

CHRISTOPHER L. SCILEPPI
ATTORNEY AT LAW

February 1, 2010

VIA FACSIMILE TRANSMISSION ONLY

520-733-7051

News Desk ATTN: Tammy Vo

KGUN 9

Tucson, Arizona

Dear Ms. Vo:

Good speaking with you earlier today. As I indicated to you, I represent Octavio Garcia-Von Borstel.

I am enclosing the receipts from the Mondrian indicating that the movie charged to my client (and therefore the City of Nogales), were improperly charged as he **never** rented any movie(s) whatsoever. The invoice also reflects the adjustment made correcting the wrongfully charged amount and the reimbursement to the City of Nogales.

I am also asking that you **immediately** discontinue any announcements or advertisements for any programs which mischaracterize the mistake perpetrated by the Mondrian and which reflect negatively on my client. Continuing to run the advertisements having knowledge that this is a mistake on the part of the Mondrian could be considered malicious and will very likely irreparably harm my client.

Further, I am hereby requesting an immediate retraction and correction which would be given at least equal airtime as the mistaken reports which have aired.

Thank you for your immediate attention to this matter and please do not hesitate to contact me if I can be of any further assistance to you.

Best regards,



Christopher L. Scileppi
Attorney for Octavio Garcia-Von Borstel

CLS/gds

CITY OF NOGALES

HONORABLE OCTAVIO GARCIA-VON BORSTEL

OFFICE OF THE MAYOR



02/01/2010

Dear City Attorney:

I am submitting a copy of the amended Mondrian Invoice submitted to me as where the following changes have been made. The Mondrian Hotel has acknowledged they have made a mistake and there was no movie rental of any kind. Mondrian Hotel has reimbursed the City of Nogales a total amount of \$18.45. I respectfully ask you to take the necessary legal action to inform financial or government agencies of such change. Thank you for your time.

A handwritten signature in black ink, appearing to read 'Octavio Garcia - Von Borstel'.

Octavio Garcia - Von Borstel

C.C. City Manager, Jaime Fontes
C.C. Deputy City Manager, John Kissinger
C.C. Finance Director, Terry Ramirez
C.C. City Clerk, Leticia Robinson
C.C. Nogales City Council

WP 4

MONDRIAN

7353 EAST INDIAN SCHOOL ROAD SCOTTSDALE AZ 85261 PHONE 480 308 1100 FAX 480 308 1200
MORGANS HOTEL GROUP

BORSTEL, OCTAVIO

Room Number: 1305
Daily Rate: 125.00
Room Type: STDKG
No. of Guests: 1 / 0

ARRIVAL	DEPARTURE	CREDIT CARD	RATE PLAN	CATEGORY	ACCOUNT
8/13/2008	8/14/2008	XXXXXXXXXXXX6626	A1SPEC	SPEC	10100155867

DATE	ROOM NO.	DESCRIPTION	REFERENCE	AMOUNT
8/13/2008	1305	MOVIE RENTAL	1305/233251/411	\$18.99
8/13/2008	1305	MOVIE TAX	MOVIE TAX	\$1.35
8/13/2008	1305	ROOM CHARGES	#1305 BORSTEL, OCTAVIO	\$125.00
8/13/2008	1305	ROOMS STATE TAX 7.27%	ROOMS STATE TAX 7.27%	\$9.09
8/13/2008	1305	ROOMS LOCAL TAX 1.65%	ROOMS LOCAL TAX 1.65%	\$2.06
8/13/2008	1305	ROOMS CITY TAX 3%	ROOMS CITY TAX 3%	\$3.75
8/14/2008	1305	MASTERCARD	MASTERCARD	(\$158.24)

TOTAL DUE: \$0.00

SIGNATURE _____

MONDRIAN

1300 EAST INDIAN SCHOOL ROAD SCOTTSDALE AZ 85251 PHONE 480.309.1100 FAX 480.309.1200
MORGAN HOTEL GROUP

BORSTEL OCTAVIO



Room Number: 1305
Daily Rate: 125.00
Room Type: STDKG
No. of Guests: 1 / 0

ARRIVAL	DEPARTURE	CREDIT CARD	RATE PLAN	CATEGORY	ACCOUNT
8/13/2008	8/14/2008	XXXXXXXXXXXX8626	A1SPEC	SPEC	10100155867
DATE	ROOM NO.	DESCRIPTION	REFERENCE		AMOUNT
8/13/2008	1305	MOVIE RENTAL	1305/233251/411		
8/13/2008	1305	MOVIE TAX			\$16.99
8/13/2008	1305	ROOM CHARGES			\$1.35
8/13/2008	1305	ROOMS STATE TAX 7.27%	#1305 BORSTEL, OCTAVIO		\$125.00
8/13/2008	1305	ROOMS LOCAL TAX 1.65%			\$9.09
8/13/2008	1305	ROOMS CITY TAX 3%			\$2.06
8/14/2008	1305	MASTERCARD			\$3.75
2/1/2010	1305	ADJUST MOVIE RENTAL	MASTERCARD		(\$158.24)
2/1/2010	1305	MOVIE RENTAL	DID NOT RENT		(\$15.99)
2/1/2010	1305	MOVIE TAX	MOVIE RENTAL		(\$1.35)
2/1/2010	1305	MASTERCARD	MOVIE TAX		(\$0.11)
			MASTERCARD		\$18.45

TOTAL DUE: \$0.00

SIGNATURE
 I HEREBY CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT STATEMENT OF THE ACCOUNT AND I AGREE TO PAY THE BALANCE DUE TO THE HOTEL GROUP.
 DATE: _____