

**STATEMENT OF MOVANT'S ATTORNEY: NOTICE TO DEFENDANTS**

1. This Statement is respectfully submitted pursuant to Fed. R. Civ. P. 65(b)(1)(B), in support of Plaintiff's Emergency Motion for a Temporary Restraining Order and Preliminary Injunction in the matter of *Will Bradshaw v. Joseph Salvaggio et. al.*, Case No. pending, U.S. District Court for the Western District of Texas.
2. The undersigned believes no efforts of notice should be required prior to this Court granting Plaintiff's request for preliminary relief. Defendants have already demonstrated absolute disdain for the requirements of due process and their willingness to abuse their power to remove their dissidents from elected positions without due process. They do not even allow a respondent to present evidence through examination of witnesses or allow for counsel to speak on their behalf. The lack of due process is frankly quite shocking.
3. Additionally, notice should not be required because the harm to Plaintiff is immediate and irreparable, where Defendants have scheduled a hearing in which they plan to unlawfully remove Plaintiff from his elected position on Monday, October 5. Once Plaintiff is removed there is no way for him to bring suit to redress any of the constitutional violations discussed in his Verified Complaint, as confirmed by the Court of Appeals after the previous contested removal of a city council member. *See Leon Valley v. Martinez*, No. 04-19-00879-CV, p. 4-8. Further, there is no prejudice to Defendants by requiring their conduct comport with the constitutional requirements of due process.
4. Plaintiff's efforts to provide notice to Defendants on the pending motion include serving the motion on Defendants and requesting they contact Plaintiff through the undersigned to resolve this matter and ensure a hearing takes place that comports with the fundamental requirements of due process. See **Exhibit 1**, Cover Letter Served with Complaint.

By: /s/ Solomon M. Radner  
Solomon M. Radner

Dated: October 1, 2020



# Excolo Law

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October 1, 2020

CITY OF LEON VALLEY  
**Attn:** Legal Counsel; Joseph Salvaggio;  
Kelly Kuenstler; Catherine Rodriguez;  
Donna Charles; Monica Alcocer.  
6400 El Verde Road  
Leon Valley, TX 78238

Re: ***Bradshaw v. Salvaggio, et. al.***

Dear Counsel for Leon Valley,

Councilor Will Bradshaw has filed a federal civil rights lawsuit against City of Leon Valley officials Joseph Salvaggio, Kelly Kuenstler, Catherine Rodriguez, Donna Charles and Monica Alcocer in both their individual and official capacities for violations of the Constitutions of Texas and the United States of America as well as 42 U.S.C. § 1983. Please find a copy of the lawsuit accompanying this letter.

In addition to the enclosed Verified Complaint, Mr. Bradshaw has also filed an Emergency Motion for a Temporary Restraining Order and Preliminary Injunction requesting that the Court ***immediately*** enjoin Defendants from unlawfully conducting a hearing, unlawfully sanctioning Mr. Bradshaw, and unlawfully removing Mr. Bradshaw from his duly elected position on Monday October 5. Please find a copy of the Motion accompanying this letter as well.

A hearing and a process that comport with Due Process are necessary in order to lawfully review the allegations against Mr. Bradshaw and request to remove Mr. Bradshaw from his elected city council position. Please contact me if you wish to resolve this matter and to ensure that Mr. Bradshaw receives due process and a fair hearing for his so-called misconduct.

Very Truly Yours,

Solomon M. Radner

CC: Brandon Grable