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Steven L. Hoch

Direct Dial: (310) 500-4611  
SHoch@HatchParent.com

January 14, 2005

Mr. Roger Briggs  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA 93401

Re: David Pierson/Goldie Lane Property,  
San Luis Obispo County, California

Dear Mr. Briggs:

We advised you on January 12, 2005 of our representation of Mr. Pierson. However, the record indicates that on October 22, 2004, Mr. William Walter advised you that he was representing Mr. Pierson. Therefore, we would have expected that the Board would have placed Mr. Walter on your mailing list as you had clear evidence that Mr. Pierson was represented in this matter by Mr. Walter, but the Board failed to do so denying Mr. Pierson of representation.

I have just recently received a letter you sent to Mr. Pierson dated December 9, 2004 which was not sent to his counsel. In that letter you advised Mr. Pierson that the Board was returning his check which was sent to the Board to pay the levied fine set forth in R3-2004-0110. In this same letter you indicate that the Board has rescinded the complaint and the fines. The letter threatened to issue a new Administrative Civil Liability Complaint with higher fines.

R3-2004-0110 was issued on July 16, 2004. We wish to point out that Wat C § 13323(d) clearly states that the order based on the complaint becomes final upon issuance. Mr. Pierson duly paid the fine. This matter should now be considered closed.

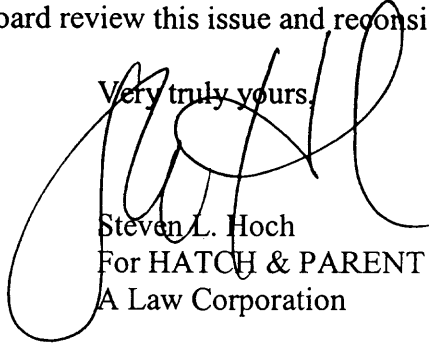
There is no statutory authority permitting the Board ~~from~~ rescinding a final order nunc pro tunc. Clearly, without authority to act, and acting contrary to the law of this state, the Board's "rescission" is arbitrary and capricious.

*to per their 1/14/05 letter BP*

Mr. Roger Briggs  
January 14, 2005  
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We suggest that the Board review this issue and reconsider its threatened action.

Very truly yours,

A large, stylized handwritten signature in black ink, appearing to read 'SLH', is written over the typed name and affiliation.

Steven L. Hoch  
For HATCH & PARENT  
A Law Corporation

SLH

cc: Mr. David Pierson

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January 17, 2005

*No enclosures*  

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*SLH*

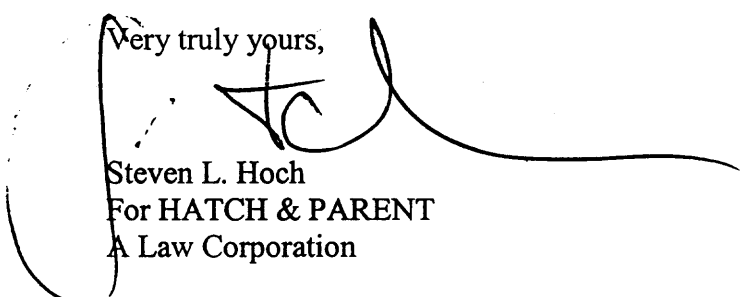
Mr. Roger Briggs  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA 93401

Re: David Pierson/Goldie Lane Property,  
San Luis Obispo County, California

Dear Mr. Briggs:

In our recent letter to you dated January 14, 2005, a copy of which is enclosed for your convenience, we would like to make a correction in the wording of the first sentence in the fourth paragraph. The sentence should read "There is no statutory authority permitting the Board to rescind a final order nunc pro tunc." Please note this change. Thank you.

Very truly yours,

  
Steven L. Hoch  
For HATCH & PARENT  
A Law Corporation

SLH

cc: Mr. David Pierson



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