

From: "Foster, Craig" <cfoster@smmusd.org>

Date: October 31, 2015 at 4:07:48 PM PDT

To: "Lyon, Sandra" <slyon@smmusd.org>, "Lieberman, Laurie" <llieberman@smmusd.org>

Cc: "Tahvildaran-Jesswein, Richard" <rtahvildaranjesswein@smmusd.org>, Jennifer deNicola <jd18@me.com>

Subject: Legal Action

Hi Sandy,

I understand that the district is pursuing a criminal complaint against Jennifer deNicola and possibly others for unauthorized collection of caulking samples. I want to be strongly clear that I do not support this action and ask for it to stop immediately.

It is not appropriate to move a legitimate civil disagreement into criminal channels. The independent samples we've received have been valuable and much needed information in our struggle to find the right path for the District, its students, and its employees.

I further understand that the district believes that this round of independent samples has been in some way more destructive than prior testing. I do not believe for a moment that whatever damage that took place, to the extent it did, was deliberate.

Regardless, the criminal pursuit of any independent testers is unwise. I want no part of it and I will oppose it. Such action will only exacerbate the tensions between the district and those who believe deeply that the district has chosen a wrong, unsafe course regarding PCBs. Indeed, it will only exacerbate tensions between Malibu and SMMUSD and make the district look like it is trying to intimidate its critics.

Far more concerning to me is the information that those tests reveal source PCBs above EPA threshold levels in rooms we have been told were fully remediated. That, instead, is where I believe our attention should be directed.

Thank you,

Craig

Craig Foster
SMMUSD School Board Member
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From: Oscar de la Torre <odelatorre16@yahoo.com>

Date: October 29, 2015 at 3:44:39 PM PDT

To: Sandra Lyon <slyon@smmusd.org>

Subject: Recommendation to Not Pursue Charges Against Parents or Staff for Testing of School Property for Hazardous Materials

As a member of the school board I am concerned to hear that our school district is pursuing to press criminal charges against parents for allegations stemming from testing of school property for hazardous materials. I recommend that we do not pursue legal charges against parents or staff members as this will only create more distrust and acrimony between district officials and our parents and staff who have been calling for comprehensive testing and remediation of hazardous materials in our schools.

-Oscar de la Torre, school board member

Sent from my iPhone