



*Friends of Tahoe Forest Access*

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FOR IMMEDIATE RELEASE

USDA TAHOE NATIONAL FOREST SENDS OHV GROUPS A MESSAGE  
Pacific Legal Foundation, Friends of Tahoe Forest Access et al v. Tahoe National Forest Lawsuit Update

AUBURN, CA - In an effort to discourage OHV groups from filing lawsuits against the Forest Service, Tahoe National Forest and the USDA levied outrageous and unreasonable fees against the groups for "copies" of the Administrative Record delivered to the Federal District Court.

Background: In an effort to reverse over 800 miles of illegal road closures in the Tahoe National Forest's 2009 Travel Management decision, the Friends of Tahoe Forest Access et al, sought the counsel of the Pacific Legal Foundation. By what some would call a miracle, this legal powerhouse, a watchdog of the little guy, agreed to take the case.

Completely outrageous charges for a very simple Summary Judgment were levied against Friends of Tahoe Forest Access (FoTFA), Friends of Greenhorn (FOG), Nevada County Woods Riders (NCWR), Grass Valley 4Wheel Drive Club (GV4WDC), WeBilt 4WD Club (WB4WDC), High Sierra Motorcycle Club (HSMC) and 2 individuals in the case brought by the Pacific Legal Foundation last month.

When the bloated invoices were protested by Pacific Legal Foundations Attorney Ted Hadzi-Antich, Judge Mendez sided with the Federal Government and upheld the charges levied against the OHV groups in the amount of \$14,875.00. Judge Mendez stated in the appeal denial that it is legal to bill for direct costs.

The charges included \$275.00 in fees and over \$14,600.00 in printing costs (invoices attached). Pacific Legal Foundation charged it's clients only \$562.00 for only the relevant information required to prepare for the case. The Justice department found it necessary to not only print one entire copy of the Administrative Record, but a second electronic copy was created and delivered to Judge Mendez of the Federal District Court. They are required to provide only one digitized copy to the court, instead they chose to produce 2 - Charging the groups for copies is discretionary. So the message is clear.

In preparatory meetings prior to filing the suit in Federal District Court, the question was posed by the Plaintiffs to Pacific Legal Foundation's counsel, if it were possible that the Federal Government would bill us for legal expenses, the answer was it was within the rights of the government to bill for expenses, but that in the history of these types of legal battles, it was very rare, highly unlikely, and had never happened in Mr. Hadzi-Antich's 30+ year legal history.

The case has now been appealed to the 9<sup>th</sup> circuit Court of Appeals. On May 19<sup>th</sup>, 2014, Pacific Legal Foundation moved one step closer to seeing this case "all the way through to the Supreme Court".

To our fellow off roading public, the groups above do not have the means to cover this egregious expense, and are asking that we reach out to those who utilize roads and trails in the Tahoe National Forest to do what they can to help us cover this cost. It is important that we not be discouraged by this "message", and that we send our own message - that the US Forest Service cannot deter us from taking legal action in the future.

A PayPal Account has been set up for electronic donations which can be gifted to [FriendsOfTahoeLawsuit@gmail.com](mailto:FriendsOfTahoeLawsuit@gmail.com), while checks can be made Payable to Grass Valley 4-Wheelers Inc. and sent to P.O. Box 824 Grass Valley, CA 95945. If our forest users can donate the amount of what it would cost for 1 tank of fuel or a weekend in the forest, we could easily reach our goal of \$15,000.00. The government is charging interest on this bill, and it will accrue until paid.

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For more information on this release or to schedule and interview with Jacquelyne "Bebe" Theisen, please call 530-888-8302 or e-mail at [FriendsOfTahoeLawsuit@gmail.com](mailto:FriendsOfTahoeLawsuit@gmail.com).