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October 25, 2012

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**VIA FIRST CLASS MAIL
AND ELECTRONIC MAIL (NEWBERRYSPRINGS@HOTMAIL.COM)**

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Community Alliance
P.O. Box 11
Newberry Springs, California 92365

RE: **CadizWater.com Website**
Client-Matter No. 41083.6

To Whom It May Concern:

We represent Cadiz Inc. ("Cadiz") in intellectual property and other matters. It recently came to Cadiz's attention that you have purchased, and are operating a website (the "Site") at, the domain name www.cadizwater.com (the "Domain Name").

Cadiz owns rights in the CADIZ mark and related marks for use in connection with its renewable resource services. Cadiz has invested significant resources in developing goodwill in the Cadiz marks and considers them to be valuable business assets. Your website intentionally diverts consumers by creating an unauthorized diversion through utilizing the CADIZ mark in your domain name, on the Site, and in the Site's metatags.

By so doing, the Site, at a minimum, causes initial interest confusion that is actionable under the Lanham Act, 15 U.S.C. § 1051 *et seq.* Internet users who access the www.cadizwater.com website are expecting to arrive at Cadiz's website. When they arrive instead at your Site, they cannot help being confused, even if such confusion is capable of later being dispelled. By so using the CADIZ mark, you are misappropriating and improperly benefitting from the goodwill that Cadiz has established in its CADIZ marks and infringing upon Cadiz's rights in its trademark.

As you may be aware, when a party is found liable for infringement, a trademark owner may be permitted to recover the infringer's profits and other damages, as well as the costs of bringing such an action. Under the Lanham Act, courts can, in addition to compensatory damages, impose punitive damages and even attorneys' fees against a willful infringer. In this regard, should you knowingly continue your unauthorized use of the CADIZ marks, you potentially will be exposed to damages for willful infringement, which may include punitive damages and attorneys' fees.

In light of the above, we demand that you immediately:

1. cease all use of the Domain Name;
2. transfer the Domain Name to Cadiz; and
3. refrain from use of all domain names that consumers could reasonably believe to be associated with Cadiz.

Moreover, the Site contains false and defamatory statements regarding Cadiz. These statements will be the subject of a separate letter that will be sent to you shortly. In the meantime, please confirm to us in writing by **November 2, 2012**, that you have complied and will continue to comply with the demands set forth above and to facilitate the transfer of the Domain Name to Cadiz. We look forward to hearing from you and appreciate your cooperation in advance.

Sincerely,



Ashley Krause
Martha L. Fitzgerald