

THE PURPOSE OF THE CEASE AND DESIST LETTER

This letter is necessary to prepare your case for legal action. You will need to inform Tour Copter Companies of the Noise Nuisances they are causing to you and that you demand they STOP.

These cases will be filled in small claims court. The cost to file the case is \$30. Please contact us for further details.

Instructions on how to fill out the Cease and Desist Form!

Below are two samples for your review.

Once you have completed filling out the Form you will receive an email with the filled out Cease and Desist order attached. You will be able to make changes to the letter by using the link in the email.

Once you are completed with all your changes, the email will have a PDF file attached for you to printout.

The email will also contain the addresses of the Tour Helicopter Companies so you can send them a certified letter containing the signed Cease and Desist Letter.

Include an aerial picture of your home, along with your GPS coordinates. This can be found on Google Earth along with an aerial picture.

It is important they know where you are located from an aerial view, so they cannot deny knowing your location.

They will have ten days in which to change their flight path so as not to fly over your property, after which time you will need to start documenting the violations.

John Mendoza
211 S Waiianuenue Avenue
Hilo, HI 96720

10/13/2017 04:06:05 AM

This information will be
input into the form as
you fill it out!

RE: Cease and Desist from Noise Harrassment Affects

Attention: Paradise Helicopters,

This CEASE AND DESIST ORDER is to inform you that your persistent actions including but not limited to: Your helicopter tours fly low over my home multiple times a day, everyday. Your helicopters are the loudest of any other tour helicopters. The abuse and noise pollution from your helicopters directly impacts my ohana (including pets), the enjoyment of my property and negatively affects the value of my home. The noise pollution is so loud it interrupts conversations and audio and visual home entertainment. Your tour helicopters also invade the privacy, security and enjoyment of my home and property. The constant harassment of your helicopter tours has adversely affected my ohana's health and well being, interrupting sleep, causing aggravation and stress, have become unacceptable. You are ORDERED TO STOP such activities immediately as they are being done in violation of the law. I have the right to remain free from these activities as they constitute Noise Harrassment, and I will pursue any legal remedies available to me against you if these activities continue. These remedies include but are not limited to: contacting law enforcement to obtain criminal sanctions against you, and suing you civilly for damages I have incurred as a result of your actions. Again, you must IMMEDIATELY STOP and send me written confirmation that you will stop such activities. You risk incurring some very severe legal consequences if you fail to comply with this demand. This letter acts as your final warning to discontinue this unwanted conduct before I pursue legal actions against you. At this time, I am not contacting the authorities or filing civil suit against you, as I hope we can resolve this matter without authoritative involvement. I am not under any circumstances, however, waiving any legal rights I have presently, or future legal remedies against you by sending you this letter. This order acts as ONE FINAL CHANCE for you to cease your illegal activities before I exercise my rights. To ensure compliance with this letter, and to halt any legal action I may take against you, I require you to fill in and sign the attached form and mail it back to me within 10 days of your receipt of this letter. Failure to do so will act as evidence of your infringement upon my legal rights, and I will immediately seek legal avenues to remedy the situation. Sincerely,

John Mendoza

CEASE AND DESIST COMPLIANCE AGREEMENT

I, Paradise Helicopters do hereby agree to stop the affects of Noise Harrassment which are in violation of John Mendoza's rights. I understand that this is my final chance to cease these activities. I understand that John Mendoza potentially has the right to pursue legal action against me relating to my engagement in these activities, but will not pursue those rights in contemplation of my compliance with this written demand. I further understand that John Mendoza has not waived his or her rights and you may pursue legal remedies against me if I fail to abide by this agreement. I understand that this agreement is not specifically limited to the activities named herein. I will not engage in any activity now or in the future done for the purpose of Noise Harrassment affecting John Mendoza. I furthermore agree not to engage in any activity, regardless of its official title, that is done in violation of John Mendoza's legal rights. If I fail to cease performing these activities, John Mendoza may pursue legal action against me in accordance your legal rights. This agreement acts as a contract between Paradise Helicopters and John Mendoza. Forbearing enforcement of legally enforceable remedies is sufficient consideration to support this agreement. This agreement represents the entire agreement between the parties. Any statements made orally, written, or otherwise which are not contained herein shall have no impact on either parties' rights or obligations elaborated in this agreement.

Date: _____

Sign: _____

Print: _____
[Paradise Helicopters]

Philip Hoe
17 3115 S. Kulani Rd
MV Hawaii 96771

10/12/2017 09:46:34 PM

RE: Cease and Desist from Catchment Drinking Water Pollution Affects

Attention: Safari Helicopters,

This CEASE AND DESIST ORDER is to inform you that your persistent actions including but not limited to: Your helicopters are flying over my property and the exhaust fume particles are falling onto my house roof contaminating my catchment water. I'm forced to incur additional expenses to filter out these contaminants, this has become unacceptable.

You are ORDERED TO STOP such activities immediately as they are being done in violation of the law. I have the right to remain free from these activities as they constitute Catchment Drinking Water Pollution, and I will pursue any legal remedies available to me against you if these activities continue. These remedies include but are not limited to: contacting law enforcement to obtain criminal sanctions against you, and suing you civilly for damages I have incurred as a result of your actions. Again, you must IMMEDIATELY STOP and send me written confirmation that you will stop such activities. You risk incurring some very severe legal consequences if you fail to comply with this demand. This letter acts as your final warning to discontinue this unwanted conduct before I pursue legal actions against you. At this time, I am not contacting the authorities or filing civil suit against you, as I hope we can resolve this matter without authoritative involvement. I am not under any circumstances, however, waiving any legal rights I have presently, or future legal remedies against you by sending you this letter. This order acts as ONE FINAL CHANCE for you to cease your illegal activities before I exercise my rights. To ensure compliance with this letter, and to halt any legal action I may take against you, I require you to fill in and sign the attached form and mail it back to me within 10 days of your receipt of this letter. Failure to do so will act as evidence of your infringement upon my legal rights, and I will immediately seek legal avenues to remedy the situation. Sincerely,

Philip Hoe

PO BOX 1000 Kurtistown, HI 96760