

September 26, 2024

Bradley J. Epstein
Grime Law LLP
Sacramento – Manteca—Fresno
Los Angeles

Dear Mr. Epstein,

You sent me two separate "Cease and Desist" letters, warning me to stop my son from creating a website for the Edgewood community. You sent the letters as the official representative of the Edgewood Homeowners Association Board of Directors. I responded to each letter, and in each I asked three simple questions to clarify the problem, but neither you nor anyone from the Association have chosen to reply. You demanded that my son stop immediately, that it was urgent... and then provided two deadlines. If it was so critical, why didn't someone just call or write to me directly? We are neighbors, after all. However, the choice to send Cease and Desist letters with future deadline dates, and the lack of response to my letters to you proves it was not such an urgent matter, after all.

Meanwhile, through the delays, the website has remained up and accessible for several months, albeit with a different address. Many members and residents found it and have told us of their appreciation for the opportunity—finally—to express themselves and share with others the common problems we all face. The users have offered advice, presented recommendations, and, yes, sometimes criticism. Free speech is like that. Indeed, some Board members have gotten on the website to express their anger against my son and other "critics" for the "crusade". In their anger they even acknowledged the issue wasn't really the URL, but they wanted the "crusade" against their actions and inactions to stop. Interestingly, "crusade", the very word you used in your Cease and Desist demands.

Because you are the official representation of the Association in this matter, you may tell your client that I/we are not intimidated by the threats in the demands. We did research and also sought other legal advice, which resulted in our understanding that the original domain name, with clear disclaimers and for several other legally defensible reasons, does not violate trademark law and would not be reasonably confused as belonging to the Edgewood Homeowners Association.

We have also received community feedback suggesting that moving the website to a different URL has made it more difficult for them, the residents of Edgewood, to locate it. We are therefore considering to reopen the website as www.edgewoodhoa.org. My son owns this domain name and therefore has the legal rights to use it. However, before we decide whether to actually make the change, we are open to receiving comments and opinions to help determine if doing so is likely to encourage and improve member communication. We intend to make the decision on or after November 1, 2024.

I urge you to communicate this opportunity to your client. We are open to comments and suggestions, even from your client, but threats and posturing will be ignored. Responses need to be submitted in writing to the address below, or on the website itself, currently www.birdcageheights.com. Of course, the Association can always choose to hire you again to write to me, if they prefer to pay legal fees.

I have repeated in every response to you as the official representative of the Association—that it is **our nature** (mine and my son's) **to find amiable solutions to issues and solve problems**. And even though you and the Association have made the conscious decision not to respond to my letters and questions, we have trusted that you have been conveying that message to your contact with the Association.

And I feel I cannot close without expressing once again, our clear assertion that we peacefully, but vehemently assert our First Amendment rights.

Thank you for your attention to these matters.

Please respond **only by mail** to:

Stephen Hill
2815 Watson Court
Montague, CA 96064

Very truly yours,

Stephen Hill
Teacher