

May 11, 2020

Mr. Richard Superfine
Legal Counsel
Chicago Board of Ethics
740 N. Sedgwick St., Suite 500
Chicago, IL 60654

Re: Follow up from conversation of April 20, 2020 regarding
registration under 2-156-309

Mr. Superfine,

First, thank you for your conversation and call of April 20, 2020 to discuss my registration under the Chicago Ethics Ordinance on behalf of four clients:

Axon Enterprises, Inc.
Foster Moore International, Ltd.
L3 Harris Technologies, Inc.
Tower International, Inc.

The crux of our conversation centered around the Chicago Ethics Ordinance regarding the definition of “*lobbyist*” or “*lobbying*” under Section 2-156-010 and *lobbyists holding elected office* under Section 2-156-309 and the question of whether any of the enumerated exemptions apply. The Ordinances state in relevant part (**emphasis added**):

“**Section 2-156-010:** Lobby or lobbying. “Lobbyist” means any person who, on behalf of any person other than himself, or as any part of his duties as an employee of another, undertakes to influence any legislative or administrative action, including but not limited to:

- (1) A bond inducement ordinance;
- (2) A zoning matter;
- (3) A concession agreement;
- (4) The creation of a tax increment financing district;
- (5) The establishment of a Class 6(b) Cook County property tax classification;
- (6) The introduction, passage or other action to be taken on an ordinance, resolution, motion, order, appointment or other matter before the city council;
- (7) The preparation of contract specifications;
- (8) The solicitation, award or administration of a contract;

May 11, 2020

Page 2

(9) The award or administration of a grant, loan, or other agreement involving the disbursement of public monies; or

(10) Any other determination made by an elected or appointed city official or employee of the city with respect to the procurement of goods, services or construction.

Provided, however, that a person shall not be deemed to have undertaken to influence any legislative or administrative action solely by submitting an application for a city permit or license or by responding to a city request for proposals or qualifications.

The term "lobbyist" shall include, but is not limited to, **any attorney**, accountant, or consultant engaged in the above-described activities; provided, however, that an attorney shall not be considered a lobbyist while representing clients in a formal adversarial hearing. A person who seeks to influence legislative or administrative action on behalf of a not-for-profit entity shall be deemed a lobbyist only if such person: (i) is paid or otherwise compensated for those efforts; or (ii) undertakes those efforts as a matter of professional engagement, regardless of pay or other compensation."

"2-156-309. Lobbyists holding elected office. No elected official of the State or a unit of local government in the State, other than the City, may lobby the City Council, or any City agency, department, board or commission (for purposes of this subsection "City"); provided that nothing in this Section shall preclude (1) any such elected official from appearing in their official capacities before the City for the purpose of explaining the effect of any legislative or administrative matter pending before the pertinent City body, (2) any such elected official from appearing without compensation or on behalf of their constituents in the course of their duties as an elected official, (3) any such elected official who is an attorney from providing legal representation to any person seeking quasi-judicial, administrative or legislative action before the City, or (4) any such elected official from engaging in any political activity."

Per Section 2-156-010, any attorney who engages in any of the enumerated activities is required to register under the Ordinance, and my registration represents compliance with this requirement of the Ordinance. Additionally, Section 2-156-309 (3) permits elected officials to provide legal representation on behalf of a person seeking quasi-judicial, administrative or legislative action before the City, which each of these entities have or plan to do seek. Per our discussion, the exemption as established by the Ordinance contemplated and allowed for attorneys to continue to practice law on behalf of clients provided they comply with the requirements of the Ordinance, which I have attempted and will continue to do.

As mentioned in our conversation, the heart of my representation of all four of the aforementioned clients has been to provide legal services by and on behalf of my law firm, Foley & Lardner LLP and my registration for each entity demonstrates my desire to adhere to both the spirit and letter of the Chicago Ethics Ordinance. While I have communicated with City of Chicago officials on behalf of two clients, Axon Enterprises, Inc. and L3 Harris Technologies, Inc., all communications

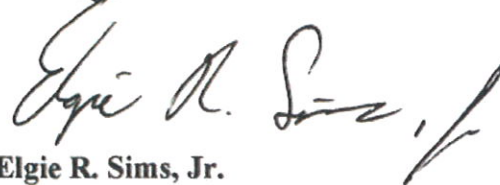
May 11, 2020

Page 3

have been consistent with my legal representation of both entities related to activities outlined under Section 2-156-010 of the Ordinance and consistent with the exemption provided under 2-156-309 (3) of the Ordinance.

Again, thank you for reaching out to me on this matter.

Best Regards

A handwritten signature in cursive script, appearing to read "Elgie R. Sims, Jr.", written in dark ink.

Elgie R. Sims, Jr.