

Exhibit 18 to the Complaint

From: [Michael Smith](#)
To: ["Shelice R. Tolbert"](#)
Cc: [David Raes](#); [Rachelle Ponist](#)
Subject: Re Gary Community School Corporation and the Chicago Picasso Wood Model
Date: Sunday, July 21, 2019 11:43:00 PM
Attachments: [190721_email_to_Tolbert.pdf](#)

Ms. Tolbert,

Please see the attached letter.

Thank you.

Michael Ray Smith
Partner
Hand Ponist Horvath Smith & Rayl, LLC
1512 N. Delaware Street
Indianapolis, IN 46202
317-576-8542 (direct)
msmith@handponist.com
www.handponist.com

*****PLEASE NOTE THAT OUR FIRM NAME AND CONTACT INFORMATION HAVE CHANGED. PLEASE UPDATE OUR CONTACT INFORMATION IN YOUR SYSTEM.*****

This message and its contents are CONFIDENTIAL and may be PRIVILEGED. No one other than the intended recipient may forward, print, copy, disclose, distribute, or use this message or the information it contains. If you have received this message in error, please notify the sender at the e-mail address or telephone number above and remove all copies of this e-mail from your email system and device.

Exhibit 18 to the Complaint



HAND | PONIST
HORVATH SMITH & RAYL

Michael Ray Smith
Attorney at Law

July 21, 2019

VIA Email and USPS Priority Mail

Shelice R. Tolbert, Esq.
Tolbert & Tolbert LLC
1085 Broadway, Suite B
Gary, Indiana 46402

Gary Community School Corporation and the Chicago Picasso Wood Model

Dear Ms. Tolbert:

You should have already received copies of a Tort Claim Notice and a School Claim Notice regarding the purchase of the Chicago Picasso Wood Model (the “Model”) by our client, Jean-Christophe Scheere (“Mr. Scheere”) from your client, Gary Community School Corporation (the “School Corporation”).

We caution the School Corporation and, insofar as necessary, put the School Corporation on notice not to move the Model from of its current location in the Gary Area Career Center until the right of possession is resolved. Attempts to remove the Model to another location will be taken very seriously by Mr. Scheere and could lead to civil, or perhaps even criminal, sanctions.

We further caution the School Corporation, and insofar as necessary, put the School Corporation on notice to preserve all evidence and records in its control or possession relating to the Model or its sale, including all written and electronic communications regarding the decision to sell the Model, the decision to engage Kraft Auction Services, LLC (“Kraft”) to conduct the sale, the organization of the sale, the issue of the notice to the Mayor of the City of Gary, and all communications that ensued after the sale on January 19, 2019. We specifically refer to any and all communications between the School Corporation, the emergency manager, the city of Gary (including the Mayor, her staff, and members of the city council), Kraft, members of the media, and any other person or entity that was involved in the sale.

We hope the School Corporation and Mr. Scheere can reach a mutually agreed resolution of his claim to the Model without the need for either of our clients, or for other parties involved, to incur the expense and disruption of litigation. If that proves impossible, we will be prepared to pursue Mr. Scheere’s legal remedies, including a court order granting him possession of the Model.

Exhibit 18 to the Complaint

Page 2

If you have questions or would like to discuss a settlement agreement, please feel free to contact me at msmith@handponist.com or 317-576-8542.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Ray Smith".

cc: Rachelle N. Ponist, Hand Ponist Horvath Smith & Rayl, LLC (via email)
 David Raes, Janson (via email)
 Niquelle Allen Winfrey, Corporation Counsel, City of Gary (via fax and Priority Mail)