



Darryl Cotton <indagrodarryl@gmail.com>

FW: Hinderliter, de Llamas & Associates

1 message

jason.browne@cllca.org <jason.browne@cllca.org>

Thu, Nov 12, 2020 at 1:16 PM

To: indagrodarryl@gmail.com

Here's my formal response to their attorney...

From: jason.browne@cllca.org <jason.browne@cllca.org>**Sent:** Thursday, November 12, 2020 1:12 PM**To:** 'Plazola, Lydia' <L.Plazola@musickeeler.com>**Cc:** 'deyestone@cityofredbluff.org' <deyestone@cityofredbluff.org>; 'kdeiters@cityofredbluff.org' <kdeiters@cityofredbluff.org>; 'ajenkins@cityofredbluff.org' <ajenkins@cityofredbluff.org>; 'cparker@cityofredbluff.org' <cparker@cityofredbluff.org>; 'jjones@cityofredbluff.org' <jjones@cityofredbluff.org>; 'rcrabtree@ci.red-bluff.ca.us' <rcrabtree@ci.red-bluff.ca.us>; 'ksanders@rbpd.org' <ksanders@rbpd.org>; 'sfriend@cityofredbluff.org' <sfriend@cityofredbluff.org>; 'arice@cityofredbluff.org' <arice@cityofredbluff.org>; 'Bossen, William' <W.Bossen@musickeeler.com>; 'Kenn Rieders' <noodledude@att.net>**Subject:** RE: Hinderliter, de Llamas & Associates

Mr. Bossen,

Here is my formal response to your cease and desist letter. My response last night was rather informal and off the cuff, and simply represented my feelings more than any factual rebuttal to your assertions.

Firstly, I am not trying to control the ordinance drafting process, as you have alleged. I am, along with several other community members, engaged in a process of drafting our own cannabis ordinance, as public participants at meetings of a duly nominated Committee that was established by our City Council. We have been encouraging public participation in this process, and have asked our Cannabis Committee and City Council members to weigh in with editorial suggestions, at every public meeting. This may seem strange to HDL, as they do not appear used to engaging in such public processes.

In contrast, what HDL was proposing to do in our community, was to hold secret meetings held behind closed doors, and to privately draft language for the City Council to consider, having no public participation until after an ordinance was produced. Based on HDL's previous works, said ordinance might have ultimately provided financial benefits to HDL and certain local agencies. In other communities where HDL has drafted ordinances, these financial benefits appear to stem from mandatory retainers for commercial license auditing services, and the imposition of fines as penalties against commercial ar



Whether or not such a scheme is unlawful or unethical is something that any reasonable person may rightly question, and draw their own conclusions upon further investigation. I believe that my personal opinion on the matter was made perfectly clear in my presentations to our City Council. I do not claim to have a complete knowledge of the operations of HDL, and I have not engaged in further research about them at this time.

Furthermore, my presentations to the City Council have not directly addressed any contracts with the City of Red Bluff, outside of the proposed contract to draft our cannabis ordinance. I have no dog in that fight, and will leave it to our City Council to perform their own cost / benefit analysis of any existing or future contracts with HDL. As for the reputation of HDL, I likewise believe that it speaks for itself just fine, regardless of my personal opinions. The links that I provided in support of my opinions were all matters of public record, from various news outlets and social media posts. I am not the first person, nor will I be the last person to render a public opinion about HDL's reputation.

My emails and statements to our City Council regarding HDL have all clearly been speculative and opinionated in nature. They have all included terms such as "might", "may", "alleged", "appears", "could", etc. My initial investigations into HDL indicate that this company certainly does offer its services to both public bodies and private licensing applicants (drafting ordinances for cities and being retained by license applicants in various jurisdictions). I have not seen any indication that these services are not mutually offered within the same jurisdictions. If this is the case, then I may have been mistaken regarding that specific allegation. If my observation was correct, then HDL would certainly appear to "represent applicants in jurisdictions where HDL has set up licensing programs." HDL likewise advertises a range of services, on the front and back ends of California's commercial licensing process (such as assisting applicants with obtaining their licenses, and then being contracted by the city to perform annual audits of every license holder). This would seem to constitute a "pay to play scheme" and might constitute a financial conflict of interest. And HDL seems to offer some services for which it may not be legally licensed to offer (i.e. certain tax and accounting services).

In closing, It was never my intention to falsely smear HDL. I believe the statements I made have accurately reflected the public record. I believe my opinion that the City of Red Bluff should draft it's own cannabis ordinance without the services of HDL is valid. I had actually thought this matter behind us, once the City Council decided to reject the HDL contract for drafting our cannabis ordinance. My focus has remained on volunteering my assistance and participating in the public process, as our community drafts our own cannabis ordinance. So your cease and desist letter was rather unnecessary...unless HDL still plans on pursuing contracts related to a cannabis ordinance or cannabis licensing services with the City of Red Bluff. In which case, I can assure you that I will remain steadfastly opposed to such a contract, and will voice my personal opinion on the matter accordingly. Thanks to your letter, I will certainly be more careful in my exact choice of words, moving forward.

Should HDL choose to pursue legal action against me, I will respond in kind. In the event of legal actions, I would also be inclined to spend more of my time investigating HDL and their operations throughout California. I can assure you that I would rather not, as I have much more important things to do in my life, and much better uses of my time. If HDL is willing to stay out of our community's cannabis regulatory process, I am happy to stay out of HDL's business elsewhere. This is my home, and maintaining safe access to cannabis for patients who need it is very important to me. I will not let outside interests and corporate profits interfere with safe access in my community.



Have a nice day.

Sincerely,

Jason Browne

(Expert Witness to the Courts & Industry Consultant – 22 years)

(California Cannabis Industry Member – 25 years)

From: Plazola, Lydia <L.Plazola@musickpeeler.com>

Sent: Monday, November 9, 2020 5:49 PM

To: 'jason.browne@cllca.org' <jason.browne@cllca.org>

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Subject: Hinderliter, de Llamas & Associates

Mr. Browne – Please see attached correspondence from William A. Bossen, Esq.

Lydia Y. Plazola

*Assistant to William A. Bossen
and Cameron W. Thomas*

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