

# Re: FORMAL NOTICE TO CEASE & DESIST

**From:**

"Gold Mountain" <goldmountain@usa.com>

**To:**

"Jeffrey Ta" <jta@lbbklaw.com>, ruthmorentz@comcast.net, cade@lassenfiresafecouncil.org, "Kyle Herron" <kyle@lassenfiresafecouncil.org>

**Date:**

May 1, 2025 9:10:03 PM

**To:** Jeffrey V. Ta, Esq.

**Re:** Lassen Fire Safe Council – Cease and Desist Letter

**Date:** May 1, 2025

Mr. Ta,

Your letter dated May 1, 2025 has been received. Contrary to your opening statement, I was not previously informed that your firm represents the Lassen Fire Safe Council. This is the first time I have seen your name or received any notice of legal representation. Your claim that I “know” you represent LFSC is incorrect and misleading.

Let me be absolutely clear: this matter directly affects the safety of my land, my water, and my legal rights as a California property owner. My communications to LFSC and its representatives have been entirely lawful and made in good faith under the authority of the California Public Records Act (Gov. Code § 6250 et seq.), the California Constitution (Article I, §3(b)), and applicable environmental laws such as CEQA.

LFSC receives public funds, performs functions that affect public land and health, and is therefore subject to public accountability. My records requests and questions are fully protected by law. Attempts to frame these as harassment are false and legally baseless.

Your letter appears to be an attempt to intimidate me into silence, which only confirms that your client is deeply concerned about what further oversight may uncover — and there is definitely a lot more. So much for being a “grassroots, community-based” organization — threatening residents with legal action to avoid answering questions about environmental risk speaks volumes about your client’s priorities.

And while we're being direct: are you the attorney who prepared LFSC’s March 26 response to my public interest questions? Because if so, I’d like to know who was responsible for producing that evasive, misleading, and legally questionable document. It failed to directly answer the majority of the questions posed, distorted key facts, and attempted to disclaim public accountability while citing laws incorrectly. If you or your firm wrote that response, it raises very serious concerns about your client's willingness to operate transparently — and your willingness to enable them.

Misrepresentation of Legal Obligations in LFSC’s March 26 Letter:

LFSC’s written response dated March 26, 2025 contains multiple misstatements of law, which I will briefly address here for clarity:

1. False Claim of Exemption from the Public Records Act:  
LFSC claimed it is not subject to the California Public Records Act (CPRA) because it is a 501(c)(3) nonprofit. That is false. Under Gov. Code § 6252(e) and case law such as *Community Youth Athletic Center v. City of National City* (2013) and *CSU, Fresno Assn. v.*

Superior Court (2001), entities receiving public funds to perform government functions are subject to CPRA. LFSC receives CAL FIRE grants, conducts CEQA-governed reforestation, and performs wildfire mitigation on private lands using public funds — placing it squarely within CPRA scope.

2. **Improper Use of Privacy Law to Withhold Basic Records:**  
LFSC's refusal to disclose contractor names, pesticide permit holders, or board roles under the excuse of "PII" is also legally unsound. Gov. Code § 6254(c) only protects medical or personnel files, not the names of public-facing individuals performing publicly funded environmental work or managing herbicide applications. Californians have the right to know who is authorizing and applying chemicals near their land.
3. **Misleading Statement About Notification Duties:**  
LFSC's claim that "adjacent landowners are not required by law or chemical label to be notified" omits relevant law. Under 3 CCR § 6618, pesticide permits often require Notice of Intent filings and label-enforced buffer zones, especially when human or ecological receptors are nearby. CEQA Guidelines §15126.2 also require discussion of off-site environmental impacts — including chemical drift — that may affect neighboring parcels.
4. **False Claim That Their Response Was Entirely Voluntary:**  
LFSC repeatedly claims its response was provided "voluntarily" and that no County, State, or Federal law requires disclosure. This is false. If LFSC is conducting CEQA-covered operations, managing public grants, or contracting licensed PCA/QAL applicators, it is bound by CEQA, CPRA, and CDPR pesticide disclosure rules. Its attempt to disclaim all regulatory or legal responsibility in a single paragraph is not supported by statute or case law.

These misstatements were either made out of ignorance — which is concerning — or knowingly, which is worse.

If LFSC intends to pursue legal action, I will respond with a special motion to strike under California's anti-SLAPP statute (CCP § 425.16) and seek full recovery of legal fees and statutory damages. I also reserve the right to submit all evidence of this attempt to silence lawful oversight to the appropriate regulatory, environmental, and legal authorities. And just imagine what this will look like to the public.

Please provide the following:

1. A list of specific communications your client believes to be unlawful.
2. The legal basis for categorizing them as harassment.
3. Clarification on whether your client is now refusing to comply with CPRA obligations.

Unless and until I receive a legitimate legal explanation, I will continue to exercise my lawful rights as a resident, landowner, and member of the public affected by LFSC's operations.

Sincerely,

George Jacobsen

goldmountain@usa.com

**Sent:** Thursday, May 01, 2025 at 8:22 PM  
**From:** "Jeffrey Ta" <jta@lbbklaw.com>

**To:** "goldmountain@usa.com" <goldmountain@usa.com>  
**Subject:** FORMAL NOTICE TO CEASE & DESIST

Mr. Jacobsen:

As you know, this firm represents Lassen Fire Safe Council. Please let this letter serve as a formal demand that you immediately cease and desist all contact and attempts to communicate with Lassen Fire Safe Council, including any of its employees, directors, board members, or any other individual affiliated with the organization. This includes calling, emailing, texting, or communicating via any electronic or other means. Your actions amount to unlawful harassment of our client.

If you do not immediately cease and desist all contact, we will seek a restraining order to prevent the ongoing harassment, and reserve all rights to seek all available damages against you.

Regards,

**Jeffrey V. Ta**

Partner

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----- Original Message -----

**Subject:** Follow-Up: Unlicensed Pesticide Advising and PCA License Issuance – Kyle Herron

**From:** Gold Mountain <[goldmountain@usa.com](mailto:goldmountain@usa.com)>

**Sent:** Thursday, May 1, 2025, 7:27 PM

**To:** Kyle Herron <[kyle@lassenfiresafecouncil.org](mailto:kyle@lassenfiresafecouncil.org)>

**CC:** [cade@lassenfiresafecouncil.org](mailto:cade@lassenfiresafecouncil.org), [ruthmorentz@comcast.net](mailto:ruthmorentz@comcast.net)

**Subject:** Follow-Up: Unlicensed Pesticide Advising and PCA License Issuance – Kyle Herron

Dear Mr. Herron,

This message serves as a formal follow-up to my March 10, 2025 public records inquiry and the subsequent issues raised regarding your pesticide-related activities prior to licensure.

Despite previous opportunities to clarify the timeline and legality of your actions, substantial evidence now confirms that:

- You were not licensed as a Pest Control Adviser (PCA) until March 11, 2025.
- You provided written pesticide recommendations to landowners prior to that date.

Attached are three supporting documents, including a formal memorandum, my clarification request letter, and the CPRA filing submitted to the Department of Pesticide Regulation.

**Attachments:**

1. Formal Request for Clarification Regarding PCA License No. 169147 (PDF)
2. Confirmation of Initial License Issuance Dates and License Number Sequence (PDF)
3. California Public Records Act Request – Kyle A. Herron Licensing Records (PDF)

You are requested to respond in writing within 10 calendar days as outlined. Continued refusal to disclose material facts or delay in transparency may result in referral to CDPR, the California Department of Justice, or additional regulatory and legal authorities.

Sincerely,

George Jacobsen

[goldmountain@usa.com](mailto:goldmountain@usa.com)