

From: [Jeffrey H. Reeves](#)
To: [Steven L. Weinberg](#)
Cc: "[Christopher L. Pitet](#)"; [Rachael Schiffman](#)
Subject: RE: Defamatory Statements About Mohamed Hadid – CEASE AND DESIST
Date: Monday, June 21, 2021 4:25:31 PM
Attachments: [image002.png](#)

Steven,

Your accusation that Mr. Hadid is trying to “chill your protected speech” is off base. Libel, slander and defamation are not forms of protected speech, as you know. We will be happy to adjudicate that in connection with your threatened anti-SLAPP motion.

Of course, we have no interest in chilling your *truthful* speech, and to that end, I write now to take you up on your “compromise” offer below. Specifically, you have offered to post a statement clarifying your prior posts regarding Mr. Hadid’s property rights. While I have my doubts about your genuine willingness to set the record straight -- given all of your past disparagement of my client, and even your very recent posts accusing him of lying to the Bankruptcy Court – my client is willing to give you that chance.

Here is a statement that, if posted, would dissuade Mr. Hadid from pursuing a defamation case against you at this time based on the facts as he now understands them:

RETRACTION AND CORRECTION OF PRIOR FALSE OR MISLEADING STATEMENTS BY STEVEN WEINBERG AND HILLSIDES AGAINST HADID:

Following receipt of a June 16, 2021 cease and desist letter from Mr. Hadid’s counsel, which I posted here that same day, I have come to understand that some of my prior posts on this site and other social media have been misunderstood, and may have been misleading. I therefore make this post now to try to set the record straight.

1. I asserted in my June 16 email to Mr. Hadid’s counsel, which I republished that same day on this site, that Mr. Hadid had “multiple criminal convictions for building code violations”. In fact, that is not true. One criminal case that was brought against Mr. Hadid; that was in 2015. All charges were dismissed in September of 2020. He does not have, and never had, “multiple criminal convictions”.
2. I have on more than one occasion posted statements here saying that “Hadid closed Hastain Trail”, and stated that he did so to “begin bulldozing Franklin Canyon Park”. Here is one example:

May 27, 2021 @ 1:15 P.M:

We are saddened to report that as of 1:15 p.m. today, **Hadid closed Hastain Trail to begin bulldozing Franklin Canyon Park** to make way for five more mega-mansions. Say goodbye to Franklin Canyon Park and Hastain Trail.

In fact, those statements are not true. Let me explain. The trail referred to by me and some as the “Hastain Trail” does not run through Mr. Hadid’s property. No public hiking trail at all

runs through Mr. Hadid's property. There is a fire road that runs through Mr. Hadid's property that some refer to as the "Hastain Trail", but in fact, that road is not a public easement and the public has no right of access to that road or any part of Mr. Hadid's property. This fact was made clear by the Court of Appeals decision on July 17, 2016 in the case styled as *Friends of the Hastain Trail v. Coldwater Development LLC*, Case Nos. B249841, B251814, 1 Cal. 5th 1013 (2016). The Court held in that case that Mr. Hadid's property is privately owned and that the public has **no right of access** to the Property. Any statements posted on this website or other social media suggesting otherwise have been misunderstood or misinterpreted. If Mr. Hadid chooses to close the gates to his property, that is not the equivalent of him "closing Hastain Trail", and it was incorrect for me to say or suggest that he had done that.

I also said that Mr. Hadid had begun "bulldozing Franklin Canyon Park". That statement was false. Mr. Hadid does not own "Franklin Canyon Park". No part of Franklin Canyon Park overlaps with any of Mr. Hadid's property. Therefore, Mr. Hadid has no rights to "bulldoze" the park, nor has he bulldozed it.

3. I am aware that the following "Notice" has been posted at or near Mr. Hadid's property, with my knowledge and consent, on numerous occasions:



The signs state that "the public's access" to a supposed hiking trail running through Mr. Hadid's property "will terminate". I did not intend by these statements to suggest or imply that members of the public had any **legal right** to access the property, only that I was aware that people were in fact entering Mr. Hadid's property absent a legal right to do so. They do not have that right. There is no public right to access Mr. Hadid's property. These signs also perpetuate a misunderstanding that there is a hiking "trail" running through Mr. Hadid's property, or that there is some "destination" to be reached by hikers who choose to walk through that property. That is not accurate. There is a **fire road** running through the property, **not a public trail or easement**. This fact was conclusively decided by the California Court of Appeal in the *Hastain Trail Litigation*.

4. I also stated in my June 16 email to Mr. Hadid's counsel, which I republished on social media, "that access would be ending by way of Mr. Hadid's development plans, including

pending applications for building permits". That is not accurate. The public's access to Mr. Hadid's property is ending – if he exercises his rights to end it – solely because he chooses for it to end, not because of any current plans to develop anything.

5. Finally, I am aware that users of this website have discussed specific ways to access Mr. Hadid's property, including by crawling under fences and gates, and by using bolt cutters and otherwise taking steps to damage or destroy the gates and fences he has erected at entrances to his property. Please understand that no one has the right to access or roam on Mr. Hadid's private property without his consent, much less to vandalize or destroy his fences, gates and "No Trespassing" signs, and I and Hillsides Against Hadid not only do not condone such behavior, but we actively encourage all who follow this site to refrain from engaging in such behavior in the future.

I want to offer my sincere apologies to Mohamed Hadid for any misunderstandings or unlawful conduct caused or encouraged by my and Hillsides Against Hadid's prior statements about him.

Please let me know whether you are willing to post this retraction, and if so, when we can expect to see it.

Sincerely,

Jeff

Jeffrey Reeves

Attorney at Law



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Email: jreeves@tocounsel.com
Bio: Jeffrey H. Reeves
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Please consider the environment before printing this e-mail.

From: Steven L. Weinberg [<mailto:steven@weinlawgroup.com>]
Sent: Thursday, June 17, 2021 12:49 PM
To: Jeffrey H. Reeves
Cc: 'Christopher L. Pitet'; Rachael Schiffman; Christopher J. Harney; Samuel G. Fogas; Kimberly Spake
Subject: RE: Defamatory Statements About Mohamed Hadid – CEASE AND DESIST

[EXTERNAL: This message originated outside your organization.]

Hi Jeff:

Thanks for your email. Suffice it to say, I disagree. Let's be very clear; access to your client's property has never been "unlawful" since your client freely allowed it. At any time, he could have put up signs that said "Greetings! I am Mohamid Hadid. [This is my private property.](#) Feel free to hike and enjoy for now but please be advised that

since this is my private property, I can end your access at anytime without notice. Have fun and be kind." Apart from something like that, people hiking the Hastain Trail (as it has been marked on maps and known for decades) could reasonably assume they were not trespassing on anyone's land or breaking any law by using it, having zero to do with me or my yard signs.

You and your client are now attempting to chill my protected speech which is lawfully aimed at educating the public and changing existing laws for the public good. The statement I proposed to post as a compromise is still on the table and I'm happy to discuss it further and work with you together to fashion something acceptable to all.

Apart from that, if you want to serve a complaint on me by email (I am HillsidesAgainstHadid.org) it will be accepted without your client incurring the expense of a process server. I strongly discourage that course of action because, among other things, I will be seeking attorneys' fees on the Anti-SLAPP motion which I believe will be granted without much fanfare.

Candidly, instead of bullying me and a grassroots organization with a lawsuit, your client should focus on more redeeming things at this moment in time. I am willing to help there too.

Happy to talk further Jeff.

Best regards,

Steven

Steven L. Weinberg



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From: Jeffrey H. Reeves [<mailto:jreeves@tocounsel.com>]

Sent: Thursday, June 17, 2021 12:07 PM

To: Steven L. Weinberg

Cc: 'Christopher L. Pitet'; Rachael Schiffman; Christopher J. Harney; Samuel G. Fogas; Kimberly Spake

Subject: RE: Defamatory Statements About Mohamed Hadid – CEASE AND DESIST

Steven,

While I appreciate your prompt reply, and sincerely appreciate the proposal at the end of your email to make a public statement in an effort to try to resolve this dispute, I feel compelled to respond to some elements of your email to point out how unpersuasive your arguments are.

First, you dismissively refer to the signs you have posted at Mr. Hadid's property as mere "yard signs". But you personally have repeatedly published and republished the false and misleading statements contained in those signs to hundreds of thousands of followers, accessible by potentially millions of viewers, on your

various social media platforms. This is no trivial matter, and for you to assume otherwise would be a mistake.

Second, your efforts to downplay the clear import of your statements are unconvincing. The signs state that “the public’s access” to a supposed hiking trail running through Mr. Hadid’s property “will terminate”. You apparently intend to argue to the judge and jury in this case that your references to “public access” to Mr. Hadid’s property were merely intended to refer to the continuing unlawful trespassing upon that property (that you were not only aware of, but also condoned), not a statement of fact that the public had a **legal right** to access the property. Okay, if that’s your defense, so be it. But I think there is little doubt that objective observers of these statements, including a judge, will understand them as you intended them to be understood – that the public had a continuing right to roam the property freely and now Mr. Hadid is somehow wrongly putting an end to that practice.

Put another way, that the public regularly unlawfully entered upon the property does not change the reality that you knew that access was unlawful, yet you perpetuated the misunderstanding that such access was ongoing (thereby at least **implying** that it was indeed permitted), and that you promoted the false narrative that Mr. Hadid was somehow acting inappropriately by bringing that access to his private property to an end. Your signs also intentionally perpetuate another falsehood, which is that there is a hiking “trail” at all running through the property, or that there is some “destination” to be reached by hikers trespassing through the property. As you well know, there is a fire road running through the property, not a public trail or easement. But you intentionally omit this fact from your posted signs and other published messages. The incomplete presentation of facts can **imply** an actionable false assertion of fact. *Milkovich*, 497 U.S. at 19. It is well established that “defamation **by implication** stems not from what is literally stated, but what is implied.” *White v. Fraternal Order of Police*, 909 F.2d 512, 518 (D.C. Cir. 1990)(emphasis added).

Third, your statement in your June 16 email to me “that access would be ending by way of Mr. Hadid’s development plans, including pending applications for building permits”, is also false. The unlawful access to Mr. Hadid’s property is ending – if he exercises his rights to end it – solely because he chooses for it to end, not because of any current plans to develop anything.

Fourth, that you would seek to use the “democratic process” to end a land-owner’s lawful right to develop property that was bought and paid for with the understanding that it could be developed belies your self-serving statements that you have nothing against Mr. Hadid. You mean to harm him, and to harm him specifically. And you have succeeded. He has been the sole target of your “grass roots movement” for many years now, despite the permitting and building of dozens of homes by other builders and owners along that same ridgeline over the past 15 years. Other elements of your email also clearly illustrate your personal animosity toward my client. For example, you claim as though it is a matter of fact that Mr. Hadid has “multiple criminal convictions”. That is simply not true. The single criminal case that was brought against him in 2015 was dismissed in September of 2020. He does not have and never had “multiple criminal convictions”. I would strongly caution you against ever repeating that allegation publicly.

In sum, we are not moved by your email. But as I said at the outset, I do sincerely appreciate your professed willingness to try to clarify your position for the public. I think my letter was clear as to the content of the retraction and statements that you would need to post in order to avoid litigation. If you would like to send me a draft of a proposed public statement (within the time parameters set forth in my letter), we would be more than be happy to consider it and discuss any concerns or comments we may have regarding the statement.

Sincerely,

Jeff

Jeffrey Reeves

Attorney at Law



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Please consider the environment before printing this e-mail.

From: Steven L. Weinberg [mailto:steven@weinlawgroup.com]

Sent: Wednesday, June 16, 2021 6:37 PM

To: Jeffrey H. Reeves

Cc: 'Christopher L. Pitet'; Rachael Schiffman; Christopher J. Harney; Samuel G. Fogas; Kimberly Spake

Subject: RE: Defamatory Statements About Mohamed Hadid – CEASE AND DESIST

[EXTERNAL: This message originated outside your organization.]

Hi Jeff:

Thank you for your letter. I think you are mistaken. I have never once stated that the public had a right of access to any of Mr. Hadid's properties. Rather, my communications have only asserted facts that the public had access to Mr. Hadid's properties and that access would be ending by way of Mr. Hadid's development plans, including pending applications for building permits. There is nothing false nor defamatory in those assertions. As for statements made on various social media by third parties, we disagree they are defamatory but in any event, they are neither endorsed nor approved by me and you are welcome to pursue those individuals as you see fit.

As for Mr. Hadid's reputation in the community, that has been self-made. Mr. Hadid's folly at Strada Vecchia (including criminal convictions for building code violations) has been reported worldwide and is well known. Thus, Mr. Hadid's reputation is not of my making or breaking.

The same holds true for Mr. Hadid's present business circumstances and apparent difficulty in attracting new partners for his grand ventures; those stem from a series of risky business maneuvers, public bankruptcies and a breathtaking portfolio of unpaid judgments and liens (including tax liens) in the tens of millions of dollars. Given this background, I don't think anyone will be convinced that a couple of (truthful) yard signs had any effect on Mr. Hadid's eventual fate.

The stated goal of my grassroots organization (and all related social media) is to raise awareness of the circumstances and work with elected public officials to encourage meaningful changes in zoning regulations to better serve the public and to protect the environment. I have never encouraged nor condoned lawlessness.

Notably, even in the cherry-picked screen captures you included in your letter, as soon as a visitor mentioned or encouraged trespass or vandalism of Mr. Hadid's private property, I specifically warned them: **"To be crystal clear, Hadid owns all of the land and can put up gates anytime he desires. As much as we oppose this (and are working with officials to restore access) bypassing the gates is at your own risk."**

Jeff, I have nothing against Mr. Hadid nor reasonable development in this community that preserves the natural beauty of the hillsides and ridgelines for generations to come and enjoy. My agenda is to use the democratic process to make meaningful change through legislation. Having said that, in addition to already posting a copy of the Friends of Hastain Trail Court of Appeal decision for visitors of my social media to review and consider when deciding what to do for themselves, I am happy to discuss with you posting an additional statement further clarifying that the property is private property owned by Mr. Hadid and that while the public had access to hike and recreate upon it for decades prior to Mr. Hadid's ownership (and Mr. Hadid has allowed access since purchasing it), it has always been with the caveat that Mr. Hadid could end access anytime he desired.

Please call me if you wish to discuss. Thank you very much.

Best regards,

Steven

Steven L. Weinberg



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From: Kimberly Spake [mailto:kspake@tocounsel.com]
Sent: Wednesday, June 16, 2021 4:57 PM
To: Steven L. Weinberg; 'info@hillsidesagainsthadid.org'
Cc: Jeffrey H. Reeves; 'Christopher L. Pitet'; Rachael Schiffman; Christopher J. Harney; Samuel G. Fogas
Subject: Defamatory Statements About Mohamed Hadid – CEASE AND DESIST

Please see attached correspondence, sent on behalf of Jeff Reeves. Original to follow via FedEx.

Thank you,

Kimberly

Kimberly Spake

Assistant to Robert C. Briseño, Jessica Hernandez Diotalevi, Jeff Reeves and Kevin Royer.



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