

# Fired General Counsel Recorded Conversation With Ex-Boss, Alleges He Lied Under Oath

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The case of a former general counsel in Texas who alleges that her boss fired her for refusing to break the law by violating a local stay-at-home order and work at the office during the COVID-19 outbreak is turning out to be a legal slugfest.

Since [Amy Reggio sued Tekin & Associates](#) for wrongful termination in April 2020, her former employer, a commercial real estate development firm near Dallas, tried to have a trial judge removed from the case because of her social media posts.

Meanwhile, Reggio has filed two separate, pending motions for sanctions against Tekin and her ex-boss, Mark Tekin, sole manager and president of the firm. She alleges that he provided false testimony in an affidavit—and says she secretly recorded a conversation that backs up her allegations. She also has accused Tekin of abusive discovery tactics.

The lawsuit illustrates the rifts that develop when in-house leaders and executives have policy disagreements. From a more general perspective, the case also serves as a reminder of how difficult it can be for top lawyers to [stand up to their bosses](#) and protect other employees.

“This wasn’t just about her,” said Reggio’s attorney, Josh Iacuone of the Rogge Dunn Group in Dallas.

“She was the general counsel. She wasn’t just some employee,” he added. “And she’s giving legal advice. This is your chief legal officer saying, ‘Here’s what the law says.’ She, as the GC, is the one directly implicated in that decision.”

## **‘Loath to Seek Sanctions’**

In her first sanctions motion, Reggio alleged that Tekin & Associates abused the discovery process by issuing subpoenas seeking information about Reggio’s past compensation and employee disciplinary records from her former employer, the [Winstead](#) law firm, and the recruiter who placed her with Tekin. Reggio joined the company in December 2019 and was fired in late March 2020.

“Undersigned counsel is loath to seek sanctions, but has no choice,” Iacuone wrote in the motion.

“We had hoped Tekin’s counsel could control or at least temper Tekin’s reputation for pettiness and destructive impulses. Unfortunately, it now seems clear that Tekin’s counsel cannot or will not do so,” he added.

Tekin contends that the records it subpoenaed are directly relevant to its defense. The firm also told the court that it suspects Reggio “misrepresented the amount of compensation she received from Winstead during the course of negotiating her compensation package with Tekin,” which might affect her potential damages.

Tekin also noted that Reggio served 211 separate discovery requests within the first week of the discovery period. Tekin stated that it had to sift through “a haystack of 182,000 emails in search of needles ... including on such pressing topics as whether the Tekins had any whipped cream to go with a pumpkin pie Mr. Tekin ordered to surprise his wife.”

“All of a sudden, wide-ranging discovery has gone from par for the course to sanctionable conduct,” Tekin & Associates’ attorney, John Barcus of [Ogletree, Deakins, Nash, Smoak & Stewart](#) in Dallas, wrote in response to Reggio’s motion for sanctions.

## GC Secretly Recorded Conversation

In her second sanctions motion, Reggio accused Mark Tekin of providing false and intentionally misleading testimony in an affidavit as part of an effort to “trick” the court into believing that he fired Reggio before she pushed back on being required to work at the office.



Amy Reggio. Courtesy photo

Reggio asserts that she secretly recorded a conversation with Tekin that proves she was fired shortly after sending an email asking Tekin to stop threatening to terminate employees who wanted to follow shelter-in-place orders and work from home.

“At the time of filing the false affidavit, Tekin was unaware that plaintiff had recorded their conversation clearly establishing the falsity in Tekin’s affidavit,” Reggio’s sanctions motion states.

In Dallas County, where Reggio lives with her husband and young son, all of whom have asthma, according to Iacuone, residents faced being charged with a misdemeanor and slapped with a \$1,000 fine and up to 180 days in jail for violating a stay-at-home order issued at the height of the pandemic.

“People were trying to figure things out and do what was right for their families, their employers, their clients,” Iacuone said. “I think it was an opportunity for people to show their work and pass the do-the-right-thing test. And then you saw who were the mini tyrants.”

Barcus wrote in an email that his client was prepared to “demonstrate why the motion, like Ms. Reggio’s entire lawsuit, is meritless. We’re not otherwise going to comment on a pending motion.”

Reggio also alleges in the second sanctions motion that Tekin referred to the firm’s previous general counsel as a “bitch.” Tekin testified that he didn’t recall using that word. However, he admitted during a deposition that he yelled at Reggio in the office so loudly that other employees could hear, according to a transcript.

“Is that a violation of your handbook?” Iacuone asked during the deposition.

Tekin replied, “I believe it is.”

In Tekin’s motion for recusal, Barcus argued that Judge Melissa Bellan needed to be removed from the case because she tweeted the following statement in response to a local news story about Reggio’s lawsuit: “TFW you want to comment, but also clicked through and checked the cause number.” TFW is an acronym for “that feel when.”

The motion also included screenshots of several of Bellan’s tweets supporting social distancing measures.

Iacuone contended that the recusal motion “defies logic and is frivolous because honorable Judge Bellan’s tweets do not—in any way, shape, or form—constitute statements that might give rise to an appearance of partiality.”

He also asserted Tekin wanted to remove Bellan from the case because she’d denied its motion to dismiss Reggio’s complaint.

Bellan declined to recuse herself and an administrative judge subsequently affirmed her ruling.

Barcus stressed that “neither Tekin & Associates nor its counsel have ever questioned Judge Bellan’s integrity.

“The only question presented in the motion was whether a member of the public might have reasonable doubt about judicial impartiality in light of tweets of that type,” he added. “Judge Bellan determined that no such reasonable doubt existed and declined to recuse herself.”

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