



Scorp--oration Counsel

This is the fable of the scorpion and the frog. A scorpion asks a frog to carry him across a river because the scorpion cannot swim. The frog says, “you’re a scorpion. You will sting me, and I will die.” The scorpion replies, “but if I sting you, we both will die.” The frog believes the scorpion’s argument makes sense—that the scorpion won’t act in a way that is counter to his own interests. The scorpion climbs on the frog’s back, and the frog begins to swim across the river. Halfway across the river, the scorpion stings the frog. The dying frog asks, “Scorpion, why did you sting me?” The scorpion answers, “I’m a scorpion. It’s in my nature.”

This is also the parable of Wall Street. I’m the frog in the parable. In the spring of 2018, I was invited to sit down with the scorpion of the parable, Mario Coppola, from greater New Haven. I was expecting an amicable meeting of like-minded people who cared about Norwalk. Instead I had hopped into an ambush that included “Scorporation” Counsel Coppola tapping his fingers on the lawsuit he’d already drafted and threatened to file against me in the event I closed on the POKO properties. Is it any wonder, then, that I didn’t immediately disclose the purchase at that meeting? Yes, the lawsuit was frivolous—so frivolous it was immediately withdrawn and rewritten as something only slightly less frivolous. A city bankrupting itself on needless lawsuits cannot afford to retain a part-time

scorpion indefinitely at 120k/year. Scorporation Counsel's million dollar—to date--effort to sue the frog isn't helping Wall Street or taxpayers. How can a scorpion advance the interests of his employer, the City of Norwalk, when it's in his nature to sue no matter the cost?

In July of this year the Norwalk Common Council made a very wise decision—a decision that seemed good for both the frog and the scorpion—to table their vote on the Citibank/McClutchy plan to take over POKO, and tear down the Garden Cinema to put up a parking lot. That night I showed up with a prepared speech, but I was so impressed by the Council's decision that instead of giving my speech I publicly apologized to Mayor Rilling, John Kydes and Mario Coppola for some of my past behavior toward them. Around the same time there was a serendipitous pause in the City's lawsuit against me. The confluence of these 2 pauses provided a window for some earnest discussions to take place. Those discussions initially went very well. We were working together. We were building trust. And we seemed to be making progress.

Unfortunately, that progress came to a halt when we went to court for a status conference last Thursday. The City & Agency attorneys initially agreed for a court appointed mediator to help resolve our issues amicably. But halfway across the river, so to speak, the City's New Haven cabal of lawyers began to push back. They are now pressing hard on all possible aspects of the litigation. The spirit of cooperation is gone. The scorpions have become predictably aggressive, stinging when they should be compromising for the sake of our collective interests—mine, City Hall's, and all Norwalk citizens with a vested interest in the local economy and their tax bills.

Several good people on the City side--Norwalk residents like Chief of Staff Laoise King, Council President Tom Livingston and Chief of Economic and Community Development Jessica Casey--want to keep the dialogue going and build on our progress. But that progress is impeded by the venomous approach of the legal team led by Mr. Coppola. Remember, I'm just a frog. I cannot afford to engage in productive civil dialogue with the "good" people while the "bad" ones—the scorpions—are trying to sting me in the courts via ongoing, baseless and costly litigation.

The Norwalk river of this parable is a big river with hidden undercurrents. I own and operate a small business. The law firm helping me navigate this river of snakes and scorpions is one attorney and an assistant. I am my legal team and my marketing team, and I'm still just a lowly frog. But I'm not the naïve frog I used to be, letting myself get stung because of misplaced trust. I must protect my interests and my family's interests at all costs. There's a powerful scorpion at City Hall whose nature is to sting even if that means drowning himself and sinking our collective interests to the bottom of the river.