111 Civic Drive - Hercules, CA 94547 - (510) 799-8200

January 25, 2016

Ms. Pil Orbison

Re: City Demand to Cease Unsanctioned HCTF Activities

Dear Ms. Orbison:

At the City Council meeting of January 12, 2016, you informed the Council that you have included a reference to Council Member Sherry McCoy on your website.

In reviewing your website, "bayareadiversifiedtennisfoundation.org", we have confirmed that you have, without consent of staff, Council Member McCoy, or the City Council, included a reference to the Council Member as follows:

> "HERCULES PROJECT- "MAYOR MCCOY - THE CAL BEARS LEADERSHIP PROJECT OF 2015, CONTINUING IN 2016-2017 Experience the Cal Bears' Leadership Led by the Hercules Golden Bears Team for the Tennis Court Renovation Project."

The referenced text is located prominently below a "DONATE" button soliciting monetary contributions from members of the public. You are attempting to collect money from the public on line via Paypal, ostensibly to fund improvements at City court facilities.

You are well aware that there is no "Tennis Court Renovation Project." You are also well aware that Council Member McCoy has not endorsed your unapproved fund raising efforts.

This letter is to inform you that you must remove the reference to Council Member McCoy from your website immediately. Your attempt to associate the Council Member with your efforts to raise money for a project that has not been approved or sanctioned by the City crosses the line. Your mis-use of the Council member's name and your false claim that she

endorses your unapproved project is fraudulent, and appears to be an attempt to deceive the public regarding the merits of your unapproved project.

By this letter the City of Hercules is putting you and your non-profit on notice that you must immediately remove from your website all references to Council Member McCoy and all references suggesting that the Council Member, or any public official in Hercules, has endorsed your unapproved fundraising efforts.

Furthermore, you must cease and desist from claiming on your website that you are in a partnership with the City. The City has not, and will not, sanction your efforts to raise money for a project that has not been approved.

The City is reserving the right to take any and all legal action necessary to prevent you from efforts on your part to defraud the public by soliciting donations for a project that is NOT sanctioned by Council Member McCoy, the City Council, or City staff.

Regards,

PATRICK TANG
Hercules City Attorney

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