



Richard Williams <richard.williams@lacity.org>

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**Please upload the attachment as Communication from public to CF 12-1269-S5**

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**Eric Preven** <esp3800@aol.com>  
To: richard.williams@lacity.org  
Cc: holly.wolcott@lacity.org

Fri, Dec 14, 2018 at 11:52 AM

Kindly confirm receipt. Please do not redact my email address [esp3800@aol.com](mailto:esp3800@aol.com)

Regards,

Eric Preven  
CRD2  
818-762-7719  
818-645-2616 mobile



**Cure and correct 12-1269-S5.pdf**  
387K

Holly Wolcott  
City Clerk City of Los Angeles  
Herb Wesson  
Council President  
Mayor Garcetti  
Mike N. Feuer  
City Attorney

12/13/2018

200 N. Spring Street  
Los Angeles, CA 90012

This letter is to call your attention to violations of central provisions of the Ralph M. Brown Act (California Government Code Sections 54950, et seq.) and the California Public Records Act (GC 6250, et. seq.), both which may jeopardize the finality of the action taken by the Los Angeles City Council. The nature of the violations is as follows:

At the Rules Committee meeting on December 11, 2018, the committee took comments on Item 1 — Council File # 12-1269-S5. After taking public comment, the Council President made an alternate motion to the one being considered, and substantially changed the item. It was the very last thing he did in the meeting and he did not provide an opportunity for comment on the substantial changes.

Government Code, § 54957.5 requires that the Council provide the public all background memoranda and other materials relating to the item. Nothing was circulated in the meeting.

At a full City Council meeting the following morning, December 12, 2018, the Los Angeles City Council took action and approved an Item 9 — Council File # 12-1269-S5.


**The Brown Act Has Been Violated.**

Members of the public had signed up to address the substantially changed item that contained additional elements, but were denied that opportunity at council. The item was not re-opened up for public comment as is required by the law. Not providing public comment before or during consideration of a substantially changed item is a violation of the Brown Act.

**Demand to Cure and Correct.**

As a result of the foregoing, the ordinance approval must be invalidated, and the actions taken must be rescinded within 15 days. If City Council does not Cure and Correct this violation by holding a meeting duly noticed for the public in compliance with the Brown Act, and rescind within 15 days, the actions taken, we will pursue all available remedies under the Brown Act, including the filing of a petition for writ of mandate, in which case I would also ask the court to order you to pay my court costs and reasonable attorney fees in this matter, pursuant to Section 54960.5.

Respectfully yours,

  
Eric Preven  
CRD2  
818-762-7719  
818-645-2616 mobile

## CLAIM FOR DAMAGES TO PERSON OR PROPERTY

CLAIM NO. \_\_\_\_\_

### INSTRUCTIONS

1. Claims for death, injury to person or to personal property must be filed not later than six months after the occurrence. (Gov. Code Sec. 911.2)
2. Claims for damages relating to any other type of occurrence must be filed not later than one year after the occurrence. (Gov. Code Sec. 911.2)
3. Read entire claim before filing. Claim can be mailed or filed in person. No faxes accepted.
4. See Page 2 for diagram upon which to locate place of accident.
5. This claim form must be signed on Page 2 at bottom.
6. Attach separate sheets, if necessary, to give full details. SIGN EACH SHEET.
7. Fill out in duplicate. ONE COPY TO BE RETAINED BY CLAIMANT.
8. Claim must be filed with CITY CLERK, (Gov. Code Sec. 915a)  
300 NORTH SPRING STREET, ROOM 396, CITY HALL, LOS ANGELES, CA 90012

TO: CITY OF LOS ANGELES

55

Name of Claimant

Eric Preven

Age of Claimant

Home address of Claimant

3758 Reklaw Drive

City, State and Zip Code

Studio City

Home Telephone Number

818-762-7719

Business address of Claimant

n/a

City, State and Zip Code

Business Telephone Number

Give address to which you desire notices or communications to be sent regarding this claim:

n/a

How did DAMAGE or INJURY occur? Please include as much detail as possible.

**First Amendment violation; refusal to properly take public comment at City Council on substantial changes in compliance with Brown Act.**

When did DAMAGE or INJURY occur? Please include the date and time of the damage or injury.

**On December 12, 2018 at a council meeting the Brown Act was violated and so the right to redress government was improperly inhibited. Section 1983. Also violation of council Rule 93, an exercise in due process inhibition.**

Where did DAMAGE or INJURY occur? Please describe fully, and locate on the diagram on the reverse side of this sheet.

Where appropriate, please give street names and addresses or measurements from specific landmarks:

**Mayor Garcetti's Temple of Democracy: at the microphone that makes us all equal #blumenfield's nose — A**

What particular ACT or OMISSION do you claim caused the injury or damage? Please give names of City employees causing the injury or damage and identify any vehicles involved by license plate number, if known.

**Herbert Wesson violates the Brown Act with impunity. He has blown through millions in decorum battles when the public object to his strong arm tactics.**

Please list the names and address of Witnesses, Doctors and Hospitals:

**Pattern of targeting critics and denial of public comment rights.**

SEE PAGE 2 (OVER)

THIS CLAIM MUST BE SIGNED ON REVERSE SIDE

What DAMAGE or INJURIES do you claim resulted? Please give full extent of injuries or damages claimed:

## Suppression of Press and Open Speech rights.

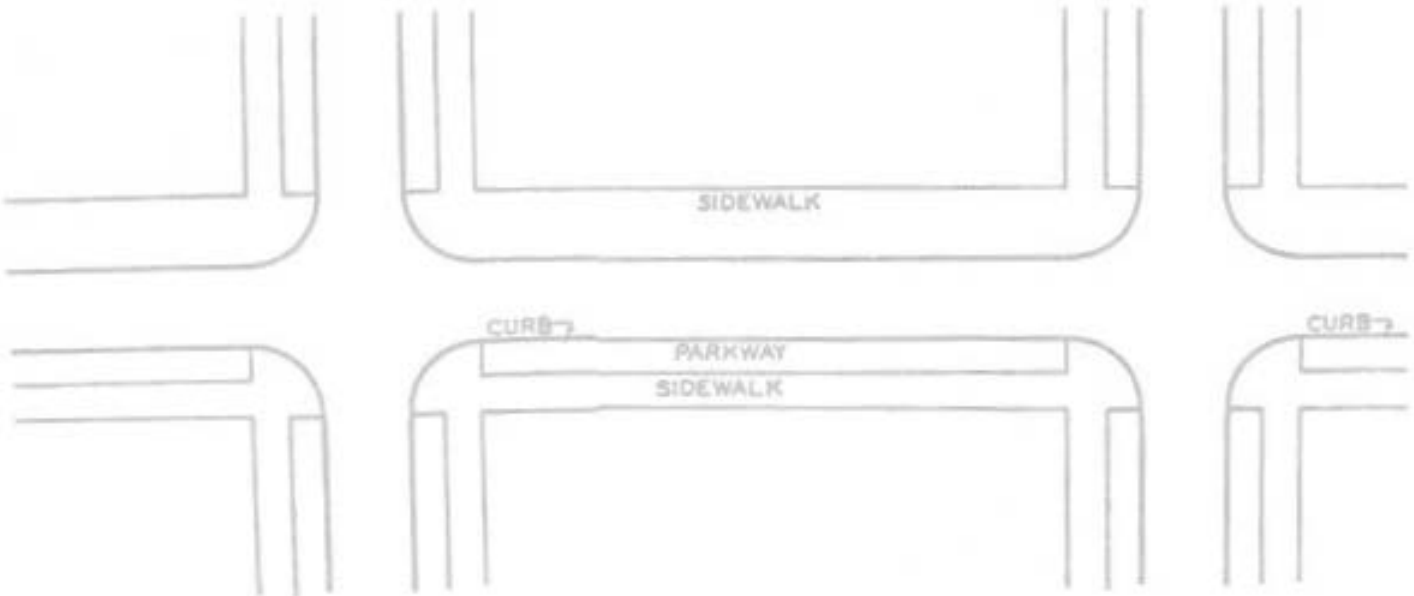
What is the AMOUNT of your claim? Please itemize your damages:


**Unlimited**

If you have received any insurance payments, please give the names of the insurance companies:

For all accidents claims please place on the following diagram the names of the streets where the accident occurred and the nearest cross-streets; indicate the place of the accident by an "X" and by showing the nearest address and distances to street corners. Please indicate where North is on the diagram.

Note: if the diagram does not fit the situation, please attach your own diagram.



  
Signature of claimant or person filing  
on claimant's behalf giving relationship  
to claimant:

**Eric Preven**  
Print Name:

**December 13, 2018**  
Date: