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November 25, 2025

**VIA E-MAIL**

Mayor Bobby Cox  
Alderman Steve Tillis  
Alderman Karen Stennis  
Alderman Kevin Wade  
Alderman Robert Blackman  
Alderman Julie Messenger  
Alderman Matthew Hinton

RE: November 24, 2025, Special Call Meeting and News Conference  
Privileged Attorney-Client Communication

Mayor and Aldermen:

The allegations made are untrue and not supported by any legal authority. As City Attorney, I provide informed legal advice and counsel to the elected officials and the staff of the City.

The appointment to interim city attorney occurred during the transition from the prior administration to this one. The appointment according to Miss. Code Ann. Section 21-15-41 can be no longer than ninety-days. When the ninety-day period was coming to an end, I was annually appointed following the requirement of Miss. Code Ann. Section 21-15-25. On November 18, 2025, I provided three Mississippi Attorney General opinions to Alderman Stennis holding “*If the governing authorities appoint an attorney or a firm pursuant to this statute, the appointment must be made annually as the statute provides.*” Those opinions stretch back thirty years, beginning in 1995 and are easily available on the Mississippi Attorney General’s website <https://attorneygenerallynnfitch.com/divisions/opinions-and-policy/>. The names of the opinions are MS AG Op. *Holland*, Opinion No. 95-0701 (November 15, 1995); MS. AG Op. *Gordon*, Opinion No. 97-0452 (September 19, 1997) and MS. AG Op. *Ruhl*, Opinion No. 2007-00398 (August 3, 2007).

Three proposals for outside legal counsel were present for PFAS claims. In executive session, I explained these proposals and provided them to each of you in advance of discussions expected to occur at the December 2, 2025, Regular Meeting. In executive session, I explained that one of the proposals would hire me to serve as local counsel. Serving as local counsel means I participate in the litigation doing legal work to advance

the case. The local counsel employment requires me to do additional work outside the normal scope of my city attorney's duties and not contained in my contract of employment. Miss. Code Ann. Section 21-15-25 specifically allows for such an arrangement stating, "For services and duties which the regular city attorney is not required to perform as a result of his employment as such, and which are not covered by the regular compensation paid him, such municipal attorney may be employed and compensated additionally." The proposed local counsel employment complies with Mississippi law.

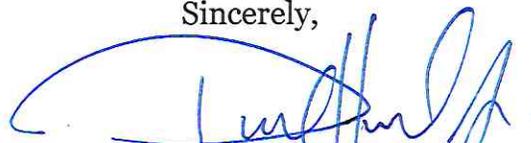
Some aldermen share information provided in executive session about ongoing and potential litigation. Sharing such information harms the City. Discussing such information in executive session is required by law. Providing confidential information outside executive session violates the law.

I am not a member of the Board. I do not exercise a vote on the Board. In the November 18, 2025, Recess Meeting, a motion was made for my contract to remain in full force and effect. The motion was seconded and entered discussion. Alderman Pfeiffer moved for me to "recuse" and "not offer any legal advice" regarding the issue. I stated that I will stay quiet. An open meeting must remain open, and members of the general public are welcome to attend if they behave in a "calm, professional manner and will not attempt to directly or indirectly interrupt a meeting of the Board." 39 Miss. Code Reg. 101-1-9.1 (2025). At all times during the discussion, I remained silent, calm, and professional. I did not attempt to directly or indirectly interrupt any discussion.

The executive session minutes from the first meeting of this Board on July 1, 2025, were determined by the Board to contain a clerical error. The Board voted to correct that error prior to the approval of the minutes. The clerical error was corrected.

All the allegations are false, baseless and without merit. I represent the City of Ocean Springs and am proud to do so.

Sincerely,



David N. Harris, Jr.