

BAILEY AND ROMERO

Attorneys at Law

P.O. Box 7193

South Lake Tahoe, CA 96158

(530) 409-0027

marthaeromerolaw@gmail.com

Steven@stevencbailey.org

By Email and First Class Mail

September 8, 2020

Dr. Dana Ware

President of the Board of Trustees

Feather River College District

570 Golden Eagle Ave.

Quincy, CA 95971

dswmd@senecahospital.org

Re: Notification of Intent to Sue

Dear Ms. Ware:

Our firm represents your trustee, Dr. Trent Saxton. Dr. Saxton is an elected member of your Board of Trustees, elected by the voters of District 1 in 2018. Dr. Saxton's first responsibility is to protect the citizens of the Feather River College District and to ensure that this board complies with the laws of the State of California and the fiduciary responsibilities imposed upon this board by State and Federal law.

It is no secret that on more than one occasion, this District has attempted to circumvent established California law relative to the construction of buildings on District property. This Board was well aware that circumventing construction approval procedures would place students and district personnel in danger but could also subject the District to significant civil liability.

These attempts to circumvent were not limited to the purchase of a steel building that currently remains unconstructed on district property but also involved the construction of dorms and other critical infrastructure.

Additionally, this Board remained mute when over \$26,793.00 in taxpayer funds were transferred to an independent foundation to construct the steel building on district property so that California law could be circumvented.

This was district taxpayer funds and the Board had a fiduciary duty to protect those funds.

When this Board failed to uphold its fiduciary responsibilities, Dr. Saxton had no alternative but to report this conduct to the appropriate authorities. As such, he has upheld his oath to the people of Plumas county, the residents, students and voters of the Feather River College District and the citizens of California.

Your Board is now attempting to retaliate against Dr. Saxton for disclosing your breaches and malfeasance. He is a classic "whistleblower" and as such he is protected by State and Federal law. The

RECEIVED
SEP 10 2020
Feather River College
Office of the
Superintendent/President

Dr. Dana Ware
Feather River College District
September 8, 2020
Page 2

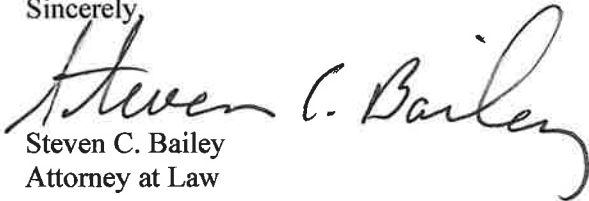
Boards attempt to retaliate against him will result in immediate legal action against the district and those board members who participate in this unlawful retaliatory conduct.

Further, this Board is attempting to suppress the right of Dr. Saxton to free speech. Investigating whether Dr. Saxton posted or retweeted something of general public interest and then attempting to censure him for that post or retweet simply because some of you disagree violates Dr. Saxton's right under both the California and the United States Constitution to free speech.

I do not desire to enter a debate on whether there is a policy or procedure that would allow this Board to even censure Dr. Saxton, what is being attempted in this instance is a direct violation of California law and Dr. Saxton's civil rights under 42 USC §1983 and as a "whistleblower."

This letter is intended to serve notice that if this Board attempts to censure Dr. Saxton, he will sue.

Sincerely,

A handwritten signature in black ink that reads "Steven C. Bailey". The signature is written in a cursive style with a large, sweeping "S" at the beginning and a long, trailing flourish at the end.

Steven C. Bailey
Attorney at Law

Cc: Kevin Trutna
Krutna@frc.edu

Bailey & Romero
P.O. Box 7193
South Lake Tahoe, CA 96158

RENO NV 895
08 SEP 2020 PM 2 T



Dr. Kevin Trutna
President & Superintendent
Feather River College District
570 Golden Eagle Ave.
Quincy, CA 95971

RECEIVED

SEP 10 2020

Feather River College
Office of the
Superintendent/President

95971#9124 R003

