

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MICHAEL L. SHAKMAN, et al.,)	
)	
Plaintiffs,)	
)	
v.)	
)	Case No. 69 C 2145
COOK COUNTY RECORDER OF DEEDS, et al.,)	Chief Magistrate Judge Schenkier
)	
Defendants.)	
)	

**RECORDER COMPLIANCE ADMINSTRATOR’S
RESPONSE TO COOK COUNTY RECORDER OF DEEDS’
REPLY BRIEF IN SUPPORT OF THE
MOTION TO AMEND EXEMPT LIST**

Cardelle B. Spangler, Shakman Compliance Administrator for the Cook County Recorder of Deeds (“RCA”), by and through her attorney Matthew D. Pryor, submits this Response to the Cook County Recorder of Deeds’ Reply Brief in Support of Motion to Amend the Exempt List (Dkt. 4519) in order to correct certain inaccurate and/or misleading statements made by the Recorder in her Reply. First, the Recorder implies that the RCA did not give her or her Director of Compliance an opportunity to be interviewed prior to the RCA filing her Statement (Dkt. 4471). Second, the Recorder states that the RCA agreed to her proposed Job Description for the Special Assistant to the Recorder – Community Affairs Position. As set forth below, both of these statements are misleading and/or inaccurate:

1. Recorder/DOC Interviews. At the request of this Court, the RCA filed a Statement Concerning the Recorder’s Motion to Amend the Exempt List (Dkt. 4471),

which addressed the interplay between the Recorder's proposed Exempt Chief of Human Resources Division, current non-Exempt Director of HRD, and proposed Exempt Special Assistant to the Recorder – Community Affairs positions.

2. Prior to filing her Statement, the RCA sought information from the Recorder's office on two issues: (1) the creation, development and ultimate decision not to post the non-Exempt Public Outreach Coordinator position and (2) the powers relating to the proposed Special Assistant position.

3. The RCA, among other things, spoke with four Recorder employees (Chief Legal Counsel, Deputy Recorder – Communications, Director of HRD and Director of Public Relations) on these issues. In addition, on January 25, 2016, days *before* she filed her Statement, the RCA emailed the Recorder's Chief Legal Counsel, with a copy to the Recorder's counsel of record, naming the four individuals with whom she had spoken and asking "if there is anyone the ROD believes [she] should talk to (or any documents [it] would like for [her] to review)" in advance of her filing her Statement later that week. *See* Exhibit A. The Recorder's counsel responded with a three-page letter the following day in which he did not mention any other person with whom the RCA should speak. *See* Exhibit B.

4. Nevertheless, in her Reply, the Recorder implies that the RCA's analysis of the issues the Court asked her to address somehow was incomplete because she did not interview the Recorder or her Director of Compliance, who the Recorder now claims are "crucial to this analysis." Reply Brief at 9. The Recorder had every opportunity to present herself, the DOC or any other ROD employee for interview to the RCA. It was her choice not to do so and her implication to the contrary is misleading.

5. In addition, prior to filing her Statement, the RCA had multiple oral and written communications with the Recorder's Chief Legal Counsel during which he provided the RCA with nearly all of the information the Recorder deems "crucial to this analysis." It is inaccurate for the Recorder to imply that the RCA did not request (or that the Recorder had not already provided) that information to the RCA.

6. Job Description for Special Assistant to the Recorder. In her Reply, the Recorder alludes multiple times to the RCA allegedly tacitly agreeing to the proposed Special Assistant Job Description and Exempt List amendments. *See* Reply Brief at 4-5 (saying the parties and RCA reached an "agreement" and the RCA did not "indicat[e] any unresolved concerns or issues" concerning the proposed Exempt List amendments). This is not accurate.

7. The RCA never informed the Recorder – explicitly or tacitly -- that she agreed or had no objection to that job description or those amendments.

8. This is now the second time the RCA has had to correct this inaccurate statement. *See* December 18, 2015 Response to the Recorder's Motion to Amend Exempt List (correcting similar statement previously made by Recorder). (Dkt. 4432).

Respectfully submitted,

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Recorder Compliance Administrator

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