

Agenda Item: 7.

Memorandum

To: Executive Committee

From: John Winkler, General Manager
Paul Peters, District Legal Counsel

Date: October 1, 2013

Re: Use of District Logo

The District has not adopted regulations governing the use of NRD letterhead or its logo by directors. However the obvious function of letterhead is to denote that the message conveyed is within the authority of the signer and reflects the position of the organization represented by the letterhead.

In the attached scenario, the use of the NRD logo generally appears to be for the dissemination of personal political propaganda and constitutes political campaigning in opposition to the official position of the NRD determined by the majority of the Board of Directors and Management.

In summary, it is the legal opinion of the District Attorney that the use thereof for such purposes is improper conduct by an officeholder in that it clearly and deceitfully implies that it is within the authority of the sender and represents the position of the NRD as an organization, when in fact it does not.

This of course does not address the potential liability of the District in regards to the slanderous and defamatory comments within this document which appears to be approved by the District by the appearance of its official logo.