

Glenn Hagele

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Friday, February 05, 2010

James R. Donahue
Caulfield, Davies & Donahue, LLP
Post Office Box 277010
Sacramento, CA 95827-7010

Attorneys for Hanson
Hagele v Hanson 06AS00839

re: Demand for Immediate Removal and Cessation of Statement:
Glenn Hagele's attorney files a motion to withdraw from representation based on
Hagele's criminal activity

Mr. Donahue,

At the Internet webpage accessible through Unique Resource Locator (URL)
<http://www.scribd.com/doc/26424933/Jon-Sasser-Files-a-Motion-to-Withdraw-from-Representation-of-Glenn-Hagele-Based-on-Hagele-s-Criminal-Activity> your client has published or caused to be published with a copy of a Motion For Leave to Withdraw as Counsel, filed in The General Court of Justice Superior Court Division, Wake County, North Carolina, case 7CVS19854, the headline and body copy "Glenn Hagele's attorney files a motion to withdraw from representation based on Hagele's criminal activity"

The relevant motion states the grounds are under North Carolina Rules of Professional Conduct 1.16(b)(3), 1.16(b)(4) & 1.16(b)(5) (1997). Rule 1.16(b)(3) reads; "the client insists upon pursuing an objective that the lawyer considers repugnant, imprudent or contrary to the advice and judgment of the lawyer". Rule 1.16(b)(4) reads; "the client fails substantially to fulfill an obligation to the lawyer regarding the lawyer's services and has been given reasonable warning that the lawyer will withdraw unless the obligation is fulfilled". Rule 1.16(b)(5) reads; "the representation has been rendered unreasonably difficult by the client". None of these grounds make any accusation or inference to criminal activity of any kind. (<http://www.aoc.state.nc.us/www/public/aoc/barrules.html>)

Demand is herewith made that Mr. Hanson immediately stop publishing the false statement that my counsel has moved to withdraw from representation based on criminal activity and that Mr. Hanson take prompt corrective action, absent which I shall have no choice but to seek appropriate redress with the Court.

Mr. Hanson has made a written statement of fact, rather than opinion, that violates my constitutional rights, places me in a false light, tends to injure and in fact does cause injury to my occupation and character, and/or exposes me to hatred, contempt, ridicule or shame. Moreover, Mr. Hanson's written statement constitutes defamation *per se*, which causes me substantial injury and interferes with my ability to conduct my business.

I herewith demand of your client the following:

1. Immediately remove or cause to be removed those portions of all publicly accessible Internet web pages he controls that include any statements stating or inferring allegations of criminal activity against me by my counsel Jon Sasser, including, but not limited to, the statement published at URL <http://www.scribd.com/doc/26424933/Jon-Sasser-Files-a-Motion-to-Withdraw-from-Representation-of-Glenn-Hagele-Based-on-Hagele-s-Criminal-Activity>.
2. Immediately remove or cause to be removed any statements by Mr. Hanson stating or inferring allegations of criminal activity against me by my counsel Jon Sasser from the URL <http://www.scribd.com/doc/26424933/Jon-Sasser-Files-a-Motion-to-Withdraw-from-Representation-of-Glenn-Hagele-Based-on-Hagele-s-Criminal-Activity> (i.e. the portion of the URL “Jon-Sasser-Files-a-Motion-to-Withdraw-from-Representation-of-Glenn-Hagele-Based-on-Hagele-s-Criminal-Activity”).
3. Immediately remove or cause to be removed from all publicly accessible newsgroup, bulletin board, or chat room statements by Mr. Hanson stating or inferring allegations of criminal activity against me by my counsel Jon Sasser.
4. Immediately privately retract all statements by Mr. Hanson stating or inferring allegations of criminal activity against me by my counsel Jon Sasser, that were distributed via email, conventional mail, or any other private means.
5. Refrain from publishing, republishing, or communicating in any manner to any third-party the inference or statement that my counsel Jon Sasser has made allegations of criminal activity against me.

If I do not receive by 5:00pm Tuesday 9 February 2010 a confirmation from you that Mr. Hanson’s statement has been removed as defined above, I will seek injunctive relief from the Court that Mr. Hanson refrain from making this defamatory statement.

Thank you in advance for your prompt attention to this matter.



Glenn Hagele

:GFH

CERTIFICATE OF SERVICE

Re: Hagele v Hanson, et al
California Superior Court, Sacramento County, Case No. 06AS00839

I am a citizen of the United States, over 18 years of age, reside in the County of Sacramento, and am not a party to the within action. My address is 8543 Everglade Dr. Sacramento CA, 95826.

On **February 5, 2010**, I served the LETTER re **Demand for Immediate Removal and Cessation of Statement: Glenn Hagele's attorney files a motion to withdraw from representation based on Hagele's criminal activity** on the following parties in said action

DEFENDANT'S ATTORNEY

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Rebecca Weinstein-Hamilton
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For Service by Email
jdonahue@cddlaw.com

Mail I enclosed a true copy of the above-described document(s) in a sealed envelope addressed to the party. Such envelope with postage fully prepaid thereon was placed in the United States mail at Sacramento, California.

Email & Mail I personally observed email distribution of the above-described document(s) by email to the party. On this same date, I caused a true copy of the above-described document(s) to be enclosed in a sealed envelope addressed to the party. Such envelope with postage fully prepaid thereon was placed in the United States mail at Sacramento, California.

→ Facsimile & Mail I personally observed facsimile distribution of the above-described document(s). On this same date, I caused a true copy of the above-described document(s) to be enclosed in a sealed envelope addressed to the party. Such envelope with postage fully prepaid thereon was placed in the United States mail at Sacramento, California.

Personal Service I delivered by hand to addressee at the address above.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and executed on the date above, at Sacramento, California.


Austin Hagele