

April 3, 2018

VIA FIRST CLASS U.S. MAIL

Michael Barto
4861 Lago Drive, Suite 305
Huntington Beach, CA 92649

Michael Barto
4932 Seapine Circle
Huntington Beach, CA 92649

**Re: Harbour Vista Homeowners Association
Notice to Cease and Desist**

Dear Mr. Barto:

As legal counsel for the Harbour Vista Homeowners Association (“Association”), I have been asked to contact you about unauthorized actions you have taken in which you are holding yourself out to be a representative of the Association. Specifically, you are the author of www.harbourvistanews.com and you are sending new owners information packets without proper disclosures. Both communications have confused owners as to the origin of the source due to your failure to clearly disclose that they are not affiliated with the Association.

The disclosure on www.harbourvistanews.com stating that it is not an official Association website is not in a prominent location (it is at the bottom of the web page) and is in very small font. This disclaimer is insufficient to alleviate the likely confusion among users as to the author of the site or the fact that the site is neither affiliated with nor sanctioned by the Association.

Moreover, you were not given permission to publish the private email addresses of the Board members. The Association hereby demands that you immediately remove these addresses. The directors are volunteer owners who do not conduct Association business outside of Board meetings. All owner communications are to be directed to the management company and not to directors. Thus, the publishing of director personal information is harassment. Further, you must remove the link from director Mary Williams’ name. This link is to candidacy statements from 2015. Once again, you are publishing information about private members of the Harbour Vista community on a public website for no other reason but to harass them.

Additionally, your communications to new owners in the form of “New Owner Quick Information” without any disclosure that it is published by an owner and not sanctioned by the Association leads the recipients to believe that it is an official Association publication. The Association demands that you immediately add a prominent disclosure that the publication is neither issued by nor affiliated with the Harbour Vista Homeowners Association and further disclose your identity as an owner as the distributor.

Your continued misleading communications are causing confusion among potential buyers and owners. The Association hereby demands that you immediately cease and desist holding out your publications and website as official Association communications.

Your anticipated cooperation is appreciated.

Very truly yours,

BERDING & WEIL LLP



Karen A. Kannen
Partner

KAK:cmg

cc: Board of Directors, Harbour Vista Homeowners Association