessa.Chavez@greenbaywi.gov>
Subject: Subpoena of Parties

Dear Ms. Chavez,

We have been trying to work with you in order to schedule the deposition of the person most knowledgeable as described in the Wisconsin State Assembly's subpoena of October 4, 2021 as well as to coordinate your client's compliance with the Assembly's subpoena duces tecum of that same date.

This office is currently reviewing the documents produced by the City of Green Bay last Friday, October 15.

In order to provide our office more time to review materials produced last week, as well as to give both parties additional time to reach an understanding of the scope and nature of the topics to be addressed in the deposition, we are continuing the return date from Friday, October 22, 2021 to Wednesday, November 17, 2021 at 9:30 a.m.

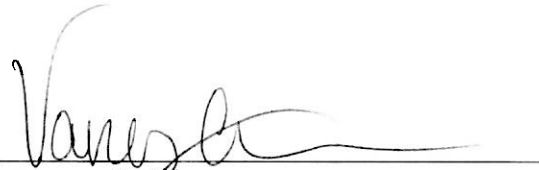
Thank you,
Mike Gableman
Office of the Special Counsel
Tel. (262) 202-8722

12. Both emails had been caught in my spam filter.

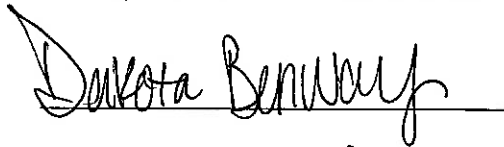
13. I resigned from the position of City Attorney effective November 19, 2019.

14. At no point did I authorize or consent to the Office of Special Counsel to contact me or any other official or employee at the City of Green Bay directly.

15. Mr. Gableman and his staff knew or should have known that communications to the City were to be directed to the City's retained counsel as of the Common Counsel meeting on October 5, 2021.


Vanessa R. Chavez

Subscribed and sworn to before me
this 10 day of December, 2021.



Notary Public, State of Iowa
My commission expires: February 24, 2024



DAKOTA BENWAY
Commission Number 830368
My Commission Expires
February 24, 2024