

From: Dick Corso dick.corso@me.com 

Subject: OTA Litigation

Date: May 1, 2016 at 9:22 PM

To: BOD@Trivalley BOD@trivalleylearning.org

Cc: LVCS Council Council@lvcs.org, Council@acaciamiddle.org, council@acaciaelementary.org, LVCP Council council@lvcp.org, Scott Lessard scottlessard@lvcp.org, Phillip Weiss phillipweiss@lvcp.org, Louann Tung ltung@lvcp.org, Linda Ransom lindaransom@lvcp.org, Brian Scharmann bscharmann@lvcp.org, Eric Dillie eldillie@lvcp.org, Gary Falcon gfalcon@lvcp.org



Dear TVLC Board of Directors,

I will assume that you all are aware of litigation that is pending related to OTA. Complaints filed with TVLC as the Defendant and TVLC as the Plaintiff, can easily be found on the San Diego Superior Court website. I have attached copies below. Given the timing of the complaints, their nature and with consideration that OTA and TVLC no longer have a relationship (per the action of TVLC to rescind prior agreements) and that OTA is separately authorized by SDUSD without TVLC as the CMO, I question the need for the TVLC action in this suit.

Tensions seem to be high between former OTA founders based on recent media coverage (see link below). I wonder what bearing that all has on TVLC and what relevance there is to TVLC in it's current form and leadership.

One of the sticking points on this seems to be rights to intellectual property developed by one of the OTA founders. I do not understand why (someone must), if TVLC must be involved, it is not possible to achieve an agreement between that founder such that licensing could be paid by the TVLC and OTA schools for use of that intellectual property, while ensuring the rights to the developer.

There may have been merit to the case at some point, based on the relationship of TVLC to OTA under an MOU. However is that merit still present? What is to be gained? Would it not be possible for TVLC as the plaintiff for case 37-2015-00019453-CU-OE-CTL while negotiating with the plaintiff for case 37-2015-0001-cu-mz-ctl with the intellectual property rights preserved with the developer?

The OTA Community and the TVLC community have been stirred deeply and great schisms have been left in relationships. It is not time to look to heal versus further widen the chasm of relationships?

I would urge the TVLC Board to direct action to eliminate the charges between the parties by taking first step. Drop your guard, the whole world isn't out to get TVLC as some have said for many years...and recently. TVLC can create the new path forward. I encourage you to do so before the July trial by jury.

TVLC was created on the backs of parents and well meaning community members. It was not created by business people. I would encourage you to step back in time and ask if these lawsuits fit with the intent. In my mind they do not. There may be an alternate approach.

I beg your consideration...

One parent of many.

Dick Corso



TVLC - Complaint
Against OTA.pdf



OTA - Complaint Against
TVLC.pdf

<http://www.voiceofsandiego.org/topics/education/how-old-town-academy-went-from-restraining-orders-to-renewal/>

