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August 20, 2014

Via U.S. Mail

Governing Board Members:

Brenda B. Even
David A. Longoria
Sylvia M. Lee
Scott A. Stewart
E. Marty Cortez
Lee Lambert, Chancellor
Pima Community College
PCC Board of Governors
4905 E. Broadway Blvd.
Tucson, Arizona 85709-1005

RE: Roy Flores – Pima Community College

Dear Governing Board Members and Mr. Lambert:

Our offices represent Dr. Roy Flores, the former Chancellor of Pima Community College (PCC). We are writing on behalf of Dr. Flores to express his concern and dismay over incorrect statements made by Chancellor Lambert in a purported "apology to victims of sexual harassment". Dr. Flores has reviewed the video and the article about the video which appeared in the August 14, 2014 *Arizona Daily Star*. The video and that article contain serious misstatements by Chancellor Lambert. Those misstatements have been made maliciously and with reckless disregard for the truth. Those statements have damaged and continue to damage former Chancellor Flores and his reputation.

Among other things, Chancellor Lambert's statements are inaccurate in the following respects. Although some complainants may have alleged "sexual harassment" against Chancellor Flores, no actual evidence of any type of sexual harassment against Dr. Flores was ever established. In fact, former attorneys for the College acknowledged that the complaints on their faces did not constitute sexual harassment.

Similarly, no credible evidence exists that Chancellor Flores ever retaliated or took adverse action against any of the complainants as a result of any of the complainants exercising a

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constitutional or legally permissible right. Chancellor Lambert in his statement claims: "These women were willing to face (Flores) directly with an independent investigator. Rather than do so, he resigned more than a year before the end of his contract". Chancellor Lambert's statement is untrue. From the outset, as soon as Chancellor Flores received information about the various allegations being made against him, he asked to be able to respond to the allegations. He stated his willingness to meet with any of the complainants. He offered to the Governing Board of the College to mediate with the complainants any and all claims being made. The Board refused Dr. Flores' offer to mediate. Dr. Flores does not know whether his offer to mediate was conveyed to the complainants by the Board.

As has been reported publicly, Dr. Flores resigned for health related reasons. He recently had undergone heart bypass surgery and was experiencing serious complications from that surgery. Realizing that he was physically unable to devote his full energies and attention to the business of the college, he resigned his position. That resignation was accepted by the Governing Board of the College.

Mr. Lambert in his statement implies that somehow Dr. Flores by his words or actions may have caused "harm" to one or more of the complainants. Again, no evidence exists that Dr. Flores caused harm to any of the complainants.

By this letter, Dr. Flores requests that Chancellor Lambert and the Governing Board of the College issue a public apology to Dr. Flores for the reckless, incorrect statements made by Mr. Lambert in an effort to placate dissatisfied employees and former employees. In addition, Dr. Flores requests that Chancellor Lambert and the Governing Board of the College issue a formal written apology to him acknowledging and regretting the incorrect statements and the damage that those statements have caused Dr. Flores and his reputation. If Chancellor Lambert and the Governing Board do not issue an appropriate retraction and apology, Dr. Flores will be forced to take appropriate legal action against the College and responsible parties to seek redress for the damage caused to him.

Very Truly Yours,

/s/ C. Benson Hufford

C. Benson Hufford

CBH/kp

cc: Jeff Silvyn, General Counsel for PCC
4905 E. Broadway Blvd. Tucson, AZ 85709-1005

The Higher Learning Commission
230 South LaSalle Street, Suite 7-500 Chicago, IL 60604-1411

Dr. Roy Flores