



**LAW OFFICES OF MELO AND  
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Stephen C. Sutton, Ed.D.  
Interim Vice Chancellor  
Division of Student Affairs  
University of California, Berkeley  
130 California Hall, MC 1504  
Berkeley, CA 94720-1504

By Email Only "[ssutton@berkeley.edu](mailto:ssutton@berkeley.edu)"

Re: Milo Event and "Free Speech" Week

Dear Interim Vice Chancellor Sutton:

The Law Offices of Melo and Sarsfield LLP represents the Berkeley Patriot, and a group of students who are attempting to host Milo Yiannopoulos for the Free Speech.

Since announcing their intent to host the event, the student group has been subjected to extraordinary pressure and resistance, if not outright hostility, by the UC Berkeley administration and your employees.

Your employees have insinuated in meetings that our clients would be morally and legally responsible for any acts of violence committed against them, or members of the public, by students and faculty opposed to our clients exercising their First Amendment rights during "Free Speech Week."

Your employees have refused to work with our clients to comply with the administration's bureaucratic demands by failing to communicate in a timely manner, or in some cases, refusing to communicate at all.

Your employees have refused to allow our clients to attend meetings with legal counsel present and issued arbitrary deadlines with impossibly short times to comply.

Your employees and the administration have failed to protect our students from physical assault and vandalism by UC Berkeley students and in some cases, faculty/staff.

Your administration has refused to rent secure venues for the event despite its availability and a deposit having been posted. That in turn has endangered the physical safety of the speakers and attendees for no good reason.

You and the administration have failed to take proper disciplinary steps against persons and groups on campus that engage in acts of violence and destruction of property against those who merely hold a differing point of view.

Your administration has allowed members of By Any Means Necessary (BAMN) to openly solicit in classes (some of which were attended by our clients) during scheduled classroom instruction time, thereby disrupting and delaying the educational services paid for by our clients (and other students). Instead of receiving the education services that our clients paid for by way of their tuition, they were forced to listen to the political rantings of BAMN recruiters soliciting students to join in the violent attack at the Milo event in February, 2017.

Your office has engaged in a pattern and practice of negotiating the details of the upcoming event via news releases to the media. In some cases, our clients learned of your latest bureaucratic hurdle by reading about it in the paper.

As you are no doubt aware, earlier this week, our clients filed a complaint with the US Department of Justice alleging that your administration has engaged in a pattern and practice of systematic suppression of their First and Fourteenth Amendment rights by engaging in the activities I described above. Not two days later, the Chancellor announced that her office and the administration was initiating a "hate crime" investigation. She further insinuated that the students affiliated or associated with the Berkeley Patriot, were the subject of the "investigation" or words to that effect. The "crime" they are accused of committing? Expressing a political opinion by writing in chalk on the sidewalk or distributing leaflets.

As a former prosecutor, I can tell you that there is no rational way to equate those actions with criminal activity, even if they are true. But you and the Chancellor already know that is the case.

The intent of the threat was clear. Cease speaking out or face criminal investigation. Well, our clients' heard the Chancellor's threat. They will be quiet, for now.

On their behalf, you are hereby notified the Berkeley Patriot is canceling all Free Speech Week activities it sponsored. This cancellation is solely because of the actions, as well as threats made, against our clients by the administration and your employees, as listed above.

You are further notified that our clients are contemplating initiating litigation against the responsible parties and the administration for violation of our clients civil rights. You, that administration, and your employees are to preserve until further notice all documents, notes, emails, texts, postings, and communications of any kind, whether on government or personally owned systems that pertain to the topic of Free Speech Week, Milo Yiannopolous, the Berkeley Patriot (AKA the California or Californian Patriot), and the group known as BAMN and/or ANTIFA.

Very Truly Yours,

LAW OFFICES OF MELO AND SARSFIELD LLP

BY: Marguerite Melo  
Marguerite Melo  
Attorney for the Berkeley Patriot