



ATTORNEYS AT LAW

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February 7, 2007

Cheryl Hodgson, Esq.  
Hodgson Law Group  
9606 Santa Monica Blvd., Third Floor  
Beverly Hills, CA 90210

**Re: StopSylviaBrowne.Com**

Dear Ms. Hodgson:

This office has been asked by Robert Lancaster to answer your letter of January 26. Your points are responded to in the numbered order in which you made them:

1. StopSylviaBrowne.Com does not infringe on the pending mark "Sylvia Browne" under any reading of the law. The website is highly critical of Sylvia Browne, providing information about her past criminal history and describing the numerous instances in which she gave incorrect information to individuals seeking help, among them the parents of Shawn Hornbeck. There is absolutely no possibility that even unsophisticated consumers could believe that the website and its content are created or maintained by Sylvia Browne, are endorsed by Ms. Browne or are a product of Ms. Browne. Without conceding any infringement, Mr. Lancaster has placed a disclaimer on his website stating, "This site is not affiliated with Sylvia Browne and is neither maintained nor endorsed by her."

There is simply no place in a free society for the suppression of dissent about a subject of public interest merely because the individual involved has paid a few hundred dollars to trademark her name. You are referred to such sites as FarmersInsuranceGroupSucks.Com, WalmartWatch.Com, and WiiHaveAProblem.Com for other examples of websites which incorporate trademarks of which they are critical. You are also referred to the recent case *Fox News Network, LLC v. Penguin Group, Inc. and Franken*. You will recall that not only did Fox News lose that case, but they endured some very unflattering publicity in the process.

2. The points made above apply equally for the Hay House trademark. The trademark appeared as part of a small and indistinct picture of Sylvia Browne's website's homepage. There was no possibility that an unsophisticated consumer could believe that the trademark rendered as part of a picture of Ms. Browne's homepage could indicate that Hay House produced, licensed or endorsed the content of StopSylviaBrowne.Com. Without conceding any infringement, however, Mr. Lancaster has removed Hay House's trademark from his website.

3. Your claim that Mr. Lancaster has violated Hay House or Ms. Browne's copyrights is without foundation in law. Material on which a person holds a copyright may be used without permission in a variety of cases. Most applicable in this instance is that it is fair use to quote copyright material for the purpose of comment and criticism. You are directed to the following facts: a) The copyright material is a very small portion of Ms. Browne's entire website, being only one page out of dozens of linked pages; b) The homepage on display is not even legibly rendered, and the vast majority of words cannot even be read as rendered; c) Once again, this is a matter where the benefit to the public of debating the issue of Ms. Browne's claims far outweighs whatever copyrights Ms. Browne and Hay House may have.

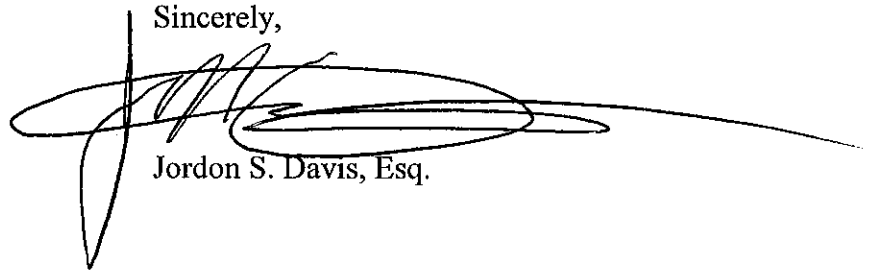
4. Your statement about providing instructions to others is not cognizable in law.

Your letter of January 26 has set forth no factual or legal basis as to how Mr. Lancaster is in violation of any of your clients' rights. Unless you are able to cite some support for your claims, Mr. Lancaster will neither cease nor desist from operating StopSylviaBrowne.Com. He is involved in the distribution of important information about this person who, you are reminded, has chosen a life in the public eye.

It is a fact that bears mention that Ms. Browne is a person of wealth and resources far in excess of Mr. Lancaster. There have been instances where monied individuals have used the courts as tools to bully their detractors. You are put on notice that any suit filed without basis will be met with a vigorous defense that will take full advantage of California's anti-SLAPP law and include motions for legal fees and sanctions. In such suit, this letter will be produced as evidence that your clients were aware that no grounds existed for any lawsuit. You are also put on notice that it may be a breach of ethics for a lawyer to prosecute a case knowing that it has no footing in law and knowing that it is being used to harass the defendant. This office has in the past notified appropriate agents of the bar when a firm pressed a matter such as this.

Please communicate directly with this office regarding Mr. Lancaster and StopSylviaBrowne.Com. Mr. Lancaster is aware that you have contacted Domains By Proxy. Please inform this office of the information you are seeking and the purpose of your request.

Sincerely,

A handwritten signature in black ink, appearing to read "Jordon S. Davis", with a long horizontal flourish extending to the right.

Jordon S. Davis, Esq.

cc: Robert Lancaster