



FRANK ♦ WEINBERG ♦ BLACK

November 17, 2014

Andrew D. Levy
Hofit N. Lottenberg
Joel M. McTague
Constantina A. Mirabile
Harry P. Mirabile
Randy J. Nathan
Marc A. Silverman
Robert T. Slatoff
Maria P. Spiliopoulos
David Neal Stern
Leanne B. Wagner
Steven A. Weinberg

Jill B. Berkman
David W. Black
Edward B. Deutsch
Steven W. Deutsch
Steven C. Elkin
Neil G. Frank
E. J. Generotti
Jacqueline A. Grady
Leorah G. Greenman
Bruce Hurwitz
Michael A. Kammer
Michael Kassower
Gary W. Kovacs

Via Certified Mail 7013 2630 0001 2526 6444
And US Mail

Jan Bergemann
Cyber Citizens for Justice, Inc.
1156 Tall Oaks Rd.
Deland, FL 32720

RE: The Broward Coalition of Condominiums, Home Owners Association &
Community Organization, Inc. (the "Broward Coalition")
Our File No. 9990.000

Dear Mr. Bergemann,

Be advised that we represent the Broward Coalition.

We are writing to notify you that your unlawful copying of my client's copyrighted work (as per attached) infringes upon our client's exclusive copyrights. Accordingly, you are hereby directed to

CEASE AND DESIST ALL COPYRIGHT INFRINGEMENT.

The Broward Coalition is the owner of a copyright in various aspects of the advertisement located at <http://www.ccfj.net/CCFJBCUnleashLawyers.htm> on your website. Under United States copyright law, the Broward Coalition's copyrights have been in effect since the date that the Broward Coalition's artwork was created. All copyrightable aspects of my client's copyrighted works are copyrighted under United States copyright law.

It has come to our attention that you have been copying the advertisement on your website, specifically at <http://www.ccfj.net/CCFJBCUnleashLawyers.htm>. We have copies of your unlawful copies to preserve as evidence. Your actions constitute copyright infringement in violation of United States copyright laws.

Under 17 U.S.C. 504, the consequences of copyright infringement include statutory damages of between \$750 and \$30,000 per work, at the discretion of the court, and damages of up to \$150,000 per work for willful infringement. If you continue to engage in copyright infringement after receiving this letter, your actions will be evidence of "willful infringement."

We demand that you immediately (A) cease and desist your unlawful copying of my client's copyrighted works and (B) provide us with prompt written assurance within ten (10) days that you will cease and desist from further infringement of the Broward Coalition's copyrighted works.

If you do not comply with this cease and desist demand within this time period, the Broward Coalition is entitled to use your failure to comply as evidence of "willful infringement" and seek monetary damages and equitable relief for your copyright infringement. In the event you fail to meet this demand, please be advised that the Broward Coalition has asked us to communicate to you that it will contemplate pursuing all available legal remedies, including seeking monetary damages, injunctive relief, and an order that you pay court costs and attorney's fees. Your liability and exposure under such legal action could be considerable.

Before taking these steps, however, my client wished to give you one opportunity to discontinue your illegal conduct by complying with this demand within ten (10) days. Accordingly, please sign and return the attached Agreement within ten (10) days to the undersigned.

Furthermore, the editorial comment surrounding the copyright infringement is false, defamatory and slanderous. You are hereby warned and notified to **CEASE AND DESIST** making false, defamatory and slanderous remarks regarding the Broward Coalition, its officers and directors.

It has come to our attention that false statements were made by you and posted on the website. Specifically, you refer to two members in particular, Patti Lynn and Mary Macfie, and their "dictatorial reach".

The statements made by you regarding the Broward Coalition are false, defamatory, constitute tortious interference with business, and as such, are actionable under Florida law.

If our client is forced to commence a lawsuit against you in order to stop continued false and defamatory statements, be advised that we will seek recovery of all attorneys' fees and costs incurred herein as a result. While we certainly hope this is not necessary, we are prepared to pursue whatever

avenues are necessary on behalf of our client to stop the continued false and defamatory statements made against the Broward Coalition by you.

GOVERN YOURSELF ACCORDINGLY.

FRANK WEINBERG & BLACK, PL

A handwritten signature in black ink, appearing to read "Joel Martin McTague", with a long horizontal flourish extending to the right.

Joel Martin McTague, Esq.
For the Firm

Enclosure

cc: Client

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