



harman claytor corrigan wellman
THE CIVIL LITIGATION FIRM

JEREMY D. CAPPS
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Respond to: Richmond

October 5, 2026

VIA EMAIL at jblack2@k12albemarle.org

Josiah Black, Esq.
Albemarle County Public Schools
401 McIntire Road
Charlottesville, VA 22902

Re: Investigation for Albemarle County School Board

Dear Josh:

As you know, Harman, Claytor, Corrigan & Wellman ("HCCW") was engaged by the School Board's insurance provider, VACORP, with respect to potential claims regarding the alleged actions of staff member Michael Swiney. Our engagement by VACORP includes conducting a prompt investigation of the facts underlying these potential claims and the School Division's response to reports about Mr. Swiney's conduct.

Consistent with VACORP's retention, the School Board voted on August 4, 2026, to engage HCCW "to conduct a thorough independent investigation into recent personnel issues and the Division's policies and practices concerning the response to allegations of sexually inappropriate conduct by staff and to share the firm's findings with the School Board at the earliest possible date." We are honored by the trust the School Board has placed in our firm, and we appreciate the opportunity to assist the School Board and School Division as a whole.

The investigation will be primarily staffed by Missy York and me, with occasional assistance of our partner, David Corrigan, and associate attorneys and paralegals as necessary. As you are aware, we devote a significant portion of our practice to the field of employment law and have significant experience conducting investigations for both public and private entities. We also devote a significant portion of our practice to the field of education law, and Missy routinely conducts investigations for, and defends against, claims of sexual abuse.

VACORP has agreed to pay the fees and costs associated with HCCW's investigation. Our invoices will be sent directly to VACORP in accordance with this agreement.

RICHMOND

POST OFFICE BOX 70280 | RICHMOND, VA 23255
4951 LAKE BROOK DR. | SUITE 100 | GLEN ALLEN, VA 23060

DC METRO

1900 DUKE ST. | SUITE 210 | ALEXANDRIA, VA 22314

ROANOKE

310 FIRST ST. SW | SUITE 310 | ROANOKE, VA 24011

We anticipate providing regular updates to the School Board as the investigation proceeds; however, at this time it is not possible to determine when the investigation will be complete given the pending criminal proceedings. Our investigation as directed by the Board will include, among other things, a thorough review of the facts surrounding the allegations of sexually inappropriate conduct by staff, and the Division's response thereto, and, if the investigation dictates, making recommendations to ensure the safety of the Division's students and staff moving forward.

We understand that the School Board directed you, as Chief Legal Officer to "ensure that Harman Claytor is afforded access to all documents, data, witnesses, and other evidence, that will be necessary to conduct such an investigation." We will work with you and your office to obtain the necessary access and information.

The School Board reserves the right to terminate this retention without cause and, in such event, shall notify us in writing. We reserve the right to terminate this retention without cause, in accordance with governing law and ethical rules and, in such event, will notify the School Board in writing.

We may send the School Board copies of correspondence and other information throughout our handling of this matter. These copies will be the School Board's file copies. We will also keep all information in a file in our office. When our investigation is concluded, we will retain the file for seven years, in accordance with HCCW's document retention policy. After that time, the hard copy of the file materials will be destroyed.

Please sign this letter to indicate the School Board's acceptance of this arrangement and return it to our office.

We look forward to working with you and the School Board. Should you have any questions, comments or concerns, please do not hesitate to contact me.

Very truly yours,



Jeremy D. Capps

JDC/myy



Albemarle County School Board
By: Josiah Black, Chief Legal Officer

Date: 10/6/2026