

# MusickPeeler

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LOS ANGELES  
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SAN FRANCISCO  
SANTA BARBARA COUNTY  
VENTURA COUNTY

FILE NO.: 40291.003

WILLIAM A. BOSSEN  
w.bossen@musickpeeler.com  
(213) 629-7976

November 6, 2020

## VIA FIRST CLASS MAIL AND EMAIL

Jason Browne  
P.O. Box 9152  
Red Bluff, CA 96080  
jason.browne@cillca.org

Re: Demand to Cease and Desist

Dear Mr. Browne:

This firm is counsel to Hinderliter, de Llamas & Associates (“HdL”). It has been brought to our attention that on October 6, 2020, you wrote an email to the Red Bluff City Council, requesting the City Council vote against retaining HdL to draft a cannabis ordinance. While you are certainly entitled to voice your opinion to the City Council, unfortunately, your email contained several serious and libelous misrepresentations about HdL which were made to an entity which has been its client for more than 15 years. For example, you falsely told the City Council that HdL “appears to be violating California law and many local ordinances, by working within jurisdictions to set up licensing programs, and then representing applicants seeking to obtain said licenses.” Your representation to the City Council is utterly false – HdL has never represented any applicant seeking to obtain any license from any jurisdiction, and certainly has never represented any applicant in any jurisdiction that retained HdL to “set up licensing programs.” Moreover, you falsely stated that HdL “appears to be violating California law and many local ordinances,” which is in itself a libel *per se* against HdL. *See, e.g., Barnes-Hind, Inc. v. Superior Court* (1986) 181 Cal.App.3d 377, 385 (“Perhaps the clearest example of libel *per se* is an accusation of crime.”).

You also falsely accused HdL of: (1) “misusing financial data to which it has access, in violation of confidentiality requirements governing sales tax returns;” (2) engaging in an improper *quid pro quo* by hiring David McPherson; (3) misrepresenting its services; and (4) engaging in “pay-to-play schemes.” Each of these accusations is utterly without any factual merit and clearly designed to damage HdL’s reputation and its ability to contract with the City of Red Bluff. Indeed, as stated in your email, the reason why you wrote the email is precisely to convince the City Council not to hire HdL so that you can personally control the drafting of Red Bluff’s contemplated cannabis ordinance.

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On behalf of HdL, we hereby demand you immediately cease and desist from making any further false and libelous statements against HdL or its principals, either to the City Council of Red Bluff or anyone else. Again, you can lobby the City Council to trust its cannabis ordinance drafting to you rather than a professional consulting firm like HdL without falsely smearing HdL or anyone else. While HdL is not currently inclined to pursue litigation against you for your libelous October 6 email, HdL reserves all its rights in this regard.

Very truly yours,



William A. Bossen  
for MUSICK, PEELER & GARRETT LLP

WAB:lp

cc: Daniele Eyestone, Mayor  
Kris Deiters, Mayor Pro Tem  
Amanda Jenkins, Councilmember  
Clay Parker, Councilmember  
Johnna Jones, Councilmember  
Rick Crabtree, City Manager  
Kyle Sanders, Chief of Police  
Scott Friend, Community Development Director  
Anita Rice, Deputy City Clerk

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