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April 22, 2009

Stephen C. Muffler, Esq.
Executive Director, Citizens Review Board
P.O. Box 1946
Key West, Florida 33041

Re: CRB#07-001

Dear Director Muffler:

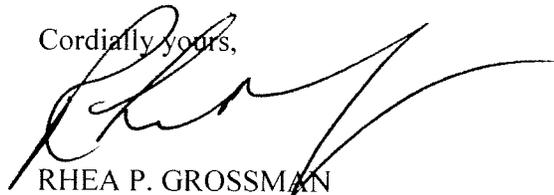
As a way of introduction, I am co-counsel with Andrew M. Axelrad, Esq., in representing the interests of our client Officer Pablo Rodriguez in what purports to be a subpoena from the Citizens Review Board returnable April 27, 2009 at 6:30 p.m. in reference to CRB#07-001.

As Mr. Axelrad previously indicated to you, Officer Rodriguez refused to appear voluntarily and, as a courtesy, I am informing you that Officer Rodriguez will not appear in response to the subpoena.

Regardless of the numerous procedural and constitutional violations apparent from the enabling ordinance and the face of the subpoena, the subpoena is contrary to *Florida Statutes §112, et.seq.*, and the present collective bargaining agreement between the Dade County PBA and the City of Key West. Further, Officer Rodriguez is exercising his fifth amendment rights pursuant to advice of counsel and, without waiving any objection to the constitutionality of the Citizens Review Board) the provisions of *Section VIII(a) of Section 1.07 of the Key West City Charter*.

If the Board intends to proceed further in reference to Officer Pablo Rodriguez, please make sure to notify the undersigned.

Cordially yours,



RHEA P. GROSSMAN

/me

cc: Officer Pablo Rodriguez
Attorney Andrew Axelrad
Attorney Robert Cintron, Jr.