

LOS ANGELES

LAW OFFICES
COTCHETT, PITRE & MCCARTHY, LLP
SAN FRANCISCO AIRPORT OFFICE CENTER
840 MALCOLM ROAD
BURLINGAME, CALIFORNIA 94010
TELEPHONE (650) 697-6000
FAX (650) 697-0577
www.cpmlegal.com

NEW YORK

March 5, 2018

Via Mail and E-Mail

John C. Clune
Hutchinson, Black & Cook, LLC
921 Walnut St., Suite 200
Boulder, CO 80302

Re: Michele Dauber

Dear Mr. Clune,

I write on behalf of the Honorable LaDoris Cordell, in response to your letter of March 1, 2018. Any future communications on this matter should be directed to me.

Your threats of legal action against Judge Cordell are legally and factually baseless. You left unclear what “public statements” inspired your letter, but Judge Cordell has certainly never made any statements along the lines of what you suggest.

I understand that your practice is based in Colorado, so you may not be familiar with California Code of Civil Procedure § 425.16, *et seq.*, which we commonly refer to as the “Anti-SLAPP” statute. It broadly prohibits “lawsuits brought primarily to chill the valid exercise of the constitutional rights of freedom of speech,” and was specifically crafted by our legislature to discourage threats of the type made in your letter.

As I am sure your client agrees, the issues surrounding her efforts to recall Judge Persky deserve fair and open debate, not shallow attempts to intimidate the opposition into silence.

Yours truly,


Justin T. Berger