

'Letters'

Let me explain why I am going to vote for "none of the above" (as a write-in) in the race between Democrat Catherine Borgia (the incumbent), and Republican Bob Outhouse, for Westchester County Legislator in the 9th District.

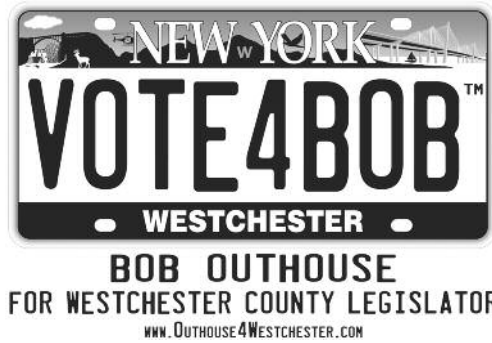
In my opinion, neither Mr. Outhouse, nor Ms. Borgia, is qualified to represent me on the Westchester County Board of Legislators.

Bob Outhouse is illegally using the slogan "VOTE4BOB" on an image of a NYS standard license plate in his campaign. On July 1, I met with Bob Outhouse, his wife Angela Outhouse (his campaign treasurer) and Tom Puglia (his campaign manager), and I told them that I had devised a slogan for Outhouse's campaign, which would also be an actual NY vanity license plate, but that the slogan and the platform (on a vanity plate) were trademarks and copyrights of my corporation, 4 A NEW USA, INC. I gave Outhouse and Puglia a poster, with a fanciful NY license plate (designed by my partner, Stefan Lonce) with the slogan VOTE4BOB; the poster was clearly marked "© 2018 4 A NEW USA, INC." and I told them that they could not use the slogan, or order the vanity plate, without my permission; they agreed, orally, to those terms.

The idea was that using a vanity plate with an actual campaign slogan would generate favorable news coverage for the Outhouse campaign, and that Stefan Lonce and I would be writing about the Outhouse campaign in our forthcoming book, "4 A NEW USA – THE ROOSEVELT/REAGAN WAY – CALENDRIAL MEMOIR BY STEFAN LONCE WITH MH FRYBURG."

However, the Outhouses refused to sign the licensing agreement I drafted, because I insisted on approving all materials using the VOTE4BOB slogan: I didn't trust the Outhouses and Puglia, who are big fans of Donald Trump; my plan was to allow them to use the slogan only on lawn signs with the poster Stefan Lonce designed. However, the Outhouses refused to sign the licensing agreement, and decided that, legally, they could do whatever they wanted with the VOTE4BOB slogan, and they ordered the vanity plate for Bob Outhouse's truck.

Since our dispute the Outhouses is a legal dispute, we plan that, after the election, 4 A NEW USA, INC. will sue Robert Outhouse, Angela Outhouse, Thomas Puglia and Friends of Bob Outhouse for \$150,000 in statutory damages, plus attorney's fees (for violation of copyright and trademark laws, for breach of contract, and for conversion – which is a legal term for theft), and get a court order requiring



them to stop using the VOTE4BOB slogan and ordering them to cancel the VOTE4BOB vanity plate and surrender the plate to the Department of Motor Vehicles. In my opinion, it's also illegal for Outhouse to use the image of a standard NY license plate on his lawn signs and other campaign materials, since it violates NYS's copyright and it implies that the DMV approves of his candidacy.

Bob Outhouse, who is a former Westchester County Police officer, could have used any other slogan (of up to 8 characters) on a NY vanity plate in his campaign, but chose to steal our slogan. I am an attorney and, before Outhouse stole our VOTE4BOB slogan and vanity plate platform, I had discussed hiring him for process service and private investigation, but now I would never hire him for anything, or vote for him for any office, ever.

With regard to Catherine Borgia: the reason why I met with Outhouse was because I have been so dissatisfied with Ms. Borgia. In 2015, our nonprofit, 4 A BETTER WESTCHESTER + NYS ASSOCIATION, INC., as part of the CROTON TOMATO PROJECT, distributed tomato and marigold plants that I grew; the plants were free, except that we charged government officials \$1.00 per plant. The \$1 fee was an experiment: we asked the government officials to pay with a check, so there would be a record of their payment, because that would prove that they bought the plants, and no one could accuse us of trying to bribe officials with our plants.

Assemblywoman Sandy Galef and Ossining Town Supervisor Dana Levenberg bought plants from us in 2015, and they each paid with personal checks. Catherine Borgia, however, paid for her 4 plants, which she grew at her home for her personal use, with a \$4.30 check from Friends of Catherine Borgia, even though the NY Election Law prohibits use of campaign funds for "a personal use which is unrelated to a political campaign."

Ms. Borgia has repeatedly ignored my protests regarding her illegal use of campaign funds for personal use, and she has refused to return the certificate of an award that 4 A BETTER WESTCHESTER + NYS

ASSOCIATION gave her in 2015, and has since revoked.

Because the 9th District was gerrymandered to favor the Democrats -- unless lightning strikes, Catherine Borgia will be re-elected on November 5, 2019 -- and because, in my opinion, compared to Bob Outhouse, she is less dishonest... with the help of Croton Mayor Brian Pugh, I attempted to effectuate a political reconciliation with Ms. Borgia.

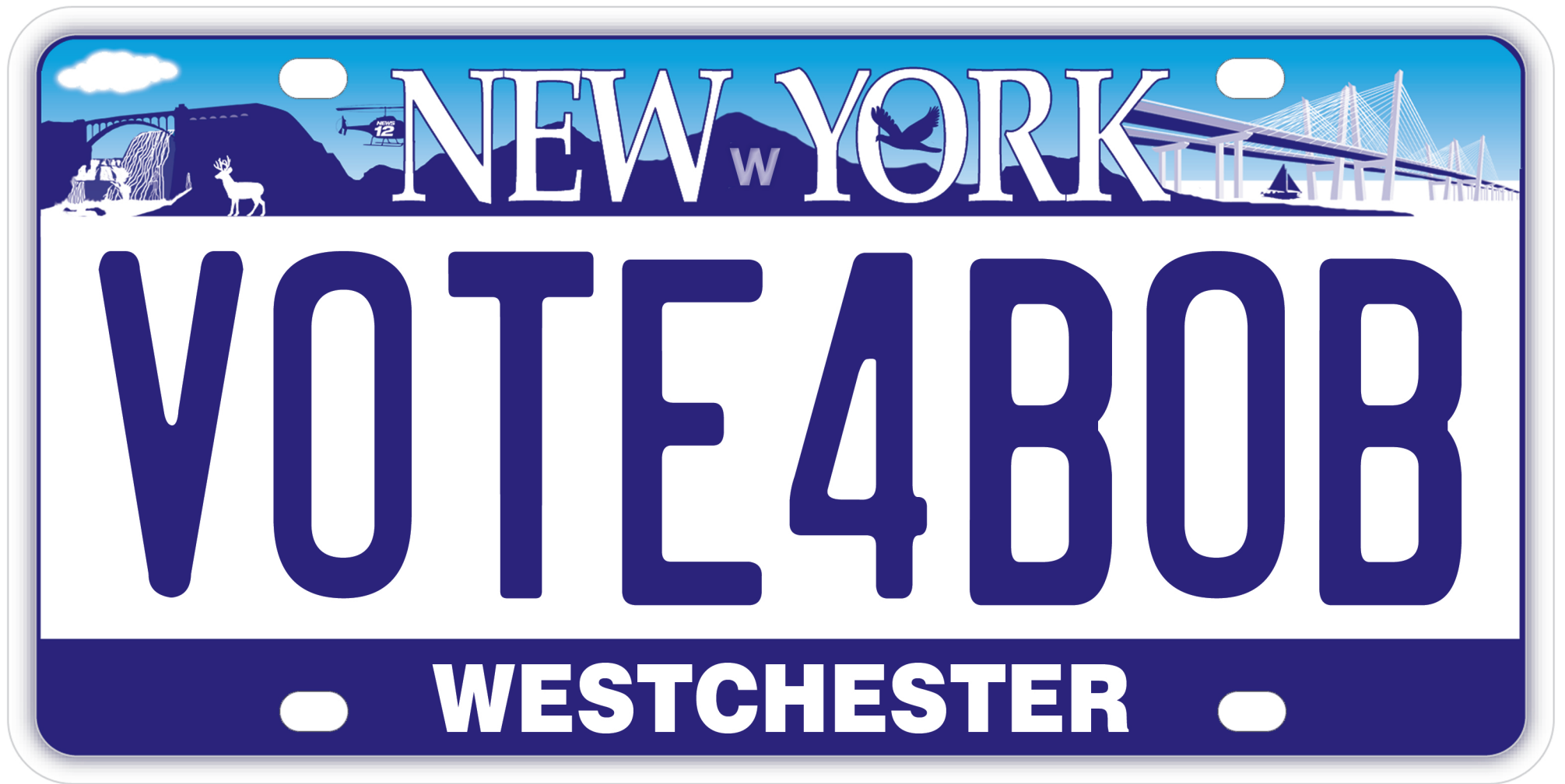
I told Ms. Borgia in various text messages and emails (since she refused to speak with me by phone) that if she would apologize for using campaign funds for personal use, promise never to use campaign funds for personal use again, and agreed to work with us on various projects (like renaming the Mid-Hudson Bridge the "Franklin + Eleanor Roosevelt Mid-Hudson Bridge"), then I would publicly support her for re-election. Her response was that I should call her office to make an appointment so that she could "listen to [my] ideas." I declined, because I don't want to have anything to do with an elected official, like Catherine Borgia, who uses campaign funds for personal use.

Although the amount of money involved was small, the principle – that elected officials should not use campaign funds for their personal use – is large, since it reflects on their honesty and integrity.

Since Catherine Borgia is unwilling to agree to refrain from using campaign funds for personal use in the future, after the election, we plan for 4 A BETTER WESTCHESTER + NYS ASSOCIATION, INC. to sue Catherine Borgia, and Friends of Catherine Borgia, in the same lawsuit we will bring against the Outhouses and Puglia, for a declaratory judgment that the use of Friends of Catherine Borgia funds to buy plants from us that she grew at her home for her personal use, violates the NY Election Law, and that the Court refer the matter to the NYS Board of Elections' – enforcement unit.

I am so disappointed in Bob Outhouse and In Catherine Borgia. Both of them are very intelligent, and can be quite friendly, when they want something from you, but it's all an act. That's why, on November 5, 2019, I plan to write in "None of the Above" for Westchester County Legislator, as a protest, and urge Gazette readers to do the same. We are posting documents supporting the statements made above, on our web site, www.4ANewUSA.com.

**M.H. Fryburg, Croton-on-Hudson
President and General Counsel,
4 A NEW USA, INC., and President,
4 A BETTER WESTCHESTER
+ NYS ASSOCIATION, INC.**



BOB OUTHOUSE
FOR WESTCHESTER COUNTY LEGISLATOR

WWW.OUTHOUSE4WESTCHESTER.COM



A CALENDRIAL MEMOIR™ –
BY STEFAN LONCE WITH MH FRYBURG
4 A NEW USA, INC.
35 BROOK STREET, CROTON-ON-HUDSON, NY 10520
www.4ANEWUSA.com
MHFryburg@DrivingWithFDR.com • 914-629-0855

August 14, 2019

Mr. Robert Outhouse
Ms. Angela Outhouse
Mr. Thomas Puglia
Friends of Bob Outhouse
3153 Albany Post Road
Buchanan, NY 10511

PLEASE TAKE NOTICE that, WHEREAS, Robert Outhouse and Angela Outhouse have failed and refused to execute the proposed license agreement, dated 7-25-2019, between 4 A NEW USA, INC., and Friends of Bob Outhouse (a copy of which is annexed hereto), 4 A NEW USA, INC. hereby irrevocably rescinds and revokes its offer, dated 7-25-2019, to Friends of Bob Outhouse, to license the use of the slogans (1) **VOTE4BOB™** and (2) **PULL THE PLUG ON PLAYLAND™** (which are trademarks owned by 4 A NEW USA, INC.), and to use an image of a fanciful NY license plate, designed by Stefan Lonce in the campaign by Robert Outhouse to be elected a member of the Westchester County Board of Legislators for the 9th Legislative District, and which also authorized Robert Outhouse to “vanitize” his 2017 GMC Sierra Denali truck with a NY vanity license plate that says:



PLEASE TAKE FURTHER NOTICE that Robert Outhouse and Angela Outhouse (hereinafter sometimes collectively referred to as “YOU”) are in breach of YOUR agreement, made orally and confirmed in writing by various emails, that Robert Outhouse would not order, from the NY DMV, this vanity license plate, for use on a 2017 GMC Sierra Denali truck owned by Robert Outhouse:



unless and until the proposed license agreement, dated 7-25-2019, was fully executed by Robert Outhouse and Angela Outhouse; and

PLEASE TAKE FURTHER NOTICE that demand is hereby made that Robert Outhouse immediately agree to execute any and all documents necessary for the NY DMV to cancel and revoke the



vanity license plate, and that Robert Outhouse (as the candidate), Angela Outhouse (as Treasurer of Friends of Bob Outhouse) and Thomas Puglia (as campaign manager) agree not to use, in any way, shape, manner, or form, on

any platform now existing (including but not limited to: print, radio, television and internet), or which may exist in the future, the slogans **VOTE4BOB™** and **PULL THE PLUG ON PLAYLAND™**, which are trademarks owned by 4 A NEW USA, INC.; and

PLEASE TAKE FURTHER NOTICE that, upon your failure to agree to the terms stated above (by signing below and returning the fully executed document to the undersigned, by scanning the fully executed document and sending it by email to mhfrburg@hotmail.com, and by sending a photocopy of the fully executed document by U.S.P.S. certified mail, with an additional copy sent by U.S.P.S. first class mail, at 35 Brook St., Croton-on-Hudson, NY 10520, by 5 PM on Friday, August 16, 2019), demand will be made upon the NY DMV to revoke the



vanity license plate (pursuant to the established policy of the NY DMV to revoke any vanity license plate that potentially infringes on a copyright or trademark which is not owned by the motorist), and a legal action will be instituted against Robert Outhouse, Angela Outhouse, Thomas Puglia, and Friends of Robert Outhouse, for various causes of action including (but not limited to): violation of trademarks and copyrights belonging to 4 A NEW USA, INC. (including the slogan "**VOTE4BOB**," which is a copyrighted trademark of 4 A NEW USA, INC.), for breach of contract, for fraud, and for other relief, including statutory damages of \$150,000.00, punitive damages of \$10,000,000.00, injunctive relief, and the costs of the legal action, including attorney's fees.

Very truly yours,
4 A NEW USA, INC.

M. H. Fryburg

M.H. FRYBURG,
President and General Counsel

ACCEPTED AND AGREED TO:

Robert Outhouse
date

Angela Outhouse date

Thomas Puglia
date

'Letters'

To the editor:

As the president and co-founder of the 4 A BETTER WESTCHESTER + NYS ASSOCIATION, INC., a New York not-for-profit corporation based in Croton-on-Hudson, dedicated to improving the quality of life in Westchester County and throughout New York State, I am announcing our ratings of the candidates running for the Westchester County Board of Legislators in the 9th District, which includes Briarcliff Manor, Ossining, Croton-on-Hudson, Cortlandt and Peckskill.

We rate Legislator and "Majority Leader" Catherine Borgia, the incumbent Democratic candidate, "unqualified," and we rate Bob Outhouse, the Republican challenger, "qualified," because Legislator Catherine Borgia has used campaign funds for personal use, in violation of NYS Election Law § 14-130, as explained below.

On June 14, 2015, Catherine Borgia bought two tomato and two marigold plants from the 4 A BETTER WESTCHESTER + NYS ASSOCIATION, INC., and she agreed to pay \$1 for each plant to the association; we grow the plants from seeds, and we give the plants away, for free, except that, for legal/ethical reasons, we charge government officials (and journalists!) \$1/plant.

On July 28, 2015, I sent Catherine Borgia an invoice for \$4.30 (including sales tax), for the four plants she bought, but despite my repeated requests that she pay, Ms. Borgia didn't actually pay us until on or about March 20, 2016 (six months later!), when she gave me a check (for \$4.30, dated 3-20-2016) drawn on the J.P. Morgan Chase checking account belonging to "Friends of Catherine Borgia," which violated New York State Election Law § 14-130, which prohibits political candidates from spending campaign funds on a "personal use unrelated to a political campaign."

Because Legislator Catherine Borgia grew the four plants at her house in Ossining, for her own use and that of her household, she should have paid us with a personal check, as Assemblywoman Sandy Galef did when she bought 10 marigold plants from us in 2015. Moreover, Ms. Borgia never thanked us for the 25 custom designed "Thank You" greeting cards, featuring a photo of Ms. Borgia (holding a license plate!) on the cover, which our corporation, 4 A NEW USA, INC., donated, as an in-kind contribution, to her re-election campaign in 2015.

Let me explain that I am one of the world's leading experts on vanity license plates, and that I persuaded Croton's mayor, Greg Schmidt, to "vanitize" with plate that says 4-CROTON; Catherine Borgia used to have a vanity plate that said 'BORGIA'.

We are also revoking the AGR8JOB [FOR A GREAT JOB] AWARD we presented to Legislator Catherine Borgia

on April 1, 2015 at the Croton Free Library when we hosted the world's first celebration of VANITY LICENSE PL8S DAY, a holiday we invented, to be celebrated each year, on April 1st (because so many vanity plates are funny!)

To summarize, the 4 A BETTER WESTCHESTER + NYS ASSOCIATION, INC., rates Legislator Catherine Borgia "unqualified" for re-election to represent the 9th District in the Westchester County Board of Legislators for the following reasons:

1. In our opinion, Legislator Catherine Borgia acted improperly, illegally, and unethically by using \$4.30 in campaign funds to pay us for the two tomato and two marigold plants that we sold to her, which she grew at her home in Ossining for her own personal and household use; and

2. In our opinion, Catherine Borgia's astonishing ingratitude -- it didn't occur to her that she should take one of the 25 custom designed "Thank You" greeting cards, which feature her photo on the cover, and send it to us thanking us for the in-kind donation, made by our corporation, 4 A NEW USA, INC., to her campaign, of the 25 greeting cards and envelopes -- is as astonishing as it is unacceptable as a standard of behavior for elected officials, who should aspire to be polite, considerate... and grateful!; and

3. Having known Legislator Catherine Borgia since before she was elected to the Westchester County Board of Legislators (when she was Assemblywoman Sandy Galef's chief of staff), I can state from personal experience that Ms. Borgia has never once returned any of my phone calls over the many years that I have known her, and responds to emails only when it's convenient for her (such as when we gave her an Award on April 1, 2015, which we have since revoked.)

In contrast, Bob Outhouse is polite and promising; in our opinion, Bob Outhouse has run a fair and honest campaign, and, therefore, the 4 A BETTER WESTCHESTER + NYS ASSOCIATION, INC., rates Bob Outhouse as "qualified" for election to the Westchester County Board of Legislators in the 9th District. We have not had a chance to interview Mr. Outhouse about our agenda for Westchester County (which includes a Westchester County custom license plate -- which would raise funds to improve the signage on streets and highways throughout Westchester -- and renaming Croton Point Park, "Eleanor Roosevelt Park.") but it's possible that if he supports our agenda, then we would improve his rating to "well-qualified."

LEGAL DISCLAIMER:

PLEASE TAKE NOTICE THAT this letter is not intended to be, and shall NOT be construed, as an endorsement of any particular candidate for any particular office. Rather, the 4 A BETTER WESTCHESTER + NYS ASSOCIATION, INC., as a non-partisan public advocacy organization, rates candidates for elected office on the issues that we consider important to improving the quality of life in Westchester, and throughout New York State. Our rating system for candidates is as follows (from worst to best): Unqualified, Qualified, Well-Qualified, Very Well-Qualified.

PLEASE TAKE FURTHER NOTICE that the documents relating to the facts stated above (including a redacted copy of the Friends of Catherine Borgia check # 703, referred to, above) are posted online at www.4ANewUSA.com.

Very truly yours,

M.H. Fryburg, Croton-on-Hudson



WWW.TAKEBACKOURFUTURENOW.ORG

YOU ARE CORDIALLY INVITED TO PARTICIPATE IN THE
4 A BETTER WESTCHESTER + NEW YORK STATE ASSOCIATION'S

CROTON TOMATO PROJECT

WHEREBY WE WOULD PROVIDE YOU
WITH TOMATO PLANTS GROWN FROM
PARK OR BURPEE SEEDS

TO PARTICIPATE, PLEASE CALL
MH FRYBURG @ 914-629-0855

THERE IS NO CHARGE FOR TOMATO PLANTS, EXCEPT THAT,
FOR LEGAL/ETHICAL REASONS, WE CHARGE
GOVERNMENT OFFICIALS AND JOURNALISTS \$1.00 PER PLANT.

--- PLEASE READ OTHER SIDE ---



WWW.TAKEBACKOURFUTURENOW.ORG

**4 A BETTER WESTCHESTER
+ NYS ASSOCIATION, INC.**

**A NOT-FOR-PROFIT CORPORATION FOUNDED
IN 2005 BY STEFAN LONCE + MH FRYBURG**

P.O. BOX 1, CROTON-ON-HUDSON, NY 10520

914-629-0855 • MHFryburg@DrivingWithFDR.com

Hon. Catherine Borgia
19 Audubon Drive
Ossining, NY 10562

10-30-2017

Dear Legislator Borgia:

I recently reviewed our records relating to our sale, on 6-14-2015, to you of 2 tomato and 2 marigold plants (as part of the CROTON TOMATO PROJECT), and I noticed that you paid our invoice (for \$4.30), dated 7-28-2015, with a check, dated 3-20-2016, (for \$4.30) drawn on the J.P. Morgan Chase Bank, N.A. checking account of "FRIENDS OF CATHERINE BORGIA." Copies of our invoice and of your 3-20-2016 FRIENDS OF CATHERINE BORGIA check (# 703) are enclosed.

Please recall that, on 6-14-2015, I personally delivered 2 tomato and 2 marigold plants (which I grew from seeds as part of the CROTON TOMATO PROJECT) to you, at Dana Levenberg's house in Ossining, and you agreed to pay \$1 for each plant; on 7-28-2015, I sent you, an invoice for \$4.30 (the 30 cents was for sales tax), but did not hear back from you or receive payment from you until, after I repeatedly requested that you pay our outstanding invoice, you gave me a check for \$4.30, dated 3-20-2016, for the plants, which you grew at your home in Ossining, for your own personal use.

As you know, NYS Election Law § 14-130 states, in relevant part:

- (1) Contributions received by a candidate... shall not be converted by any person to a personal use which is unrelated to a political campaign...."
- (3) For the purposes of this section, contributions "converted by any person to a personal use" are expenditures that are exclusively for the personal benefit of the candidate or any other individual ... [including]
 - (i) Any residential or household items, supplies or expenditures..."

You grew the 2 tomato and 2 marigold plants which we sold to you (for \$4.30) in 2015 at your home in Ossining, for your own personal use (by you and your family). Accordingly, by law, you should have paid us with a personal check, and not a campaign check. Due to your improper use of campaign funds for personal use, the Awards Committee has revoked the **4AGR8JOB** Award we presented to you on 4-1-2015; please return the Award by mailing it to us, by 11-2-2017.

Very truly yours,

MH FRYBURG



Certificate Of Mailing

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing.
This form may be used for domestic and international mail.

From: 4 A Peter Westchester
35 Brook St
Croton on Hudson, NY
10520

To: Catherine Borgia
19 Audubon Drive
Ossining, NY 10562

PS Form 3817, April 2007 PSN 7530-02-000-9065

PAID
POSTAGE
TOTAL ON HUDSON, NY
10520
\$1.35
AMOUNT
R2304N118521-16





WWW.TAKEBACKOURFUTURENOW.ORG

**FOR A BETTER WESTCHESTER +
NEW YORK STATE ASSOCIATION**

**FOUNDED BY MH FRYBURG
+ STEFAN LONCE**

**35 BROOK STREET
CROTON ON HUDSON, NY 10520
914-629-0855
MHFryburg@LCNS2ROM.com**

7-28-2015

Hon. Catherine Borgia
19 Audobon Drive
Ossining, NY 10562

INVOICE:

for 2 tomato plants and 2 marigold plants, grown from seed (@ \$1.00): \$ 4.00

Sales Tax: .30

TOTAL: \$ 4.30

PLEASE MAKE CHECK PAYABLE TO: "4 A BETTER WESTCHESTER" and mail to:
35 Brook St., Croton on Hudson, NY 10520

FRIENDS OF CATHERINE BORGIA

1-2
210 44992

703

DATE

March 20, 2016

PAY TO THE
ORDER OF

4 A BETTER WETTESTEK \$ 4.30

four dollars and 30/100

DOLLARS



Security features
included
Details on back

CHASE

JPMorgan Chase Bank, N.A.
www.Chase.com

MEMO

paid in full

Catherine K

⑆021000021⑆

⑆0703

*Catherine
Borgia
says...*



Thank You!