

THE SUTTON LAW FIRM

June 29, 2022

VIA EMAIL & OVERNIGHT DELIVERY

Mr. Rob Tribble
13639 Mountain House Rd.
Nevada City, CA 95959

RE: Demand for Immediate Proof of Eligibility to Run for Office of County Auditor-Controller

Dear Mr. Tribble:

This letter demands that you provide written documentation proving that you have held a “senior fiscal management position” at a government entity, private firm or nonprofit organization in at least three of the last five years, as required for candidates for County Auditor-Controller under state and County law, or else immediately withdraw from the County Auditor-Controller election.

As you know, serious concerns have been raised about whether you meet the legal qualifications to run for and serve as Auditor-Controller. None of the documents which you submitted to the County in connection with your campaign, none of the information on your LinkedIn profile or social media pages, and none of the statements which you made during community forums make any reference to senior fiscal management positions, or any jobs, which you have held during the last five years. In addition, the Statements of Economic Interests which you submitted in connection with your Auditor-Controller candidacy and other County offices covering the years 2017 through 2021 (all of which were signed under penalty of perjury) do not list any jobs.

Under these circumstances, we believe that you have a duty to prove to voters and the entire County that you actually meet the qualifications of Government Code section 26945 – and to withdraw from the election if you do not. Despite receiving a copy of the letter which we sent to the Registrar of Voters last week raising this issue, despite the Registrar urging the District Attorney and California Attorney General to open an investigation into whether you committed a crime by submitting a false Declaration of Candidacy, and despite press coverage of the issue in both The Union and Yubanet, you have still not provided proof of a recent senior fiscal management job or otherwise responded to the allegation that you are not qualified to be Auditor-Controller. It would seem that anyone running for such an important public office who actually did meet the legal qualifications would have easily been able to

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provide proof of his or her recent jobs; moreover, it would seem that anyone who took the job of Auditor-Controller seriously would feel a moral and legal obligation to do so. Your silence speaks volumes about your culpability.

We also want to make certain that you are aware that any County voter has the right to file an elections contest, quo warranto proceeding, writ of mandate and/or similar lawsuit to challenge your candidacy in court. We also want to make certain that you are aware that the plaintiff in such a legal challenge, if successful, would be entitled to recover his or her attorneys fees from you.

Because the Elections Code requires an elections contest to be filed by next week, we demand that you provide written documentation that you meet the eligibility requirements for the office of Auditor-Controller under state and County law by this Friday, July 1, 2022 at 5pm. If we do not receive adequate proof by that time that you have held a senior fiscal management position at a government entity, private firm or nonprofit organization in at least three of the last five years, our client will have no option but to pursue all legal avenues against you to invalidate your candidacy.

We call on you to do the right thing and put this matter to rest. If you really have held a senior fiscal management position job within three of the last five years, then provide written proof of the position by 5pm on Friday. If you do not, then withdraw from the race.

Sincerely,



James R. Sutton

cc: Gregory Diaz, Nevada County Registrar of Voters
Supervisor Susan Hoek, Board Chair
Supervisor Dan Miller, Board Vice Chair
Supervisor Hardy Bullock
Supervisor Heidi Hall
Supervisor Ed Scofield
Katharine Elliott, Esq., Nevada County Counsel
Jesse Wilson, Esq., District Attorney
Rob Bonta, Esq., California Attorney General
Gina Will

JRS/lc