

From: [Rachael McFarren](#)
To: [FORA Board](#)
Cc: [Dominique Jones](#); [Michael Houlemard](#); [Jon Giffen](#); [Crystal Gaudette](#); [Molly Erickson](#)
Subject: Fw: Keep Fort Ord Wild v. County of Monterey, FORA (case no. M114961) - Correspondence from Special Meeting on Thursday January 26.
Date: Wednesday, January 25, 2017 3:13:21 PM
Attachments: [17.01.25.FORA.BOD.ltr.to.pdf](#)

Dear FORA Board Members:

I am forwarding to you correspondence which we submitted to your Board at approximately 11:10 AM this morning. We requested that FORA counsel forward the letter to you. We have not heard back from FORA counsel and we are forwarding the letter to you directly.

Thank you.

Rachael McFarren
Paralegal
STAMP | ERICKSON
479 Pacific Street, Suite One
Monterey, CA 93940
tel: 831-373-1214
fax: 831-373-0242

----- Forwarded Message -----

From: Molly Erickson <erickson@stamplaw.us>
To: Jon Giffen <jgiffen@kaglaw.net>; Crystal Gaudette <CGaudette@kaglaw.net>
Cc: Diane Johnson <djohnson@kaglaw.net>; Rachael McFarren <mcfarren@stamplaw.us>
Sent: Wednesday, January 25, 2017 12:31 PM
Subject: Re: Keep Fort Ord Wild v. County of Monterey, FORA (case no. M114961)

Jon and Crystal:

Please promptly forward our letter to the FORA Board, and let me know that was done. If I do not hear from you shortly, we will forward the letter directly to them. The Board wanted correspondence by noon, and our letter was submitted before noon.
Thank you.

Molly

Molly Erickson
STAMP ERICKSON
479 Pacific St., Suite One
Monterey, CA 93940

On Jan 25, 2017, at 11:09 AM, Rachael McFarren <mcfarren@stamplaw.us> wrote:

Mr. Giffen:

Attached please find correspondence from Molly Erickson.

Thank you.

Rachael McFarren
Paralegal
STAMP | ERICKSON
479 Pacific Street, Suite One
Monterey, CA 93940
tel: 831-373-1214
fax: 831-373-0242

Michael W. Stamp
Molly Erickson

STAMP | ERICKSON
Attorneys at Law

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Monterey, California 93940
T: (831) 373-1214
F: (831) 373-0242

January 25, 2017

Via E-mail

Ralph Rubio, Chair,
Fort Ord Reuse Authority Board of Directors
c/o Jon Giffen, Kennedy Archer & Giffen
2591 Silver Cloud Court, Suite 200
Monterey, CA 93940

Re: Keep Fort Ord Wild v. County of Monterey, FORA (case no. M114961)

Chair Rubio and members of the FORA Board of Directors:

On January 11, 2017, the Superior Court released its Intended Decision resolving the CEQA case in favor of Keep Fort Ord Wild. We understand that you have scheduled a closed session for this Thursday to discuss the decision.

As the prevailing party and "private attorney general," Keep Fort Ord Wild is entitled to seek recovery of its attorney fees. We intend to make an attorney fee motion for our fees to date. Once the Court's fee award is entered, the fee award starts accruing interest at the statutory rate until paid.

What Happens After the Fee Award.

If FORA appeals, the appeal would be filed with the appellate court in San Jose. FORA would pay for the services of its own counsel in compiling the record including the transcript of the more than six hours of argument in the trial court, researching and drafting an opening brief, responding to KFOR's brief in a reply brief, and any other briefing requested by the Court of Appeal, along with various other tasks. Most likely, FORA also would have to pay KFOR's attorney fees on appeal, with interest at the statutory rate on the entire amount of KFOR's work.

Appeals typically take about 650 to 900 days to complete. During that time, FORA will be paying FORA's counsel. FORA has no right to reimbursement from KFOR. At best, FORA will pay for its legal work for the next two years. At worst, FORA will pay its lawyers, KFOR's lawyers, interest on the fee award to KFOR, and reimbursement of KFOR's costs. An appeal by either or both FORA and the County would risk hundreds of thousands of taxpayer dollars and member jurisdiction dollars.

Who Usually Wins an Appeal.

The best available predictor of the risk on appeal comes from an analysis of other appeals decided by the same Court of Appeal. That data shows that the most likely result is an appellate decision that affirms the trial court decision. Only 16% to 18% of appeals result in reversals (whole or partial) of the trial court decision. 80% of

Ralph Rubio, Chair,
Fort Ord Reuse Authority Board of Directors
January 25, 2017
Page 2

appeals result in affirmation of the trial court decision. Another 4% are dismissed. We attach to this letter the 2016 summary of appellate courts for your consideration.

FORA is unlikely to prevail on appeal. The Superior Court's decision is based on solid legal grounds and accurate and detailed analysis. It is stronger than most trial court opinions, and it resolves key facts that point directly to the decision made by the Superior Court. There is little chance that an appeal in this case will succeed.

In your review of this matter, we strongly urge you to consider the quality and depth of the Superior Court's decision. It is well reasoned and thorough, and is consistent with binding Supreme Court authority. We remind you of these facts, these costs, and these risks.

Thank you for your time and consideration of this matter.

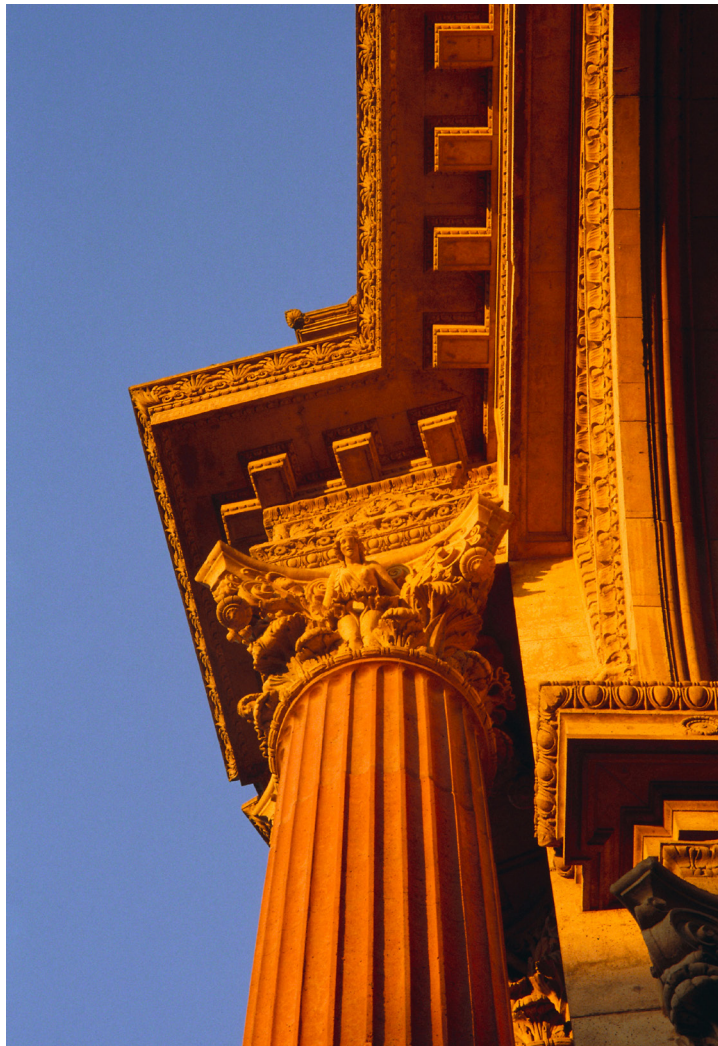
Very truly yours,

STAMP | ERICKSON



Molly Erickson
Michael W. Stamp

Attachment: 2016 California Judicial Council Court Statistics Report excerpts
(cover page, pp. 26, 28)



2016 COURT STATISTICS REPORT
Statewide Caseload Trends
2005-2006 Through 2014-2015



JUDICIAL COUNCIL
OF CALIFORNIA

Affirmed Reversed Dismissed



Figure 22: Total appeals

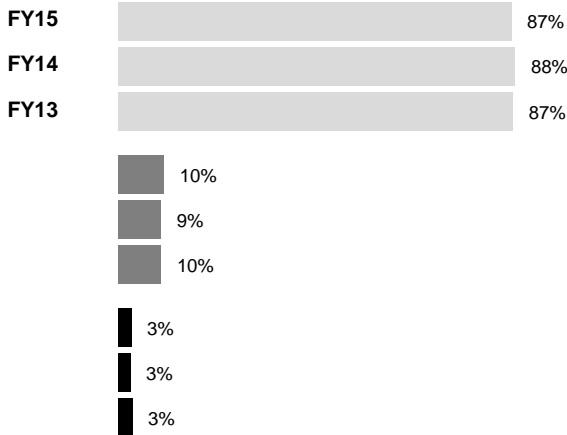
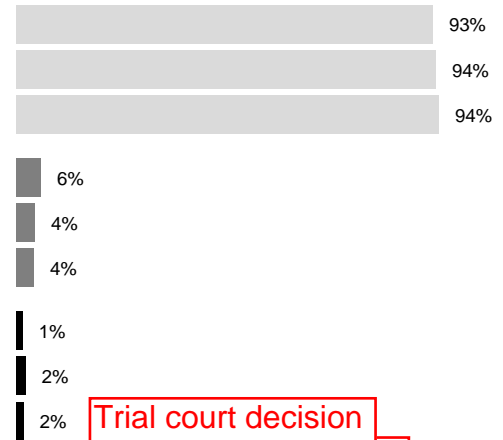


Figure 23: Criminal appeals by defendants



Trial court decision affirmed: 80%

Figure 24: Criminal appeals by prosecution

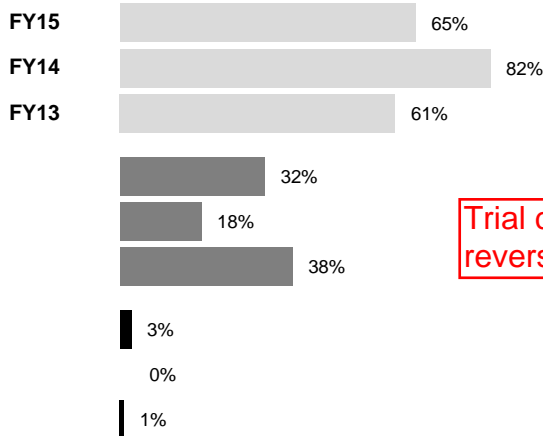
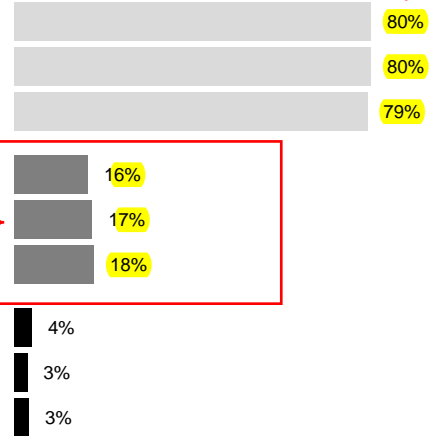


Figure 25: Civil appeals



Trial court decision reversed: 17%

Figure 26: Juvenile appeals (criminal violation)

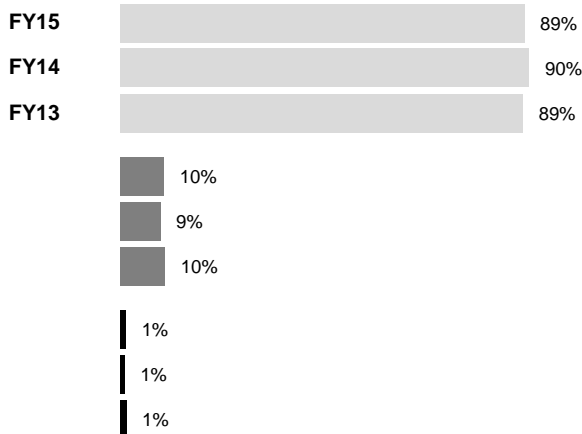
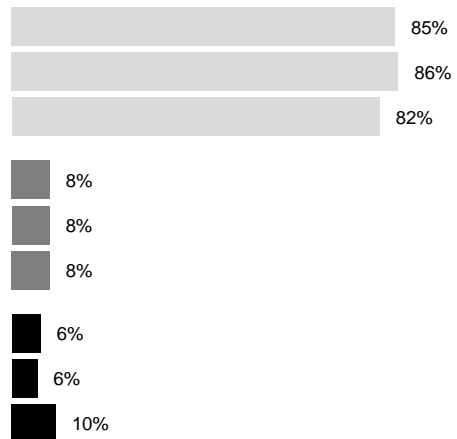


Figure 27: Other juvenile appeals



Civil Appeals: Time From Notice of Appeal to Filing Opinion

(90th Percentile and Median)

Fiscal Year 2014–15

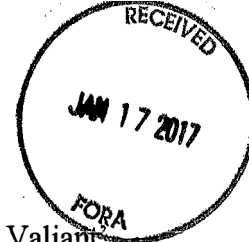
<u>Court District</u>	<u>Division</u>	<u>Location</u>	90% of Appeals Processed Within (days)	Median Time in Days
Second	6	Ventura	667	423
Second	5	Los Angeles	671	431
Second	8	Los Angeles	696	449
Second	4	Los Angeles	725	457
Second	2	Los Angeles	657	459
First	1	San Francisco	778	464
First	5	San Francisco	701	479
Fourth	1	San Diego	832	487
First	3	San Francisco	934	499
Fifth		Fresno	713	507
Second	1	Los Angeles	780	510
Second	7	Los Angeles	805	511
Statewide			846	518
Fourth	3	Santa Ana	844	518
First	2	San Francisco	762	526
Second	3	Los Angeles	785	548
First	4	San Francisco	945	639
Sixth		San Jose	998	653
Fourth	2	Riverside	952	657
Third		Sacramento	1,107	693

From: [Oureshi, Mohammad x3009](#)
To: [City of Carmel-by-the-Sea AICP Public Works Director](#); [City of Marina City Manager](#); [City of Pacific Grove Public Works Superintendent](#); [City of Salinas Public Works Director](#); [City of Sand City](#); [City of Seaside City Engineer](#); [FORA Board](#); [Debbie Hale](#)
Subject: Webinars on Roundabout Design on Operations
Date: Monday, January 23, 2017 1:30:44 PM

Colleagues,

The County of Monterey RMA Public Works has purchased two 90 minute webinars on February 3 and 10 on the design and operation of Roundabouts. We have purchased a site license and can accommodate as many as will fit in our Monterey Room. The webinars can only be viewed at our site. However, we are happy to have you join us if you so desire.

I will be forwarding a meeting invite for both webinars to you shortly after sending this email. Please feel free to share with appropriate members of your staff.



Supra, Oversight Committee of My Appointing, Selection

In the least, The Honorable Ms. 'Jane's to whom I am acquainted of 'Tarzan', 'Prince Valiant', et alii

In the least, of the Aforementioned, Fort Ord, et alii, Reuse Authority; Supra, et alii, In limine, my library

920 2nd Ave., Suite A

Marina, California 93933-6009

January 12, 2017

Subjects of pre Fort Ord, Fort Ord, and the Fort Ord Base Realignment and Closure, are of elements of present, as of today, January 11, 2017, injury to a sample space representation of person, place, or thing.

Subjects are participant to double(s), mock, staged, affect, uninvited, Church and State, private and public, non-juris elements of preemptive generational besillier, bio-terrorism, extortion, kidnapping, target molecule abuse, et alii, by which subjects are of other injuries.

GENERAL BACKGROUND.

Preemptive unaccompted rehearsals of non-juris, public piracy, and invasions of privacy, by which to effect affect effect (sic) is first-hand observed to be comprised of National Institute of Health, The National Security Agency, Federal Emergency Management Agency and pre Constitution based elements of libel, slander, unethical and immature unremedied tortures subjects are of recurrently amongst sample spaces of person, place, or thing... of which some sample spaces are categorized as crises, though genuinely recurrent isolations without remedy for the subjects' injuries.

My father and I cite, for each other, in invitum, ourselves as qualified professional human rights observers with foreign and domestic, public and private, experience extended beyond twenty Early Regular Active Duty Service sidereal years.

My father is of a classified and protected lineage. He is to be neither classified nor indexed in the manner, as subjects have - literally using errors ad absurdum and error of availability, invasion of privacy and infrastructure sabotage, by which prevalent and current infrastructure is foreign or domestic game, gift, society, et alii, based by which to deny themselves proper function.

SPECIFIC BACKGROUND

Subject sample space person, place, or thing of ambassador appointments, electoral, Exercise, et alii, of Crises, predatory stalked... raided... invaded... my nursery and library... organized and executed unauthorized, FCC based, popularization consensus ratings based, rude, illicit, irritant based, NBC based, besillier based, unethical, indexing group predatory sieges... of which some include rape, et alii, of family member(s). These subjects organized through a quasi and pseudo uniformed services, the socio-economies of Church and State in Africa, Atlantic Ocean, California, Canada, Cuba, Florida, Germany, Iceland, Korea, New York, Oklahoma, Pacific Ocean, Tennessee, Wyoming, the early warning system, et alii, and through recurrent epigenetic sabotage. Of this sample space are subjects preemptive of presidential Church and State social activities, which intersect gubernatorial and broadcast events of Camp, non-juris in-law, and

invention. Subjects cultivated an advantage of the aforementioned through Society, barratry and predatory church basement, Pentagon, intersecting encyclopedia cited topics, and intersecting information systems to deployed non hygienic satellite and GPS based "gay" (sic, as in "why don't you... there is a man in the... who... (makes lots of money)... "over there"... signal corps based... inappropriate zoological based physician behaviors of embassy based unaccompted events used to cause epigenetic NIH directed epidermal library, park, and nursery preemptive injuries. France, and other University systems, aided and abetted such through aerospace, et alii. Male subjects, advancing unauthorized, uninvited contact, or previous consensus feign, include alter, camp, chancellor, gym clothes, doorbell, film, insurance, maple, sitter, snipe, et alii. Primarily, these subjects predatory preemptive stalked with the assistance of teachers, et alii, who assisted with the ruin of my father's library and the taking of books, classified papers, et cetera, thereof. At least one subject of what are adult teacher sponsored riots and invasions of privacy, which subjects cultivated through the electoral, dispersions, and stockpiles, used such process to preemptively injure the Conference and Treaty aerospace and defense industry of populations about which books are published.

SPECIFIC RECURRENT BACKGROUND

Subjects are preemptive of using the Lake park and Library process of a US Indonesia and China and Russia, North Pole expedition and theater based subject, self-citing, amongst the populace of subjects self-citing themselves to be relatives, educators, in-laws, et alii, "I am Satan"; the barratry, besillier, case law, destruction, and ruin to DD214 records effect is generational.

INJUNCTION

I am to direct regional, international, et alii, correction to the records of my father and I. Subjects are to remedy.

JUSTIFICATION

Language saboteurs, et alii, violated in invitum with (sic) curia regis via the national and international, library and monument process of which subjects are cave (cave!) (sic) saboteurs. Males predatorily and preemptively stalked the recreation items of a female sibling as a basis for physical sabotage, doing so similarly with me and my father, et alii, of which subjects have been recurrent through piracy, et alii.

A finance and cache subject isolated the female victim in closets, by which to signal neighboring male and female stalkers, of which some were "authority"... (cave!) "why do you fear authority?" male use of the word during intentional physiological epigenetic abuses of hygienic functions and abusive female coach and teacher isolations of victim in diseased regions; in these regions, Secretary of State subjects were causal of unremedied throughput resultant of torture chambers upon which subjects are, as of today, predatory.

As of today, subjects making comments related to elements of injury and proximity, are stalking me based upon gaming and pseudo, non-juris, in-law itemizations and partitioning elements of accusation, libel, slander, et cetera, which are reflections of the behaviors of the populace responsible for injuries cited in scholarly publications and journals, of which some entries are, adulterated and the effect of the international agency populace causing the injuries. Male subjects

Confidential, Sensitive: Top Secret

of behaviors different than mine, and their offspring and parental functions predominate in this FBI, Senate, agent, NIST, Prague, Hague, et alii, 'Bounty', 'Honey', sponsored terrorism against me and consanguinity.

DW von Kleckner

DW von Kleckner

210 Osceola Lane

Monticello, Florida 32344

From: [Ahmed Bukhari](#)
To: ahmedbukhari817@gmail.com
Subject: Seeking Opportunity as a Linux UNIX Windows VMware or Netbackup Admin
Date: Monday, January 09, 2017 12:15:46 PM
Attachments: [Ahmed Resume Linux 1.2.docx](#)

Dear Sir/Madam,

I am seeking a new opportunity as a Linux, UNIX, Windows, VMWare or Netbackup admin. My most updated resume is attached. Please let me know if you come across any possible position.

Thank you,

Ahmed

From: [Thom Atkinson](#)
To: [FORA Board](#)
Subject: Land Purchase for a business
Date: Wednesday, January 04, 2017 6:15:39 PM

To the Esteemed Board,

I am a Veteran interested in purchasing a tract of land for a business. How do I go about this?

Thank you,

Thom Atkinson
(408) 425-7332

From: [Rachael McFarren](#)
To: [FORA Board](#); [Michael Houlemard](#); [Dominique Jones](#); [Jon Giffen](#)
Cc: [Molly Erickson](#)
Subject: Brown Act Violations
Date: Wednesday, January 04, 2017 4:02:47 PM
Attachments: [17.01.04.FORA.BOD.ltr.to.pdf](#)

Chair O'Connell and Members of the Fort Ord Reuse Authority Board of Directors:

Attached please find correspondence from Molly Erickson.

Thank you.

Rachael McFarren
Paralegal
STAMP | ERICKSON
479 Pacific Street, Suite One
Monterey, CA 93940
tel: 831-373-1214
fax: 831-373-0242

Michael W. Stamp
Molly Erickson

STAMP | ERICKSON
Attorneys at Law

479 Pacific Street, Suite One
Monterey, California 93940
T: (831) 373-1214
F: (831) 373-0242

January 4, 2017

Chair Frank O'Connell
and Members of the Fort Ord Reuse Authority Board of Directors
Fort Ord Reuse Authority
910 2nd Avenue
Marina, CA 939933

Re: Brown Act Violations

Dear Chair O'Connell and Members of the Fort Ord Reuse Authority Board of Directors:

FORA seems to have a problem complying with the Brown Act. We and Keep Fort Ord Wild need clearer agendas, so we know what is being discussed by FORA committees. The Brown Act sets minimum standards which agencies can exceed in the public interest. FORA is not meeting the minimum standards. Here are examples of recent problems:

- FORA often fails to state for closed session items the specific authorizing paragraph of Government Code section 54956.9, subdivision (d), that authorizes the closed session. That is required information. FORA often fails to stating with specificity the information required to be stated pursuant to subdivisions (e)(2) and (e)(3) of the section. For example, the draft agenda for the January 2017 FORA Board meeting lists closed session item 2.c as "Potential Litigation" with no further information.
- The FORA Executive Committee meeting agenda for January 4, 2017 describes item 4.a as a "Closed Session" without any detail or citation to section 54956.9 or compliance with several material terms of that section.
- Absent special circumstances, the Brown Act requires FORA to use a short description of less than 20 words to provide essential information about the item to members of the public. (Gov. Code, sec. 54954.2.) FORA, like all legislative bodies, is free to provide a more detailed description and should do so. However, the January 4 Administrative Committee agenda contains this item:

7. BUSINESS ITEMS

- a. Capital Improvement Program
 - i. Development Forecasts Request
 - ii. Caretaker Costs Reimbursement Policy

That description is not adequate. No proposed action is described, if FORA intends to take any action. The agenda report is dated November 2016; that report was already considered by the Committee at its

November 2016 meeting. There is no report for January 4, 2017. The outdated report does not mention "Caretaker Costs Reimbursement policy."

- FORA repeatedly states on agendas a recurring item described solely as "items from members." It is not clear to anyone what is meant by that vague description and whether any items will be discussed or action will be taken, if FORA intends to take any action.

FORA's meeting minutes also have problems. For example, the minutes for the item at the December 2016 Board meeting, "Consistency Determination: Del Rey Oaks Monument RV Resort 2nd Vote" state "There were no comments from the Board or the public." That is not accurate. Our office submitted a comment letter to the FORA Board prior to the meeting. As written, the minutes are potentially misleading. If the intent is to reflect oral comments only, the minutes should so state.

KFOW asks FORA to take immediate action to correct the numerous violations. If you want to meet, KFOW is willing to meet with you. We ask that you include your attorney in addressing these notification standards. Thank you.

Very truly yours,

STAMP | ERICKSON



Molly Erickson

cc: Jon Giffen