

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
PROVIDENCE, SC. SUPERIOR COURT

JOHANNA HARRIS,

Plaintiff,

v.

**JEFFREY DANA, in his capacity as
City Solicitor of the City of Providence;
JORGE O. ELORZA, in his capacity as
Mayor of the City of Providence;
SAMUEL D. ZURIER, in his capacity
as Chairman of the Committee on
Claims and Pending Suits, Providence
City Council; and JAMES J.
LOMBARDI III, in his capacity as
Treasurer of the City of Providence,
Defendants.**

Case No. PC-2015-3821

**PLAINTIFF'S OBJECTION TO DEFENDANTS' MOTION TO QUASH
AND MOTION FOR PROTECTIVE ORDER**

1. On February 9, 2016, Defendants Jorge O. Elorza and Jeffrey Dana moved to quash the deposition subpoenas that Plaintiff Johanna Harris has recently served upon them, and to seek a protective order permanently barring their depositions. Plaintiff hereby objects.

2. Defendant Elorza does indeed possess unique and superior knowledge regarding the subject matter of this case. Only Elorza knows why he removed Ms. Harris as Chair of the Licensing Board. Only Elorza knows why he had several conversations with Rev. Jeffery Williams about assuming the chairmanship of the Board and why he swore Williams to secrecy. Only Elorza knows why he met with Ms. Harris for over an hour on March 5, 2015, praising her performance during the past year and asking her what resources she needed for the coming year, when he in fact had already arranged for her to be removed. Only Elorza knows how and why he has attempted to interfere with the workings of the Board of Licenses.

3. Defendant Dana does indeed possess unique and superior knowledge regarding the subject matter of this case. Only Dana knows the instructions that he gave to assistant solicitors to prosecute show-cause hearings before the Board in a perfunctory manner. Only Dana knows what misrepresentations he made to Ms. Harris at their June 17, 2015 meeting.

4. Defendants assert that “the events complained of unfolded prior to [Elorza’s] taking office.” They further assert that Dana “did not work as City Solicitor during the timeframe relevant to Plaintiff’s cause of action.” Both assertions are demonstrably false. While Mr. Petrarca filed his ethics complaint against Ms. Harris in August 22, 2014, the case was not dismissed until July 21, 2015, nearly seven months after Defendants Elorza and Dana took office. While Mr. Petrarca’s request for a preliminary injunction was denied on October 28, 2014, his lawsuit was not dismissed until March 31, 2015, nearly three months after Defendants took office. Both Defendants had ample opportunities to offer legal support and assistance, but chose not to do so. Ms. Harris filed her claim for indemnification on April 7, 2015, when both Defendants were already in office.

5. Defendants’ assert, “Mayor Elorza was sworn into office after the attorney’s fees that comprise the subject matter of this lawsuit were incurred.” This assertion is likewise demonstrably false.

Respectfully submitted,



JOHANNA HARRIS 2/13/2016
PO Box 9483
Providence, Rhode Island 02940

CERTIFICATE OF SERVICE

I hereby certify that on February 13, 2016, I filed and served this document through the Superior Court's Odyssey File and Serve electronic filing system on Defendants Jeffrey Dana, Jorge O. Elorza, Samuel D. Zurier and James J. Lombardi III and their attorney Dennis E. Carley, Roberts, Carroll, Feldstein & Peirce Inc., decarley@rcfp.com.

PLAINTIFF, PRO SE,



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