

1 provider. When a customer contracts for a two-way radio system,
2 they are essentially contracting to have their radios programmed
3 to operate on a specific frequency and access tone, and relay
4 their communications through the mountaintop repeater owned by the
5 commercial repeater service provider. Any use of a mountaintop
6 repeater without the consent of the commercial repeater service
7 provider is a theft of services. It is equivalent to receiving
8 television cable programming from a licensed cable operator
9 without consent.

10 5. Prior to programming the repeater to allow the
11 customer's radios to operate on frequency 852.6875MHz, I checked
12 the frequency to ascertain the amount of communications traffic
13 presently operating on the frequency. This is a routine procedure
14 when placing a new customer on a frequency to be sure that quality
15 service is provided. Immediately upon checking this frequency, I
16 noticed that the volume of communications traffic was unusually
17 heavy. I further noticed that the source of this traffic was a
18 Korean speaking company which appeared to be using KAY's repeater.

19 6. I activated LUCKY'S TWO-WAY RADIOS' customer onto
20 frequency 852.6875MHz. In order to allow for such activation, a
21 specific tone access code was selected and activated for the
22 customer's use. This access code would purportedly allow only
23 this customer to operate a two-way radio communications system on
24 this frequency using a specific mountaintop repeater.

25 7. Using the radio communication system available at
26 LUCKY'S TWO-WAY RADIOS, I investigated what access code was being
27 used by the Korean speaking company. I determined that the access
28 code so used was 203.5Hz. I determined that this 203.5Hz access

1 code was activated solely for use on LUCKY'S TWO-WAY RADIOS'
2 repeater located at Mount Lukens, California, as a spare or
3 serviceman access code. Such codes are used only for repair
4 services. To my knowledge, the 203.5Hz tone access code is not
5 active on any other repeater in the Greater Los Angeles Area.

6 8. I inquired of JAMES A. KAY, JR. who told me that he
7 had no customers assigned to this access code, and that if anyone
8 was using this code, such use was unauthorized.

9 9. Immediately thereafter, I used a LUCKY'S TWO-WAY
10 RADIOS' radio to contact the Korean company operating the KAY
11 repeater on frequency 852.6875MHz. The Korean company was
12 cooperative after I had contacted them and they identified
13 themselves as PRO ROOFING and provided a telephone number of (213)
14 733-2411.

15 10. On December 14, 1995, I called the telephone number
16 provided and spoke with a woman who identified herself as "YOUNG."
17 She provided a business address of 3029 West Pico Boulevard, Los
18 Angeles, California 90006. She told me that her radio
19 communication service and system was provided by HAROLD PICK.
20 She stated that her radios were "worked" on about a month before,
21 and that the work had been performed by HECTOR, a person she
22 identified as an employee of HAROLD PICK. She stated that she had
23 seven or eight radios.

24 11. On December 14, 1995, in order to further verify
25 that the KAY Mount Lukens repeater was indeed being used for
26 business communications by PRO ROOFING, I programmed the repeater
27 to activate on access tone 203.5Hz, but not to repeat voice
28 communications. This is a common testing mode procedure used to

1 verify use of a specific frequency in a radio communication
2 system. I caused the voice repeating to be blocked for ten
3 minutes. By instructing the Mount Lukens repeater to block any
4 voice communications, this inhibited PRO ROOFING from using the
5 repeater. I listened to communications on this frequency and PRO
6 ROOFING could not communicate. Immediately after I reestablished
7 the voice repeating system, I heard PRO ROOFING units asking why
8 their radios had ceased working. This led me to conclude that
9 their only access to the Mount Lukens repeater was through access
10 code 203.5Hz.

11 12. On December 15, 1995, I went to the PRO ROOFING
12 business address with JOEL WYENN. I found that a Motorola Maxtrac
13 Radio was operating as a base station at that location. "YOUNG,"
14 who I had spoken to earlier, was operating on Channel 3 as
15 indicated on the Maxtrac Radio. YOUNG allowed me to examine the
16 Maxtrac Radio, and using common test equipment, I determined that
17 the radio has been specifically programmed to activate the KAY
18 Mount Lukens repeater and to operate on frequency pair
19 807.6875/852.6875MHz with access tone 203.5Hz. While on the PRO
20 ROOFING premises, I also checked one hand held radio which was
21 also programmed to operate on the same frequency and access tone.
22 PRO ROOFING was very cooperative and concerned that they had been
23 misled.

24 13. On December 19, 1995, I returned to the PRO ROOFING
25 location with a computer programmed to download two-way radio
26 programming information. Using this equipment, I downloaded the
27 programming of the Motorola Maxtrac Base Station Radio. I then
28 immediately printed out the information discovered which confirmed

1 my conclusion on December 15, 1995, that the radio had been
2 specifically programmed to activate the KAY Mount Lukens repeater,
3 and to operate on frequency pair 807.6875/852.6875MHz with access
4 tone 203.5Hz.

5 14. In my many years of experience in the two-way radio
6 communication field, the programming of radios requires a
7 computer, manufacturer supplied software, and programming
8 knowledge of what information to program. Such programming could
9 not have been done in error. This field is sufficiently
10 complicated and the knowledge necessary requires that the
11 programmer specifically identify the target frequency and access
12 tone. The programmer cannot program a radio by mistake onto the
13 wrong frequency.

14 I declare under penalty of perjury under the laws of the
15 State of California, that the foregoing is true and correct and
16 that this Affidavit was executed on December 21, 1995.

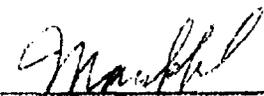
17
18 
19 _____
20 MARC SOBEL
21
22
23
24
25
26
27
28

EXHIBIT PR-4

WYENN & ASSOCIATES
815 South Central Avenue
Suite 20
Glendale, CA 91204
State License Number PI-10818

December 21, 1995

Southland Communications
15525 Cabrito Road
Van Nuys, California 91406

Attn: James Kay, Jr.

Re: Matter of Century Communication Services/Pro Roofing
Company.

CONFIDENTIAL INVESTIGATION REPORT

This is a confidential communication. This report and all information contained herein has been completed at the direction of and under the supervision of legal counsel. It is considered as being of a confidential and privileged nature and subject to the attorney/client and work product privileges.

On December 15, 1995, this investigator met with your technician, Marc Sobel, at the Pro Roofing Company located at 38029 West Pico Boulevard, Los Angeles, California 90006, telephone number (213) 733-2411, in order to complete our investigation into the unauthorized use of your firm's repeater located on Mount Lukens by the Pro Roofing Company.

Information provided by your firm prior to contacting Pro Roofing Company was the following:

1. Technician Marc Sobel discovered an unauthorized user operating on your firm's Mount Lukens repeater without your firm's knowledge and authorization.
2. It was indicated that Sobel contacted the unauthorized user (Pro Roofing Company) wherein they provided their name, address, and telephone number for later contact.
3. It was indicated that the individual spoken to by Marc Sobel at the time was a woman by the name of Young.
4. It was indicated that Young had stated to Sobel that the radio company that programmed and installed the radios was Century Communication's, Harold Pick, located at 5310 Century Boulevard, Los Angeles, California.

James Kay, Jr.

Re: Matter of Century Communication Services/Pro Roofing Company
December 21, 1995

Page 2

5. Technician Sobel indicated technically he had dialed up the control station on 852.6875 for Mount Lukens which can monitor traffic. This station can read out which PL or DPL tone code was being used as the customer speaks.

6. Technician Sobel indicated he listened as the business speaking Asian female was busy stepping on other users.

7. Technician Sobel indicated he looked up the tone code, 203.5 to see who it was.

8. Technician Sobel indicated the code was on as a test and was not assigned.

9. Technician Sobel indicated that after speaking with Young, she indicated the radios were changed by an individual named Hector approximately one month ago and the company had approximately seven or eight radios changed.

Based upon the above described information, the direction of the investigation was to then retrieve further information as it related to under what circumstances the Pro Roofing Company had been provided radios and why those radios had been programmed to utilize an unauthorized service belonging to your company.

After arriving at Pro Roofing Company both this investigator and Marc Sobel entered the building and were first greeted by a woman who identified herself as Young Yin who indicated she was the office manager. A short time later, a gentleman who identified himself as Marvin Han, the general manager of the company, also came into the location. The entire matter was reviewed with both parties.

Both Ms. Yin and Mr. Han indicated the following:

1. Approximately one month ago they had spoken with a gentleman who identified himself as Harold Pick of Century Communications.

2. Mr. Pick had sold them on the service of changing their mobile unit with base and all hand-helds for their trucks to a new system.

3. Mr. Han indicated they were referred to Century Communications from Ace Tech Auto Body and that Ace Tech Auto Body had used the Century Communications company for their service, identifying an individual by the name of Hector.

James Kay, Jr.

Re: Matter of Century Communication Services/Pro Roofing Company

December 21, 1995

Page 3

Ms. Yin then provided a copy of the Century Communications Invoice Number 09756 indicating the reprogramming of 4 handheld radios and one mobile unit. Additionally, Ms. Yin provided a business card from Century Communications Services identifying Harold Pick as the name on the card. Also, Ms. Yin provided a copy of a past Nextel invoice, which indicated the serial numbers for the units they had at the location.

Mr. Han then indicated the following:

1. The company started on the new service approximately one month ago using the system in it's current configuration.
2. He (Mr. Han) had never signed any documents having to do with any licensing agreements, but was told he would be billed for one month's service.
3. He (Mr. Han) had not received a bill/invoice to date for the service.
4. He (Mr. Han) had requested three more radios ready to use from Mr. Pick which he has not received to date.

Mr. Han was then provided a contract by Mr. Sobel for service from your company (Lucky Two-Way) which he read over and executed understanding the service he has been using was not legally his to use. Mr. Han indicated he wanted to clear the matter up immediately as he was not aware of what has occurred to the radios and wanted to make sure the company would not lose its ability to communicate with its employees out in the field.

During the time of the investigative interview, your technician, Marc Sobel ran a test on the Pro Roofing Company base station unit in order to determine/verify the system that was operating was using the Mount Lukens repeater belonging to your firm. Mr. Sobel indicated he verified the unauthorized use.

Subsequent to that occasion, Mr. Sobel returned to Pro Roofing Company on September 19, 1995 wherein he utilized a computerized piece of equipment to test the unchanged system in place which then provided a print-out which is included with this report.

PRELIMINARY INVOICE INDICATING DAMAGES (COSTS/LOST REVENUE)

- | | |
|--|-----------|
| 1. \$18/month per radio x 5 radios (1 month) | \$ 90.00 |
| 2. \$37.50 per radio set up fee x 5 radios (1 month) | \$ 187.50 |
| 3. \$75.00 start up fee | \$ 75.00 |

James Kay, Jr.

Re: Matter of Century Communication Services/Pro Roofing Company
December 21, 1995

Page 4

4. Base antenna kit charge	\$ 175.00
5. Base antenna set up labor charge	\$ 150.00
6. Charge for technician to identify service problem: 1 hr @ \$100/hr	\$ 100.00
7. Charge for technician to check system and set Pro Roofing Company up to operate properly: 3 hrs @ \$100/hr	\$ 300.00
Preliminary Total	\$1077.50

Per your firm's request, this office is pursuing contact with the local law enforcement agency in order to file a crime report relating to theft of service on your behalf. At this time, the file is being prepared to be turned over to the Los Angeles Police Department Wilshire Division as it appears the location of where the "crime" was committed was at the Pro Roofing Company location, and therefore jurisdiction would be by the Wilshire Division of the Los Angeles Police Department. Contact has been completed with Detective Escontreras who indicated he would be willing to assist in the processing of the crime report.

Following the completion of the crime report procedure, no further investigative activities will be initiated without further direction from your office.

End of Report

WYENN & ASSOCIATES

EXHIBIT PR-5

CENTURY COMMUNICATION SERVICES

Shop: 5310 W. Century Blvd.

Los Angeles, CA 90045

Shop (310) 679-6085 Office (310) 454-9561

Fax (310) 459-2655

NAME Pro Roofing		09756	
ADDRESS 3029 W Pico Blvd		HOME PHONE	
CITY, STATE & ZIP L.A. Ca 90006		BUSINESS PHONE (213) 733-2411	
MAKE	MODEL	SERIAL NO.	DATE ORIGINAL INSTALLATION 11/17/95
MAKE	MODEL	SERIAL NO.	<input type="checkbox"/> ESTIMATE <input type="checkbox"/> PICK UP
MAKE	MODEL	SERIAL NO.	<input type="checkbox"/> WARRANTY <input type="checkbox"/> DELIVER
			<input type="checkbox"/> CONTRACT <input checked="" type="checkbox"/> S.C.

REPROGRAM 4 HANDHELD MTX 8003
1 MOTOROLA MATRAC MOBILE TO SADDLE
PEAK REPEATER. 800MHz.

TECHNICAL SERVICE PERFORMED
 Provide service call to cust LOCATION
 INSTALL BASE ANT. CABLE.
PAID CK # 10555

MATERIAL AND LABOR RECORD

QTY.	PART # / DESCRIPTION	PRICE	AMOUNT	TIME	DATE				
35	RG 213 U CABLE			11.00					
	WITH CONNECTOR	1.90	66.50	4.00	11/17/95				
	MISC. MOUNTING HARDWARE	10	1.00		TOTAL HRS @ \$85				
1	3dB GAIN CUSHCRAFT			LABOR	85				
	ANT		95	TOTAL MATL	166.50				
CASH	CHECK	ON ACCT.	CREDIT	MOD	VISA	AMER	BANK NO.	TRAVEL	85
CARD #	OTHER							TOTAL	250
AUTHORIZED SIGNATURE X USY								TOTAL	75.84

Signature above constitutes acceptance of above work as being satisfactory - and that equipment has been left in good condition.

Thank You

COPY

SEE WARRANTY ON OTHER SIDE

OFFICE: (310) 670-0006
FAX: (310) 469-2865



**CENTURY
COMMUNICATIONS SERVICES**

**2-WAY RADIOS
SERVICE • SALES • RENTALS**

HAROLD PICK

**6310 W. CENTURY BLVD., #102
LOS ANGELES, CA 90045**

Mervin Han
General Manager

STATE LIC. NO
C-39 674063



PRO ROOFING CO.

3029 W. Pico Blvd., Los Angeles, CA 90006
Tel.: (213) 733-2411, (800) 540-8822
Fax.: (213) 730-4838

EXHIBIT PR-6

PROPERTY AND LOSS THIS CASE
 NO OTHER MARKS OR SIGNS
 OF THIS OR OTHER VEHICLES

1985 FORD BRONCO 4X4
 VIN: 1F1011111111111111
 11-1395 800 - 11-14-95 1585 12-29-95 8720
 AIRTIME
 VICTIM'S VEH. IF INVOLVED YEAR MAKE TYPE COLOR LIC NO. 11-1395 800 - 11-14-95 1585

NO OTHER INFO. OF THIS ACTION OR OTHER INFO. RECEIVED SUBJECTS OF THIS OR OTHER ACTIONS, INCLUDING OTHER CASES DO NOT REPEAT ABOVE INFO ON OTHER REPORTS IN THIS CASE OR ON THE SUBJECTS, PLACES AND OCCASIONS. RECORD AND REPORT ALL INFO. KNOWN IN THIS REPORT, IN THE NEGATIVE.
 DUMP SOLD 2-NAY RADIO COMMUNICATION SERVICE TO KIT-2. SUGG SOLD
 COMM SERVICES WHICH BELONG TO VICT.

REPORTING EMPLOYEE(S) GJ ALONSO 31149 WILKINSON REPORTING OFFICER

Complete below sections if any Preliminary Case Screening forms are not checked.

SUSP'S VEHICLE: 1985 FORD BRONCO 4X4
 COMMUNICATIONS PARTNERS
 COMMUNICATIONS PARTNERS

INVOLVED PERSONS

W - WITNESS	P - PERSON IDENT.	S - PERSON SUSPECTED (MUR)	D - PERSON DISCOVERED (MUR)	P - PARTNER
W 1	ALONSO, GJ			
W 2	ALONSO, GJ			

COMPLETED	EVID. RPT.	SEARCHED	INDEXED	LOC. SER. SER.	11/19/95	Preliminary	SEARCHED	SER. NO.	INDEXED	SER. NO.

NARRATIVE (11/19/95) (GJ ALONSO) (31149) (WILKINSON) (REPORTING OFFICER) (11-1395 800 - 11-14-95 1585) (12-29-95 8720) (AIRTIME) (DUMP SOLD 2-NAY RADIO COMMUNICATION SERVICE TO KIT-2. SUGG SOLD COMM SERVICES WHICH BELONG TO VICT.)

APPROVAL AND REVIEW: GJ ALONSO 31149 WILKINSON REPORTING OFFICER
 12/31

960749045	
THREAT OF SERVICE	960749045
DATE	TIME
OFFICE	AGENT
SERIAL NO	00000
00000	00000
00000	00000
00000	00000

WIT-1 (WYNN) STATED THAT HE IS A HIGH INVESTIGATOR WHO HAS BEEN ASKED TO INVESTIGATE VICT'S THREAT OF SERVICE.

WIT-1 (WYNN) STATED THAT VICT CAME FREQUENTLY 802.6075 MHz FOR A TWO WAY RADIO AND THAT SOMEONE WAS USING THE FREQUENCY UNAUTHORIZED.

WIT-1 FURTHER STATED THAT VICT TRACKED THE FREQUENCY SIGNAL TO W/2 PRO ROOFING.

VICT & WIT-1 SPOKE TO PRO ROOFING AND WERE ADVISED BY PRO ROOFING THAT PRO-ROOFING RENTED THE FREQUENCY AIR TIME FROM SUSP (CENTURY COMMUNICATIONS). WIT-2 FURTHER STATED THAT SUSP IS A COMMUNICATIONS COMPANY WHICH RENTS OUT AIRTIME FOR TWO WAY RADIOS.

VICT HAS NOT ALLOWED ANYONE TO USE THEIR FREQUENCY WITHOUT PERMISSION.

VICT HAS NOT CONTACTED SUSP REGARDING THIS MATTER.

DET. ESCOBAR #24189 (WILSON) WAS ADVISED OF THIS MATTER & WOULD INVESTIGATE.

THE ILO COULD FIND NO EVIDENCE OF HAVING THE
CASE IS GOING TO BE UNFOUNDED.

Los Angeles Police Department PRELIMINARY INVESTIGATION OF

COMBINE EVID. REPORT MULTIPLE DRS ON THIS REPORT

PRELIMINARY CASE SCREENING, INVEST. DIV. DR 9507, LAST NAME, FIRST, MIDDLE, SEX, BIRTH DATE, ADDRESS, PHONE, LOCATION OF OCCURRENCE, DATE & TIME OF OCCURRENCE, VICTIM'S VEH., REPORTING EMPLOYEE(S)

INSTRUCCIONES EN ESPANOL AL REVERSO KEEP THIS REPORT FOR REFERENCE

(213) 485-4022

Your case will be assigned to a detective for follow-up investigation based upon specific facts obtained during the initial investigation. Studies have shown that the presence of these facts can predict whether a detailed follow-up investigation would likely result in the arrest and prosecution of the suspect(s) or the recovery of property...

TO REPORT ADDITIONAL INFORMATION: If you have specific facts to provide which might assist in the investigation of your case, please contact the detective Monday through Friday, between 8:00 A.M. and 9:30 A.M., or between 2:30 P.M. and 4:00 P.M. at telephone number...

COPY OF REPORT: If the checkbox under your signature is checked, this copy is the complete report. If it is not checked and you wish to purchase a copy of the complete report, phone 485-4193 to obtain the current purchase price, and send a check or money order payable to the Los Angeles Police Department to Records and Identification Division, Box 30156, Los Angeles, CA 90030.

DR NUMBER: If you enter on this form the DR number may be obtained by writing to Records and Identification Division and giving the information needed to obtain a copy of the report (see above paragraph). Specify that you only want the DR number. It will be forwarded without delay. There is no charge for this service.

CREDIT CARDS/CHECKS: Immediately notify concerned credit corporation or banks to avoid possibility of being liable for someone else using your stolen or lost credit card or check.

HOW YOU CAN HELP THE INVESTIGATION OF YOUR CASE

- Keep this memo for reference. If stolen items have serial numbers not available at time of report attempt to locate them and phone them to the detective at the listed number. If you discover additional losses, complete and mail in the Supplemental Property Loss form given to you by the reporting employee. Promptly report recovery of property. Promptly report additional information such as a neighbor informing you of suspicious activity at time crime occurred.

VICTIM-WITNESS ASSISTANCE PROGRAM: The Los Angeles City and County Victim-Witness Assistance Program (VWAP) can help to determine if you qualify for Victim of Violent Crime compensation. If you qualify, they will assist with filing your claim application. If you are a victim or a witness to a crime and will be going to court, they will explain the court procedures to you.

To find the program location nearest to you, call the Victim-Witness Assistance Program at the Los Angeles City Attorney's Office (213) 485-6976, or the Los Angeles County District Attorney's Office (213) 974-7499.

VICTIMS OF VIOLENT CRIME COMPENSATION: Refer to paragraph at bottom of reverse side.

EXHIBIT PR-7

WYENN & ASSOCIATES
815 South Central Avenue
Suite 20
Glendale, CA 91204
State License Number PI-10818

January 29, 1996

Southland Communications
15525 Cabrito Road
Van Nuys, California 91406

Re: Matter of Century Communication Services/Pro Roofing

CONFIDENTIAL INVESTIGATION REPORT

This is a confidential communication. This report and all information contained herein has been completed at the direction of and under the supervision of legal counsel. It is considered as being of a confidential and privileged nature and subject to the attorney/client and work product privileges.

On January 29, 1996, this investigator spoke with Detective Martinez (213-485-4033) of the L.A.P.D. Wilshire Division in regards to the crime report filed with that agency with reference to the above entitled matter.

Det. Martinez indicated the matter was rejected by the City Attorney's Office. Det. Martinez explained he had spoken with Ms. Sharon Bowers of the F.C.C. @ 717-337-1311 x130. Det. Martinez indicated she provided him with certain confidential information as well as the fact that James Kay was under investigation by that agency.

Det. Martinez indicated he then took all the information and reviewed it with the City Attorney's Office who later decided to reject the case. Det. Martinez indicated Harold Pick was about to file a stalking charge against the investigator for James Kay due to "hang up calls and following him around". Asked why Pick did not file a stalking charge, Det. Martinez indicated Pick is pursuing the matter with the F.C.C. at this time.

Det. Martinez indicated if he had originally reviewed the case he would have rejected it out of hand as a civil matter and not a criminal one based upon the information presented.

It is respectfully suggested that 1) counsel complete a review of the foundation for the rejection of this case and 2) a decision made as to whether or not counsel should communicate directly with the City Attorney's Office for a rereview of the case for possible prosecution.

No further investigative activities will be initiated without further direction from your office.

Joel S. Wyenn - Investigator

WYENN & ASSOCIATES

CITY OF LOS ANGELES
Los Angeles Police Department
WILSHIRE DETECTIVE DIVISION

DETECTIVE

G. M. ESCONTRIAS, #24789

4861 W. Venice

Los Angeles, CA 90019

(213) 485-4033

Fax (213) 237-0668

Nothing More Like...

COMMAND Presence

INVESTIGATIONS & SECURITY

3699 Kenan Rd.
Suite 300
Agoura Hills, CA 91301

Corporate Offices:

(818) 733-0055 T11

(818) 733-0056 FAX

CA. U.C. N. 9305

April 26, 1996

Captain John Mutz, Commanding Officer
Wilshire Detective Division
Los Angeles Police Dept.
4861 W. Venice Blvd.
Los Angeles, CA 90019

Re : Our File 96-0304
Police Rpt.# : 95-0749045

Dear Captain Mutz:

A "theft of service" report was completed on 12-29-95 by victim, Southland Communications. There is an ongoing dispute between the victim of this crime and the suspect and in addition to this crime report, several other crime reports have been filed on behalf of Mr. Kay, owner of Southland Communications. The report was then investigated by detective Martinez. We are in possession of a follow-up report where detective Martinez states that the suspect, Harold Pick obtained a restraining order against our client, Mr. Kay.

Enclosed is a copy of the restraining order which indicates that the true victim is in fact Mr. Kay and not Mr. Pick. We have written letters to both Detective Martinez and his supervisor requesting that this case be reopened and be filed as a 484 P.C. or at the very least a city attorney hearing.

My client is adamant that this case be handled and treated as more than just a business dispute, because the fact is we have declarations from witnesses who have personal knowledge that the suspect Harold Pick, has in fact threatened the life of our client Mr. Kay.

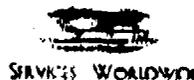
Your immediate response to this request is sincerely appreciated.

Sincerely,



Howard Leader
President

cc: To Burton C. Jacobson



7827181

April 1, 1996

COPY

Mr. Alan Dahle, Deputy City Attorney
312 S. Hill Street, 2nd Fl.
Los Angeles, Ca 90013

Re: LAPD REPORT # 95-0749045

Dear Mr. Dahle:

I write this letter in desperation because each time my office communicates (if we can get through) with those who have had the above mentioned report pass through their hands, we seem to be given the "kiss off". Having worked for the police department for more than 22 years myself, I am somewhat familiar with what can and cannot be done as it pertains to crime reports, and all we're asking for our client, Mr. James Kay, is fair representation from your office.

On 12-29-95 a "Theft of Service" report was completed and forwarded to Detective Martinez at Wilshire Division. We were advised that the matter was rejected by deputy C/A Elizabeth Gertz because she believed that this matter would be better investigated by the FCC. The reason, was that the punishment, if the defendant was convicted, would be more severe.

I contacted Mr. Bill Kellett, (attorney for the FCC) who stated that this is not something they would investigate. Hence, we are back to square # 1.

I am enclosing copies of documentation that indicates that the city attorneys office does in fact investigate these type of crimes, and in fact, is successful at getting a conviction. Mr. Kay will supply the police department or your office with all documentation and evidence that will prove that a crime has been committed and that he is the victim of the crime.

This is just one of several reports on file. The continuing dispute between Mr. Kay and Mr. Pick has now gone so far to include death threats, in addition to an offer from Mr. Pick to pay \$5,000.00 to an individual to kill Mr. Kay. A police report was filed with Pacific division (Detective Herron) regarding this most recent crime. The matter will be taken to the District Attorneys office for a possible filing on 4/3/96.