



BURCH & CRACCHIOLO

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June 3, 2014

SENT VIA EMAIL: Steve@ZookaCreative.com
AND SENT VIA U.S. MAIL:

Steve Decker, President
Zooka Creative
135 Nicholas Lane
San Jose, CA 95134

Re: *Tortious Acts of Agent Mike Chichester*

of?

Dear Mr. Decker:

This Firm represents **Santy Integrated** and it has been discovered that your agent, Mike Chichester, recently began improperly publishing false and defamatory statements about Santy and its business. Even more egregious is the fact that he also contacted Santy's clients in an attempt to spread false statements. His wrongful conduct is clearly an attempt to impugn Santy's reputation and tortiously interfere with its client relationships. Most importantly for you, his actions were done, without question, for his own behalf and on behalf Zooka Creative, and liability for his tortious conduct is therefore imputed to Zooka Creative.

Missing here?

DEMAND IS MADE UPON YOU, INCLUDING YOUR EMPLOYEES AND AGENTS, TO IMMEDIATELY CEASE AND DESIST PUBLISHING ANY YOUR EMPLOYEES AND AGENTS AND TO DISCONTINUE CONTACT WITH ANY CLIENT OF SANTY'S IN ORDER TO INTERFERE WITH ITS BUSINESS RELATIONSHIPS.

of?

LEGAL ACTION AGAINST ZOOKA CREATIVE

As stated, demand is made upon Zooka Creative to immediately cease and desist any continued contact, through its agents, with Santy's clients either by direct contact, social media postings, email or other communication. Demand is also made upon Zooka Creative to cease and desist publishing any further defamatory statements regarding Santy. The intentional and direct acts committed by your agent Mike Chichester, with your knowledge and approval (tacit or otherwise), are intended to wrongfully interfere with Santy's client relationships and thus give rise to civil claims against Zooka Creative. Since these tortious acts were committed on behalf of Zooka with its tacit and/or express approval and consent, liability lies against the corporation as well as the individual



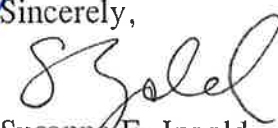
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employee. Where the company knows about the unlawful conduct and takes no actions to prevent it, it becomes a party subject to liability and liable for punitive damages where the acts are willful, wanton and in reckless disregard of Santy's rights. Security Title Agency, Inc. v. Pope, 219 Ariz. 480, 200 P.3d 977, 997 (Ct. App. 2008)(citing American Republic Ins. Co. v. Union Fidelity Life Ins. Co., 470 F.2d 820 (9th Cir.1972)).

Should you fail to comply with this demand, then Santy will seek all available legal remedies against Zooka Creative, including injunctive relief and award of monetary damages, and it will also seek an award of the attorneys' fees necessary to protect Santy, its reputation and its clients. Please take the necessary steps to immediately ensure your employees' compliance with this demand and the laws of Arizona that govern your employees' improper conduct.

Thank you.

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Sincerely,

Susanne E. Ingold
For the Firm

SEI/mrm

