



THE JACOB JOURNAL

A Newsletter from Vice Chairwoman Dianne Jacob

April 2008

I Won't be Sued into Silence

Serving the Cities of:
El Cajon
La Mesa
Lemon Grove
Poway
Santee

Serving the communities of:
Agua Caliente
Allied Gardens
Alpine
Barrett
Blossom Valley
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Descanso
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Eucalyptus Hills
Fernbrook
Flinn Springs
Granite Hills
Grantville
Guatay
Harbison Canyon
Jacumba
Jamul
Julian
Lake Morena
Lakeside
Mount Helix
Pine Hills
Pine Valley
Potrero
Ramona
Rancho San Diego
Rolando
San Carlos
San Pasqual
Santa Ysabel
Shelter Valley
Spring Valley
Tecate
Tierra del Sol
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Serving the Indian Reservations of:
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Campo
Cosmit
Cuyapaipe
Inaja
Jamul
La Posta
Manzanita
Mesa Grande
Santa Ysabel
Sycuan
Viejas

The following commentary, authored by Supervisor Jacob, was rejected for publication by the Los Angeles Times and appeared on the news website Voice of San Diego. Supervisor Jacob is glad to share the piece with you.

I was sued by the owner of the Los Angeles Times for speaking my mind about the business practices of one of his companies, ironic because people involved in journalism are usually fierce defenders of free speech.

Sam Zell's Manufactured Home Communities, now operating under the name Equity Lifestyle Properties, Inc., owns and operates more than 300 mobile home parks in 28 states, including four parks in the district I represent.

At first, it was difficult to take Zell or his lawsuit seriously. There's something amusing about being sued for defamation by an individual who calls himself the "grave dancer."

Later, however, when Zell's lawyers appealed the case to the 9th U.S. Circuit Court of Appeals, I came to suspect that MHC's lawsuit wasn't really about my negative remarks.

Today, weeks after the appeals court dismissed all but a small piece of the case against me, I am convinced that Zell is using our judicial system to bully me and intimidate those who dare question how MHC treats its customers.

In my district, Zell's customers are my constituents. In 2002, when MHC raised their rents some 25 percent, my constituents came to me in fear. Many were fixed-income seniors petrified of losing their homes in

an already tight housing market.

I did my homework and learned a great deal about the landlord behind the increase, a billionaire real estate titan with a deep disdain for bureaucracy, well known to the financial world as a "vulture investor."

Above all, I read about his company's parade of lawsuits slapped against various California municipalities to repeal rent control ordinances, including protracted cases against the cities of Santa Cruz, Santee and San Rafael.



Speaking Out: Residents of mobile home parks owned by real estate mogul Sam Zell rally against his company's controversial lawsuit against Supervisor Jacob.

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Not Silent

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Yet, MHC's claims against me are different from its other lawsuits. San Diego County doesn't have a rent control ordinance and has shown no interest in pursuing one.

At issue in my case is the "provability" of three remarks I made after MHC's rent increase was announced: that our local district attorney was interested in looking into MHC's activities, that MHC lied about fixing a sewage leak in one of its parks and that MHC has a reputation of running people out of older mobile home parks.

This column is an overdue message to seniors in Zell-owned mobile home parks who continue to challenge his exorbitant rent increases, to ethical park owners not afraid to say, out loud, that MHC gives their industry a bad name by crossing the line between profit and plunder and to journalists who continue to cover Zell's activities in the face of hostile depositions and legal fees.

I stand behind my three remarks about Mr. Zell's company. I'm not afraid of him or his high-priced attorneys.

What I am afraid of is the notion that I don't have a right to publicly air my opinion of Mr. Zell's business practices. I'm doubly afraid of the message this sends to Americans like me, Americans who speak out when

they believe they see wrong doing, Americans who can't afford to use the legal system as their own personal intimidator.

If I could go back to 2002, I would add one more remark to my list of complaints against MHC. In my opinion, Zell's company uses the court system to crush jurisdictions that stand in the way of its profits. When MHC doesn't win on merit, the company tries to price the defendant out of the judicial process with expensive litigation. The City of San Jose, the County of San Luis Obispo and the City of Santee are intimately familiar with this tactic.

MHC's doctrine of death-by-a-thousand-legal-appeals especially exploits the limited financial resources of cities and counties. Is it lost on Zell that by weighting down our legal system with lawsuits designed to prolong rather than to resolve, he is actually a party to the bloated bureaucracy he so despises?

Zell's lawyers have called my comments "harmful coming from a powerful local official," and to prevail, they will need to prove that harm in court.

It's hard for me to believe that my remarks were much of a threat to a man that Forbes lists as the 52nd richest person in America, and I'm prepared to defend my words because I don't want others sued into silence. More than ever, I believe that MHC does bad business and, in America, I have every right to say so.



New Chapters for East County Libraries

With its financing in place, the new Ramona library turned a page closer to reality recently, marking what Supervisor Jacob called an East County "library renaissance"

In recent years, eight new community libraries have been built in Campo, Descanso, Jacumba, Julian, Pine Valley, Potrero, Rancho San Diego and Spring Valley. Expansions and improvements have taken place at libraries in Lakeside, Casa de Oro and Fletcher Hills.

Supervisor Jacob believes the County is redefining the word "library." Libraries aren't just buildings that house dusty old books; they're alive with computer labs, community rooms, media centers, even coffee bars.

The Spring Valley branch of the San Diego County library, for example, shares its location with the Spring Valley Gym and Teen Center. The Campo, Descanso, Julian, Potrero and Spring Valley libraires are located on school campuses.

The Rancho San Diego Library boasts of an adjacent coffee bar where patrons can enjoy a great book while sipping cappuccino.

The new Ramona library will be the cornerstone of a larger "intergenerational campus" in Ramona where children and seniors will take part in joint activities and may include a community garden.

CELEBRATING TEENS WHO MAKE SMART CHOICES

County of San Diego officials are urging parents to monitor their children's activities during prom and graduation season, when underage drinking tends to increase.

Supervisor Dianne Jacob joined teens and parents outside the County Administration Center recently to talk about how some teens are able to resist the pressure to drink by making the "right choices."

"Underage drinking is not a rite of passage," Supervisor Jacob told the crowd. "It's important for parents to stay involved in their children's lives and communicate openly about the dangers of alcohol. It's important to let our children be who they want to be but always know where they are and what they're doing."

While alcohol continues to be the drug of choice for teenagers, the reality is that the majority of young people do not drink. Nationally, sixty nine percent of underage teens choose to stay away from booze.

The Director of the County's Health and Human Services Agency issued strong words of praise to teens who stay away from booze.

"Teens see it on television, in magazines and the internet. They see it at home. Young people are bombarded by images that promote alcohol," said Jean Shepard. "However, the majority of minors do not drink. They should be applauded for making the right choice."

It is against the law for young people to drink, yet more than 13 million of the nation's 113 million drinkers are underage. Statistics show that one-third of 6th and 9th graders get alcohol from their own homes. Minors also get alcohol from older friends and siblings, from the internet, from adults who are willing to buy it for them, and by using fake identification to purchase booze in the store.



Coffee and Conversation

Got ideas to improve County government? Have concerns you want addressed? Join Supervisor Jacob at her next informal community coffee. She's looking forward to seeing you in Rancho San Diego!

Thursday, May 22 at 8:30 a.m.
Rancho San Diego Library
11555 Via Rancho San Diego

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We hope to hear from you soon!

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