



**LAW OFFICES OF MELO AND
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Jan. 7, 2022

Mr. Xavier Avila

By Email Only

Re: Elaine Hollingsworth

Dear Mr. Avila:

We represent Ms. Elaine Hollingsworth. We are in receipt of your text message sent to Ms. Hollingsworth earlier this week. Of note, in the text, you accused our client of “slander” and threaten a lawsuit against her. You apparently believe her re-posting on social media a description of you as a “bully” is defamatory. That description was taken from the Valley Voice newspaper.

As you are no doubt aware, you are a public figure, by virtue of your elected position as a hospital trustee and your appointed position as a cemetery director.

As such, your threats to file a lawsuit against our client for publicly discussing the Valley Voice news story is baseless. Incidentally, the correct term for defamation in print/electronic form would be “libel.” Of course, truth is a defense to a claim of defamation.

Ms. Hollingsworth is very much aware of her rights under the First Amendment to criticize petty government officials such as yourself, or government agencies, such as the hospital or cemetery districts. She also enjoys statutory protections under California’s Anti-SLAPP laws. Those laws allow her to seek attorneys fees for lawsuits such as the one you are threatening.

Ironically, Ms. Hollingsworth’s opinion of you as a “bully” is only being cemented by these abusive threats of litigation.

Regarding your demand that she "fix" this "situation" beyond the vagueness of what it is you want "fixed" Ms. Hollingsworth is not interested.

Kindly direct all further correspondence intended for Ms. Hollingsworth regarding this matter to this office. Do not contact her again about this or any other matter.

If you or your counsel do decide to initiate litigation against our client, we would be happy to accept service on her behalf and we will enthusiastically defend her.

Sincerely,

LAW OFFICES OF MELO AND SANSFIELD LLP
Attorneys for Elaine Hollingsworth

BY: Marguerite Melo
Marguerite Melo