

Eric Ryan - Studio Ryan

From: Berg, Tom [tberg@honolulu.gov]
Sent: Monday, June 13, 2011 1:21 PM
To: Eric Ryan - Studio Ryan; Tom Berg; philmund@gmail.com; Lee, Philmund; Espresion, Gemma
Cc: mahina1999@yahoo.com; Lacuesta, Celeste; esouza_khmn34@yahoo.com; Souza, Evelyn; gm@HawaiiN.com; Bond, John
Subject: NEW POLICY in light of what was just revealed.

Aloha TEAM BERG-

I want all the attacks to stop. This is a warning to all.

As you may or may not know, at the Ewa Neighborhood Board meeting last week, a constituent was very displeased at the course of action regarding a billing dispute between Rep. Pine and another - that another has been made known to be Eric Ryan. I answered that the billing dispute was a third party- private matter and not involved with our office or duties.

TEAM BERG does not interfere with the personal lives and discourse of its members. However, in light of being informed and in receipt of Eric Ryan taking photos of Philmund Lee without Phil's permission or knowledge, at the workplace, to then distribute that to TEAM BERG, I must now interject.

All staff are to sign a letter that they will not take photos nor make any electronic recordings of any person on our staff or employer without their permission. Gemma, please execute the following letter of which is to be returned to you by all staff (excluding John Bond) and signed by the end of the business day today:

I _____, do hereby agree that in order to be on TEAM BERG, no audio or visual recordings may be made without getting approval first; such as permission from the other party (the one being filmed, photographed, or recorded by telephone or other electronic means) prior to making such a recording. This applies to all staff hired and of party to Councilman Tom Berg's District One Office and is to include all communications made from January 18, 2011, through today and during the term of employment within the Council District One Office and upon any termination or resignation as well taking place afterwards. By signing this document, the undersigned agrees to refrain from disclosing unauthorized recordings, both during, and off-hours between all staff and employer and if such recordings were made, all recordings are to be destroyed immediately, this date of the signed letter of subject.

Any recordings made prior to the date of this signed letter, are to be destroyed including any private conversations recorded without all parties knowing they are and were being recorded and evidence lacking they or person gave such permission.

Any use, distribution, or otherwise sharing in any capacity including unauthorized, unapproved, uninformed, without permission electronic communications between parties without their consent to the public or within the Council District One Office are to be grounds for termination. Legal action may also be pursued. This includes any electronic recordings made between staff, and or employer both within, on, during, and outside of the workplace that failed to garner pre-approval from all person(s) or party being recorded. No unauthorized or distribution of any electronic communication that was made can be made public unless the person of subject and involvement, gave and gives permission to do so in advance of the recording being executed prior to it happening. Failure to agree to these terms is grounds for termination.

The undersigned admits that no other recordings (outside of the Philmund Lee incident made known June 13, 2011) were or have been made and exist that contain communications whereby all parties or persons involved, had NOT first approved of and allowed such recording(s) to take place. This contract is binding.

SIGNED _____ DATE _____