

**COPY**

August 12, 2013

Mr. Michael Barto
4932 Seapine Circle
Huntington Beach, CA 92649

Re: Harbour Vista Homeowners Association - www.harbourvistahoa.org

Dear Mr. Barto:

As legal counsel for the Harbour Vista Homeowners Association ("Association"), we have been asked to contact you regarding your website www.harbourvistahoa.org. As you know, the official website of the Association is www.harbourvistahoa.com. Your use of the domain name, which is nearly identical to the Association's domain name except for the suffix ".org" is in violation of the Association's rights to exclusive use of the name "Harbour Vista" and creates confusion among Internet users as to the Association's affiliation with your website.

We therefore demand that you cease and desist from any use of a domain name which includes the name "Harbour Vista" and immediately change your current domain name so that it is sufficiently distinguishable from that of the Association's name. We further demand that you cease and desist from using the Association's logo on your website. If you do not change your domain name and remove the Association's logo within two (2) weeks of the date of this letter (*on or before August 26, 2013*), then the Association will seek other legal remedies to cancel or transfer your domain name.

In addition, most of the content on your website is content you obtained, without authorization, from the Association's website when you created and maintained it in your official capacity as a member of the Association's Board of Directors, of which you are no longer a part. Since most of the content on your website is Association content that has been misappropriated by you, all such information must be removed immediately.

Lastly, given the nearly identical and similarly confusing name of your website and content contained therein with the Association's official website, we demand that you display a disclaimer in a prominent location on your website's home page, disclaiming any affiliation with the Association. The information you currently have attempting to disclaim such affiliation is insufficient to alleviate confusion among users as to the author of the site or affiliation with the Association. We therefore demand that the following disclaimer be used:

Mr. Michael Barto
August 12, 2013
Page 2

“This website and the content contained herein is in no way sponsored or approved by the Harbour Vista Homeowners Association or its Board of Directors, and there is no affiliation between the operator of this website and the Association. All information and opinions contained on this website are those of the author only. The Association’s official website can be found at www.harbourvistahoa.com.”

Again, this disclaimer must be displayed in a minimum 12 point font and posted in a prominent location on your website’s homepage so that when a user first opens the website, the disclaimer is visible to the user. This disclaimer must be used, in addition to changing your website’s domain name and removing the content as demanded above. Assuming you will continue to monitor and report Association business on your website, there will still exist the likelihood of confusion between your website and the official website of the Association so the disclaimer is still necessary.

Your complete compliance with this request is demanded no later than two (2) weeks after the date of this letter, on or before August 26, 2013. We will continue to monitor your website for compliance and if compliance is not obtained, then the Association will pursue other available legal remedies.

Very truly yours,



Kris J. Geiger

KJG:cmg

cc: Board of Directors, Harbour Vista Homeowners Association