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August 28, 2009

VIA E-MAIL (renebroker@co.fairbanks.ak.us)

A. René Broker
Borough Attorney
Fairbanks North Star Borough
809 Pioneer Road
Fairbanks, AK 99701

René,

Twice now, within the last week, you have taken inappropriate actions with regard to my work with the Fairbanks North Star Borough. Last week, you stated that you had asked Assistant Borough Attorney Jill Dolan to have me draft a memorandum on FNSB's options in the [REDACTED] case. This was *after* I notified FNSB that I was involved in a related case involving the [REDACTED] and *after* I had voiced concerns about potential conflict. This was also *after* I had talked to bar counsel about any potential conflicts and was told that there was no conflict. Apparently, you communicated this "assignment" to bar counsel.

Human Resources is Ms. Dolan's assigned department. I have never been assigned any projects under Ms. Dolan's direction nor have I ever been assigned any HR projects of this nature. I believe you were attempting to force a conflict where none needed to exist.

Now, this morning, you told me that you had canceled my long-time preapproved leave for my boys' elk hunts on Afognak, in apparent response to the [REDACTED] paperwork that I submitted today (although I had previously submitted a regular leave slip, the [REDACTED] submission was required by HR). Ostensibly, this was because you needed me to prepare for the annexation hearing in November. However, as I noted in my email this morning, you had already told me that you would handle the annexation hearing, if necessary, because it had been rescheduled to a time where I had preapproved leave. Moreover, I was also told just two days ago that the City had met FNSB's demands regarding funding of the University Fire Service Area and that the annexation case was likely to be dismissed.

The backdrop to all of this is our significant differences of opinion regarding the North Haven Community PJLT, continued retention of [REDACTED] firm (last year), and the partial contingency fee agreement, matters directly and indirectly related to the ongoing TAPS litigation.

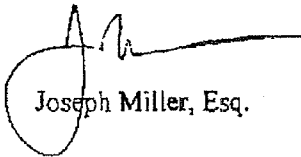
It's time for me to leave this public service. I request permission to take terminal leave (i.e., use all of my remaining leave that I have been unable to take over the last seven years). If this is

A. René Broker
August 28, 2009
Page 2 of 2

denied, my resignation will be effective on September 23, 2009, the day after my current leave ends.

Finally, if there is anything I can do to assist in on-going or future projects, please do not hesitate to contact my firm. I am committed to seeing the Fairbanks North Star Borough succeed in all of its endeavors.

Sincerely,



Joseph Miller, Esq.

cc: Sallie Stuvek (via e-mail: SStuvek@co.fairbanks.ak.us)