

Olson | Remcho

October 29, 2020

VIA OVERNIGHT MAIL

Elizabeth Castillo
5232 Meadow Wood Ave.
Lakewood, CA 90712

Ian Patton
3814 Elm Ave.
Long Beach, CA 90807

Carlos Ovalle
3037 Golden Ave.
Long Beach, CA 90806

Deborah Moser
533 Walnut Ave., Apt #5
Long Beach, CA 90802

Robert Fox
3823 Sebren Ave.
Long Beach, CA 90808

Joe Mello
5469 E. Daggett St.
Long Beach, CA 90815

Stephen Downing & Jay Beeler
5199 E. Pacific Coast Highway #608
Long Beach, CA 90804

Juan Ovalle
4131 Country Club Dr.
Long Beach, CA 90807

**RE: DEMAND TO IMMEDIATELY CEASE AND DESIST HARASSMENT OF AND
DEFAMATION AGAINST SENATOR LENA GONZALEZ, HER HUSBAND
ADAM CARRILLO AND THEIR MINOR CHILDREN**

Dear Sirs and Madams:

I write on behalf of State Senator Lena Gonzalez to inform you that you must immediately and collectively cease and desist your actions which constitute harassment of Senator Gonzalez's family and defamation against Senator Gonzalez's husband, Adam Carrillo.

On or about October 9, 2020 you made several false accusations against Senator Gonzalez and Mr. Carrillo. In one of Carlos Ovalle's Facebook posts he falsely claims that Mr. Carrillo was a "a corporate officer of ETA" and that Mr. Carrillo and Senator Gonzalez are a part of a "corruptocracy" that "feed[s] tons of money to [Cindy] Allen's ETA." In the post Mr. Ovalle further claims that he has not "seen corruption this bad since this bad since [he] left [his] native Guatemala, the 4th most corrupt country in Latin America." These accusations were subsequently shared on the People of Long Beach Facebook page and Instagram account, and the Long Beach Reform Coalition Facebook page. Previously, on May 26, 2020, a Longbeach4d.blogspot.com post falsely singled-out Mr. Carrillo as an employee at the center of the sale of ETA. In fact, Mr. Carrillo was not involved in the transaction whatsoever. Mr. Carrillo requested that Mr. Mello remove this libelous information from Longbeach4d.blogspot.com, but Mr. Mello refused to abide by this request.

Long Beach
555 E. Ocean Blvd, Ste. 420
Long Beach, CA 90802

Sacramento
555 Capitol Mall, Ste. 400
Sacramento, CA 95814

Oakland
1901 Harrison St., Ste. 1550
Oakland, CA 94612

These allegations are false and harm Mr. Carrillo's standing and reputation in the community. As such, they are defamatory and must be stopped immediately. Mr. Carrillo was not a corporate officer of ETA. Your accusations that Senator Gonzalez and Mr. Carrillo engaged in a crime is libelous per se. Cal Civ. Code § 45a; *Barnes-Hind, Inc. v. Superior Court*, 181 Cal. App. 3d 377, 385 (1986) ("Perhaps the clearest example of libel per se is an accusation of crime.").

It is our understanding that Deborah Moser and Robert Fox plan to engage in further libelous actions against Mr. Carrillo by turning the aforementioned false accusations into a campaign mailer to support Elizabeth Castillo's campaign for State Senate District 33. We have knowledge that the mailer will contain the false claim that Mr. Carrillo has an arrest record in other states, which is untrue. Publishing such a false statement with knowledge of its falsity will constitute libel especially given that Mr. Carrillo is not a public figure.

Your actions harassing Senator Gonzalez's family have not been limited to disseminating false and defamatory statements. At about 11:00 pm on Friday, June 5th, 2020, Ms. Castillo and several other individuals arrived at Senator Gonzalez's private residence. They proceeded to use bull horns to shout at Senator Gonzalez, calling her names, and shining a flashlight her children's bedroom. The group then yelled at Senator Gonzalez's neighbor who came outside to investigate the commotion.

At about 8:00pm on Monday, June 8th, 2020, Ms. Castillo returned to Senator Gonzalez's home. When nobody answered the door, Ms. Castillo responded by incessantly knocking and peering through the window.

We have reason to believe that Ian Patton intends to run Mr. Carrillo's Department of Motor Vehicles and credit report without authorization. To obtain Mr. Carrillo's credit report for nefarious purposes and without his permission is a violation of federal law. *See* 15 U.S.C. § 1601 *et seq.*

Accordingly, we demand that you immediately (1) cease airing, posting, making available, or distributing false and defamatory statements about Mr. Carrillo and Senator Gonzalez on any media (including, without limitation, Facebook, YouTube, Blogger.com (Longbeach4d.blogspot.com) and other social media sites); (2) refrain from distributing, posting, making available, or airing any similar allegations in the future on any media (including, without limitation, Facebook, YouTube, and other social media sites); (3) delete all of your false and/or defamatory posts (including, without limitation, the aforementioned post); (4) issue a retraction and public apology for producing and disseminating these false and defamatory

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statements; and (5) cease your harassment of Senator Gonzalez's family at their residence. Should you decline to do so, Mr. Carrillo and Senator Gonzalez reserve their right to pursue all appropriate legal rights and remedies, including obtaining a restraining order against you.

Please notify me in writing no later than 5:00 p.m. Pacific Standard Time on October 30, 2020 to inform me of the steps you have taken to comply with this demand.

Very truly yours,

OLSON REMCHO LLP

A handwritten signature in dark ink, appearing to read "Rios", written in a cursive style.

RICHARD R. RIOS