

From: Judith Varnau, D.O., FACOG
Sent: Thursday, February 07, 2013 6:45 PM
To: 'JAFFE, RICH'
Subject: RE: From: Dr. Judith Varnau, Brown County Coroner

See comments below:

From: JAFFE, RICH
Sent: Thursday, February 07, 2013 9:00 AM
To: Judith Varnau, D.O., FACOG
Subject: RE: From: Dr. Judith Varnau, Brown County Coroner

Dr Varnau,

I would very much like to talk with you on camera about these issues in the interest of fairness. Again, I prefer not to give any video or audio recorded interviews, as this whole matter was never intended to be a public circus event.

I did an extensive interview with John Schadle the other day, and it's very important to get your side of things. Friday morning would work fine for me. I expect the story will run the same day. I can either talk with you on camera or I'll have to use comments in your email. You can use what is in my e-mail to you and all the public records that are published for everyone to read using that hyperlink I provided to you.

I'd very much like to do a brief interview with you on camera, so there's no chance of you being misquoted or misunderstood. If you take the time to read and listen to the material that is posted at that hyperlink there is no chance whatsoever of you being unfair, misquoting me, or misunderstanding what has transpired, unless you choose to be intellectually dishonest in your report.

I don't have particular questions except to look at why you think there's such a lack of cooperation between your office and the sheriff. I've heard their side of it now I'd like yours. The whole story (complete documentation) is contained in that material at the hyperlink.

As you know, the other issue that keeps coming up is whether your husbands past political efforts are responsible for your letter to the A.G. It was not I who brought the issue up again before the public through the press. That was done by Ms. Little's unauthorized release of personal confidential information that should have been kept confidential by Ms. Little as attorney for the coroner's office. If you take the time to read the composite files posted at that hyperlink, you will realize that my initial request was made to provide me with legitimate legal cover from any potential future civil liability in the performance of my duties. The only reason I was advised, and had to seek, that legal cover was because the issue of Sheriff Wenninger's qualifications was never addressed by any Court at any time. That legal issue has never been adjudicated

to date by any Court, leaving the underlying lack of qualification factually unchanged, prompting the need for legal cover to avoid any potential future personal civil liability.

Ms. Little completely satisfied my legal concern, providing me with her formal legal opinion on January 18, 2013, a day after she recklessly directly or indirectly exposed to The Brown County Press the existence of my letter to the AG. Ms. Little's opinion was the legal cover I initially sought from the AG. You'll have to ask her why she chose to make public my initial request to the AG (in violation of her fiduciary duty), and why she sought another opinion from the AG, three days later, after she had already completely finalized my concern on January 18. Again, **if you take the time to read and comprehend the documentation available**, it is perfectly clear enough for those who do take the time to read it, for anyone to understand the whole situation – something that was never intended for public media consumption.

I think it's important for the residents of your county to understand how and why these on-going conflicts could potentially influence the quality of service they might receive. There is no lack of service from my office since I assumed it. There actually is now more service made available to the deceased as I have already stated several times after I started working the job: **"Nothing has changed in the way business is accomplished by the coroner, except that I, my deputy, or investigator, will be present at death scenes more frequently than that of the last administration."**

All of these issues are open records communications and as public officials they are subject for scrutiny from folks like myself. The records available at the hyperlink provided are all open records that anyone can access, read, or download, including all the 911 recordings. The problem is that most, if not all, reporters do not want to take the time to get a thorough understanding of what actually has happened. They want "a quick sensational story" but don't want to put the time into doing the necessary work to make the story accurate. The tendency to create an incomplete story is as much, or more, of a public disservice as that of law enforcement not responding to a suspicious death scene.

It has been suggested to me, more than several times in the past two weeks, and again today, that if the media – you and Mr. Gates of the Brown County Press – were truly interested in the truth underlying my personal concerns, you two would join together with the Enquirer's attorney, John (Jack) Greiner, to file a *mandamus* request in the Ohio Supreme Court to unseal Sheriff Wenninger's criminal trial record. It was not legally sealed by statute from public scrutiny back in October 2003. This is just basic logic, since that case went all the way to a jury verdict, concerning the falsification of qualifications required to be an elected public official. Why is that specific record so important that it has to remain forever sealed from the public when it never was legally sealed in the first place? It's unsealing would answer more than a decade of questions that will never otherwise disappear, especially with reckless attorneys bringing it back to the forefront without consent of the client.

If you feel the coverage to this point has been biased, I suggest to you that this is your opportunity to make sure that people clearly hear your side of things. If coverage comes across as being biased, it's not for a lack of precise information available from me for you to know what has transpired. Everything is answered within the documentation and recordings made available to you and any other interested individual who cares enough to take the time to read and listen to the documented facts.

You can respond either through email, or give me a call at 513-xxx-xxxx. I hope to hear from you and then visit with you briefly (probably about 20 minutes) some time tomorrow morning. We'll gladly come to you. Please let me when you will be available. I decline to give any video or audio recorded interviews, as this whole matter was never intended to be a public circus event.

**Thanks,
Rich Jaffe.**

From: Judith Varnau, D.O., FACOG
Sent: Wednesday, February 06, 2013 8:59 PM
To: JAFFE, RICH
Subject: From: Dr. Judith Varnau, Brown County Coroner

Dear Mr. Jaffe,

I got your message this afternoon after returning from Anderson Mercy Hospital. I left a voice mail on your phone earlier tonight after getting home from the office.

I prefer not to give any video or audio recorded interviews, as this whole matter was never intended to be a public circus event. Jessica Little, the Brown County Prosecuting attorney, and counsel for the Coroner's Office, chose to initially release information that was not attorney-client privileged, but was confidential information she had no authority or consent from me to release. Her reckless disclosure was a violation of her fiduciary duty to her client, and it has exacerbated this whole unnecessary sensational (yellow journalism) story, starting with the Brown County Press that seems to have direct unfettered access to everything related that passes through Ms. Little's office.

If you want information on this story, in addition to the three Brown County Press articles, you can access it anytime on my website at:

<http://www.varnau.us/medical/coroner.htm>

There you will find recordings of three meetings I had with the individuals involved, prior to assuming office, and immediately thereafter. The January 3rd, meeting had all misunderstandings ironed out, until 14 days later, when Ms. Little took the liberty of

disclosing sensitive information, between her office and the coroner's office, to the SO and/or The Press. From that point onward, she has been directly involved with the SO to make the performance of my duties as difficult as possible, by what I believe to be their own joint violation of the law in doing so. This is self-evident if you listen to the 911 recordings made January 30, 2013, when I was intentionally abandoned alone in a remote field about ¼-mile from the nearest township road with the locked car containing a deceased individual. I had no equipment to enter the car for access to the body. In addition, there was a total refusal by the SO to respond after declaring this a suspicious death.

If you have any specific questions you'd like answered, send them to me and I will take a look at them for you, but may not necessarily provide you with an answer.

Sincerely,
Dr. Varnau