

**AUTHORIZATION & REQUEST TO RELEASE PERSONNEL RECORD
PURSUANT TO MINNESOTA STATUTE §181.961**

I, Jerry Lamont Moore, ask my former employer Wells Fargo (by whatever corporate name, subdivision, division or other, it claims holds these records, and whether it be one, two or more such entities/division) to please release to Jill Clark, P.A. (my attorney Jill Clark or any employee of that firm), all of my "personnel record" pursuant to Minn. Stat. §181.961 (see definition of "personnel record" at Minn. Stat. §181.960, Subd. 4).¹ This is my former

¹ Subd. 4. **Personnel record.**

"Personnel record," to the extent maintained by an employer, means: any application for employment; wage or salary history; notices of commendation, warning, discipline, or termination; authorization for a deduction or withholding of pay; fringe benefit information; leave records; and employment history with the employer, including salary and compensation history, job titles, dates of promotions, transfers, and other changes, attendance records, performance evaluations, and retirement record. The term does not include:

(1) written references respecting the employee, including letters of reference supplied to an employer by another person;

(2) information relating to the investigation of a violation of a criminal or civil statute by an employee or an investigation of employee conduct for which the employer may be liable, unless and until:

(i) the investigation is completed and, in cases of an alleged criminal violation, the employer has received notice from the prosecutor that no action will be taken or all criminal proceedings and appeals have been exhausted; and

(ii) the employer takes adverse personnel action based on the information contained in the investigation records;

(3) education records, pursuant to section 513(a) of title 5 of the Family Educational Rights and Privacy Act of 1974, United States Code, title 20, section 1232g, that are maintained by an educational institution and directly related to a student;

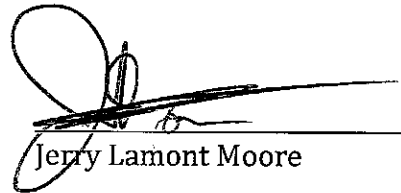
(4) results of employer testing, except that the employee may see a cumulative total test score for a section of the test or for the entire test;

(5) information relating to the employer's salary system and staff planning, including comments, judgments, recommendations, or ratings concerning expansion, downsizing, reorganization, job restructuring, future compensation plans, promotion plans, and job assignments;

employer's full authorization to release my personnel record and I demand that you do so promptly.

It is my understanding that my attorney prior sent an email, and my former employer claimed that was not "in writing." I expect that if a court had to rule on that, that it would, indeed, be deemed "in writing." I expect my former employer not to stall and delay providing this information and not to come up with reasons not to provide it. I understand that two subpoena's that my attorney has served, my former employer has found ways not to respond. This seems a pattern, and one that I take seriously. If my entire "personnel file" is not deliver to my attorney within seven days of her transmitting this authorization and request, I will review all of my legal options. I am also requesting a *copy* of my "personnel record." If my former employer is going to force me to review the record before requesting a copy, please let my attorney know so that we can review all legal options to ensure timely compliance.

Dated: Oct 9, 2010



Jerry Lamont Moore

(6) written comments or data of a personal nature about a person other than the employee, if disclosure of the information would constitute an intrusion upon the other person's privacy;

(7) written comments or data kept by the employee's supervisor or an executive, administrative, or professional employee, provided the written comments or data are kept in the sole possession of the author of the record;

(8) privileged information or information that is not discoverable in a workers' compensation, grievance arbitration, administrative, judicial, or quasi-judicial proceeding;

(9) any portion of a written or transcribed statement by a coworker of the employee that concerns the job performance or job-related misconduct of the employee that discloses the identity of the coworker by name, inference, or otherwise; and

(10) medical reports and records, including reports and records that are available to the employee from a health care services provider pursuant to sections 144.291 to 144.298.