

Lee Burdick

E-mail: [LBurdick@lozanosmith.com](mailto:LBurdick@lozanosmith.com)

*Via Electronic Mail*

February 2, 2017

Executive Board  
UFCW Local 135  
323A Rancho Santa Fe Road  
San Marcos, California 92078

Executive Board  
San Diego-Imperial County Labor Council  
3717 Camino del Rio South, Suite 403  
San Diego, California 92108

Executive Board  
San Diego County Democratic Party  
8340 Claremont Mesa Blvd, No. 105  
San Diego, California 92111

Re: Sex Harassment Allegations – Mickey Kasparian

To Whom It May Concern:

Since December 2016, three women have come forward – including a current employee of UFCW Local 135 – and alleged that Labor President Mickey Kasparian sexually harassed them repeatedly. To my knowledge, none of your organizations have taken action to investigate the validity of these allegations or to mitigate further harassment or retaliation. I am writing to urge you to investigate the allegations and to suspend Mr. Kasparian from his duties and responsibilities pending the outcome of your investigations.

You are probably aware that I was senior legal advisor and then chief of staff to former San Diego Mayor Bob Filner – the City's first Democratic mayor in a generation – who attempted to keep his office and to exercise his powers while under criminal and civil investigation for allegations similar to those leveled against Mr. Kasparian. Eventually, he was forced to resign his office after only nine months as a result of his repeated and repulsive behavior against women. It was an unmitigated disaster for the City, the region and, most importantly from my perspective, the Labor, Democratic and progressive movement.

I learned quite a few lessons from the Filner debacle, three of which may benefit you now. First, objective studies show that 92 to 98 percent of women who claim to have been sexually harassed or assaulted are telling the truth. You should believe them unless or until they are shown to be untruthful. Second, under California law, each of you has a legal duty to investigate these allegations to prevent sex harassment in your workplaces, even if it comes from third-parties rather than in a strict employer-employee relationship. Do your duty and let the cards fall where they may. Finally, if you do nothing and wait for some court or other agency to act, you will do significant harm to your credibility and, consequently, to your ability to act on behalf of your members and the progressive Labor movement you purport to represent.

*Limited Liability Partnership*

February 2, 2017

Page 2

Maintaining the *status quo* until some other agency brings finality or resolution to the matter is not an acceptable approach, legally or ethically. Mr. Kasparian will have his due process and his day in court, if it comes to that. In the meantime, he should be suspended from exercising all authority on behalf of your organizations so as not to do further damage pending investigation and resolution of the allegations.

Nobody ever said leadership is easy. I urge you to do what you know is right.

Sincerely,

A handwritten signature in blue ink that reads "Lee Burdick". The signature is written in a cursive style with a large, sweeping initial "L".

*Lee Burdick*