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March 31, 2014

CITY CLERK'S OFFICE

MAR 31 2014

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**HAND-DELIVERED**

City Clerk  
City of Lemoore  
119 Fox Street  
Lemoore, CA 93245

**CLAIM FOR DAMAGES**

Claim Against: John Gordon and City of Lemoore

Name of Claimant: Ed Martin  
Address: 991 Freedom Drive  
Lemoore, CA 93245  
Telephone No.: (559) 924-7885  
Cellular No.: (559) 410-2411

Notices sent to: Michael L. Farley, Esq.  
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Visalia, CA 93291  
(559) 738-5975  
Email: [dfarley@farleylawfirm.com](mailto:dfarley@farleylawfirm.com)

Date of Incident: March 10, 2014

Amount of Claim: This is not a limited civil case. The amount of the injuries/damages are currently unknown, but exceed the jurisdictional limits of a limited civil case.

This incident is based on emotional (personal) injuries sustained by Claimant commencing on or about March 10, 2014, and continuing. The facts which give rise to the present claim are as follows:

Claimant is, and has been for approximately 13 years, an assistant principal at Lemoore Union High School. He has been employed as an educator for approximately 27 years. In addition, Mr. Martin is the President of the Lemoore Union High School District Foundation for Educational Excellence and editor and publisher of The Leader,

an on-line publication with its stated purpose to better inform citizens of the news and happenings in Lemoore.

On Monday, March 10, 2014, Lemoore City Councilman John Gordon, posted the following on his Facebook page:

The Kings County DA's office has decided not to prosecute Jeff Britz (sic) (our former City Manager) and Ed Martin (our former Mayor and Councilman for 18 years) for embezzlement. I learned in law school that if you try to enrich yourself using your power or position, it is called embezzlement. An unwilling co-conspirator came to our City Council meeting on August 6, 2013 which began our investigation. The DA's position is that money did not exchange hands therefore there was no crime. So, the next time someone tries to rob (sic) 7-11 and there is no cash in the register I guess it will not be a crime. Side note, if Ed Martin had not had a heated exchange with the co-conspirator outside of Council Chambers, we may not have caught on to what was happening.

Copies of Mr. Gordon's Facebook page<sup>1</sup> and this posting are attached collectively hereto as Exhibit "A."

Mr. Gordon, on behalf of the City of Lemoore, has made these slanderous statements as a leader of the community. A public entity can only speak through its representatives. [Government Code §815.2(a)] This Claim is, in part, for defamation by Mr. Gordon, as a Lemoore City Councilman acting on behalf of the City of Lemoore. In addition, these comments are defamatory per se in that they accuse Mr. Martin of a crime (embezzlement) despite the fact they acknowledge the District Attorney's position that there was no crime.

These comments are simply another example of another City of Lemoore representative using his position not only for political motives but also to relieve Mr. Martin of his livelihood and destroy his reputation.

Mr. Martin requests that he be compensated for his injuries in an amount greater than \$100,000.00. The exact amount has not been ascertained, however, the case would be an unlimited civil case.

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<sup>1</sup> An internet search reveals that Mr. Gordon has at least two (2) Facebook pages: one as a City Council member and one for his law practice.

Mr. Martin further requests a public apology from Mr. Gordon and the City of Lemoore and that Mr. Gordon's resignation from his position as a member of the Lemoore City Council be accomplished forthwith.

Sincerely,

FARLEY LAW FIRM

A handwritten signature in black ink, appearing to read 'MLF', is written over the printed name 'Michael L. Farley'.

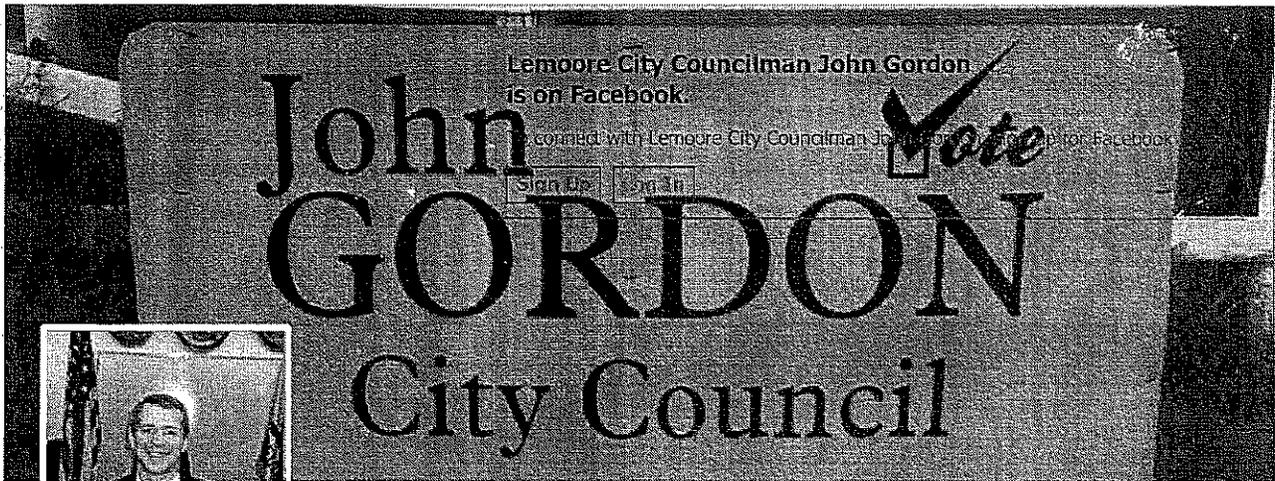
Michael L. Farley  
Attorney for Claimant

MLF:df  
cc: Client

EXHIBIT "A"

Email or Phone  Password

Keep me logged in  Forgot your password?



**Lemoore City Councilman John Gordon**

214 likes · 1 talking about this

Politician

Thank you everyone that voted for me. I look forward to representing you, in this great town. Please suggest page to friends

214

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**Lemoore City Councilman John Gordon**  
March 7

Please Attend a Community Coffee Event with Congressman David G. Valadao on Saturday, March 22, 2014, 9 am - 10 am, at the Lemoore Senior Center 789 S. Lemoore Ave., Lemoore.

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Remember me? Judy Finney of the Advance? I'm very upse...  
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OF COURSE! U ROCK BROTHER!  
January 30, 2013 at 3:20pm

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Actor/Director



**KMJNOW**  
News/Media Website



**Fox News**  
Media/News/Publishing



**California Water Alliance**  
Non-Profit Organization

March 17 at 10:11am · Like



**Eric Darter** You are always welcome at my house buddy!

March 17 at 12:12pm · Like · 1



Write a comment...



**John W. Gordon**

March 10

The Kings County DA's office has decided not to prosecute Jeff Britz (our former City Manager) and Ed Martin (our former Mayor and Councilman for 18 years) for embezzlement. I learned in law school that if you try to enrich yourself using your power or position, it is called embezzlement. An unwilling co-conspirator came to our City Council meeting on August 6, 2013 which began our investigation. The DA's position is that money did not exchange hands therefore there was no crime. So, the next time someone tries to robe 7-11 and there is no cash in the register I guess it will not be a crime. Side note, if Ed Martin had not had a heated exchange with the co-conspirator outside of Council Chambers, we may not have caught on to what was happening.

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Brian Castadio and 17 others like this.

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**Kathleen Hall Elias** it just shows the lack of character and ethics that the recall people possess

March 10 at 1:18pm · Like · 2



**Julie Oliveira Hansen** Dirty.

March 10 at 3:06pm · Like · 2



**Kathleen Hall Elias** civil suit?

March 10 at 8:17pm · Like



**Kathleen Hall Elias** put it on the agenda and then let's talk about it.

March 10 at 8:18pm · Like · 1



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