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VIA OVERNIGHT MAIL & EMAIL

Brian Thomson
[REDACTED]
Frisco, Texas 75036

Theresa Shipman
[REDACTED]
Frisco, Texas 75035

Re: Immediate Cease and Desist – False and Misleading Campaign Signage in Violation of Texas Law

Dear Mr. Thomson and Ms. Shipman:

This correspondence is intended to provide you with formal notice of demonstrably false and misleading campaign advertising disseminated against my clients, Jared Elad and Burt Thakur, candidates for Frisco City Council Places 4 and 2, respectively. We extend this opportunity to resolve the matter without judicial intervention. If litigation proceeds, this letter will be offered into evidence as proof of your knowledge of the falsehoods and refusal to correct them. It has come to our attention that you are responsible for the creation and dissemination of signage that states:

“VOTE NO TO THE UNION AGAIN ON JUNE 7TH – NO TO BURT, NO TO JARED.”

This message is materially false. Neither Mr. Elad nor Mr. Thakur is affiliated with any union-related campaign, organization, or activity. The sign misleads the public by falsely associating them with a controversial, unrelated union vote, thereby injuring their candidacies and reputations.

This constitutes defamation per se under Texas law. See *Bentley v. Bunton*, 94 S.W.3d 561 (Tex. 2002). False statements that impugn the honesty or integrity of a candidate for public office require no showing of actual damages. Moreover, your conduct violates Section 255.003 of the Texas Election Code, which prohibits knowingly making or publishing false representations about a candidate’s identity or position.

This is a Class A misdemeanor and a civil offense. If you do not take immediate corrective action, we are prepared to file suit in either Denton or Collin County District Court, seeking:

1. A Temporary Restraining Order and Preliminary Injunction;
2. An order requiring the immediate removal and destruction of all false signage;
3. Costs of court and attorneys’ fees under Chapter 38 of the Texas Civil Practice & Remedies Code;
4. Exemplary damages due to your actual malice and reckless disregard for the truth.

As defined in *New York Times Co. v. Sullivan*, 376 U.S. 254 (1964), your continued publication of this material—after receiving this notice—constitutes evidence of actual malice.

Accordingly, you are hereby directed to:

- Cease and desist from any further publication or display of the misleading signage;
- Remove all existing signs and materials from public view;
- Refrain from making any further public misrepresentations regarding Mr. Elad or Mr. Thakur;
- Preserve all emails, text messages, print orders, invoices, drafts, and communications related to the signage;
- Identify within 72 hours all individuals or entities involved in the signage's production, funding, or dissemination.

Please provide written confirmation of compliance no later than May 29, 2025, 5:00 PM CST.

To resolve this matter amicably, my clients are willing to forgo litigation if you issue a public retraction, remove all false signage, and provide written assurance that no similar materials will be disseminated. In the absence of such confirmation, my clients will proceed immediately to seek judicial intervention.

Please also be advised that, absent corrective action, we reserve the right to release a public corrective statement and to forward this matter to the Texas Ethics Commission and the Frisco City Secretary for appropriate action. Nothing in this letter waives or limits any of my clients' legal rights, all of which are expressly reserved.

Respectfully,

BY: /s/ *Steven Noskin*
STEVEN NOSKIN, Esq.
NOSKIN LAW FIRM, PLLC