



**COUNCIL OF THE DISTRICT OF COLUMBIA**  
THE JOHN A. WILSON BUILDING  
1350 PENNSYLVANIA AVENUE, N.W.  
WASHINGTON, D.C. 20004

July 6, 2010

Peter Nickles, Attorney General  
Office of the Attorney General  
1350 Pennsylvania Avenue, N.W., Suite 409  
Washington, D.C. 20001

Dear Mr. Nickles:

We write out of concern regarding your recent decision to pay a reported \$550,000 in settlement of a claim from Banneker Ventures. Your decision to settle at this particular time appears to be poor judgment and motivated by something other than the best interests of the District of Columbia.

As you are aware, the contract for work performed by this vendor was never submitted to, and thus never approved by, the Council. More importantly, a Special Committee of the Council is conducting an investigation into the contracting process, with conclusion of the investigation expected soon. Among the allegations is that Banneker or its subcontractors overcharged the District and failed to supervise properly the work done. The decision to pay this vendor prior to the conclusion of an investigation, prior to all the facts being known, for contracts that were not properly approved, and for work that may have been overcharged, is contrary to your duty to place the interests of the District of Columbia paramount to all else.

The contracting controversy has been marred since the public first became aware of it by a lack of transparency. The Executive, and particularly your office, have failed to provide sufficient detail about the contracting process, and prevented the Special Committee from questioning members of the Administration involved in the matter. District taxpayers are now twice injured by this matter -- the District having apparently paid an exorbitant mark-up when the contract was first issued, and now paying the vendor a large sum of money for no other reason than to bring this matter rapidly to a close. Indeed so far as we know no member of the Council has been given a copy of this settlement agreement, and we hereby insist that both the public and the Council know the terms of the deal you struck. We are particularly distressed that the best interests of the District will be compromised and that our ability to recover money for poor performance and perhaps even fraud will be lost. Accordingly, we hereby request a copy of the settlement agreement.

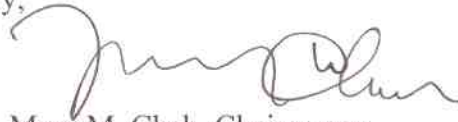


We have stressed, repeatedly, that the Attorney General is responsible for representing the public interest and upholding the law. For whatever reason, you still fail to grasp this, and your decision to settle this matter at this point is further evidence of that.

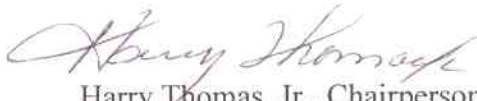
Sincerely,



Phil Mendelson, Chairperson  
Committee on Public Safety & the  
Judiciary



Mary M. Cheh, Chairperson  
Committee on Government Operations &  
the Environment



Harry Thomas, Jr., Chairperson  
Committee on Library, Parks &  
Recreation