

**PUBLIC NOTICE**

**TRAN, NGUYEN & ASSOCIATES  
ATTORNEYS AT LAW**

10872 WESTMINSTER AVENUE  
SUITE 111  
GARDEN GROVE, CA 92643

Telephone : (714) 638-2700  
Facsimile : (714) 638-2749

Dinh Dinh Tran, Esq.  
Anh Duy Nguyen, Esq.  
Carl Spring, Jr., Esq.  
Duane Hamilton, Esq.

April 1, 1996

**TO WHOM THIS MAY CONCERN:**

**RE: Mrs. MAI CONG & VIETNAMESE COMMUNITY of ORANGE COUNTY, INC.**

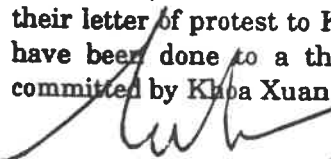
- 1) Appropriation of Plaintiffs' Name for Commercial Advantage
- 2) Publication of Facts Placing Plaintiffs in a False Light in the Public Eye

Please be advised that this office represents the above named persons, Mrs. Mai Cong and the VNCOC, in all matters arising out of the above captioned incident. Accordingly, any and all further communication to our clients should be directed through this office.

This office was contacted, and on March 28, 1996 has forwarded, to Khoa Xuan Le, president of the Southeast Asia Resource Action Center (SEARAC) and to Linh Ngoc Nguyen, chair of the National Alliance of Vietnamese American Service Agencies (NAVASA), an affiliated agency of SEARAC, letters from Mrs. Mai Cong and the Vietnamese Community of Orange County, Inc. (VNCOC), protesting against appropriation of Mrs. Mai Cong's and the VNCOC's names by Khoa Xuan Le and Linh Ngoc Nguyen for the purpose of monetary advantage. Copies of the same letters were also forwarded to interested parties, including the Office of Refugee Resettlement, as the government funding source, and the office of Congressman Robert K. Dornan, where an investigation is being conducted against SEARAC, NAVASA, other affiliated agencies, and Khoa Xuan Le himself.

As a good faith attempt to resolve this matter, this office has issued a request to Khoa Xuan Le and to Linh Ngoc Nguyen to cease and desist, and to take corrective measures, and has demanded a letter of apology within twenty (20) days from the date the letters were forwarded to them, before initiating any legal actions against them and their affiliated agencies.

Additionally, this office wishes to inform the public that Mrs. Mai Cong and the VNCOC have declared, in their letter of protest to Khoa Xuan Le, that they would not be held responsible for any damages that might have been done to a third party as a result of the misappropriation of names and misrepresentation committed by Khoa Xuan Le and Linh Ngoc Nguyen, without the knowledge and consent of the plaintiffs.

  
By: ANH DUY NGUYEN  
Attorney at Law

*Attachment: Letter from Mrs. Mai Cong & VNCOC to Khoa Xuan Le.*

\*\*\*\*\*

## **ATTACHMENT**

### **LETTER OF PROTEST FROM Mrs. MAI CONG & THE VNCOC (VNCOC letterhead)**

March 25, 1996

Le Xuan Khoa  
Southeast Asia Resource Action Center  
1628 16th Street, N.W., 3rd Floor  
Washington, D.C. 20009

Dear Mr. Khoa:

Thanks to a recent inquiry from the office of Congressman Robert K. Dornan, seeking to verify certain details concerning our agency, in connection with the ongoing investigations targeting the Southeast Asia Resource Action Center (SEARAC) and others, including yourself as president of said agency (SEARAC), I was coincidentally apprised of the fact that, through your affiliated agency, the "National Alliance of Vietnamese American Service Agencies" (NAVASA), for which you act as "a sponsor/ a fiduciary agent, a mentor, and a member," you have, without our knowledge and consent, misappropriated my name and the name of the agency which I represent, the Vietnamese Community of Orange County, Inc. (VNCOC), apparently for the purpose of securing a Discretionary Grant from ORR in 1995.

As you are well aware, I am not, and have never been a member on the board of the group called NAVASA, as has been misrepresented in its letterhead -- and specifically the letterhead of the letter of support issued by NAVASA on February 24, 1995, and subsequently used to append to a proposal submitted by SEARAC for government funding -- nor are we now associated in any other way with SEARAC, or with NAVASA, or with any of your affiliated agencies.

I want to register our strongest protest against this most unethical and unprofessional act.

It is hereby requested that, from this time onward, you delete my name and the name of the VNCOC, from all your letterheads, including the letterheads of your affiliated agencies, and from all your publications, correspondences and public statements. It is further requested that you cease and desist from any similar acts in the future involving my name and the name of the agency that I represent, the VNCOC.

Considering the investigations now being conducted against SEARAC, NAVASA, your other affiliated agencies, and yourself, and considering the attendant controversy, and the possibility of other wrongdoings that may be uncovered in the course of the investigations, and the damages that are being assessed with regard to the reputation and the integrity of our agency, as a result of your intentional misappropriation and misrepresentation of my name and the name of my agency, the VNCOC, as stated, we hereby declare that we will not be responsible for any consequent damages that might have been done to a third party, and we reserve the right to take legal action against you, your organizations, and any other associated agencies in the future if it is deemed necessary.

Sincerely,

Mai Cong  
President & C.E.O.

- cc. - Congressman Robert K. Dornan (*Attn. Mr. Al Santoli*).  
- Ms. Lavinia Limon, Director, Office of Refugee Resettlement.  
- Ms. Mary Jo Bane, Assistant Secretary, Dept. of Health & Human Services.  
- Mr. Nguyen Ngoc Linh, Chair, NAVASA.

**EXHIBIT - 1**

COMMUNITY NEWS/MARCH, 1996 -- 12

**N A V A S A**

**National Alliance of Vietnamese American Service Agencies**

February 24, 1995

**DIRECTORS**

Nguyen Minh Chau  
Vietnamese Association  
of Maryland

\*Lu Mong Chi  
Vietnamese Social Services  
of Minnesota

Hiep Chu  
Vietnamese American  
Civic Association

Mai Cong  
Vietnamese Community  
of Orange County

Ngo Duc Diem  
Vietnamese Voluntary Foundation

Nguyen Ha  
Vietnamese Association  
of Illinois

\*Le Xuan Khoa  
Southeast Asia Resource  
Action Center

\*Das My-Lien  
Re-education  
IRCO

Ms. Lavinia Limon  
Director, Office of Refugee Resettlement  
Administration for Children and Families  
370 L'Enfant Promenade, S.W. - 6th Floor  
Washington, DC 20477

Dear Ms. Limon:

On Behalf of the Board of Directors of the National  
Vietnamese American Service Agencies (NAVASA),  
our complete endorsement to the proposal being sub-  
mitted to the Southeast Asia Resource Action Center (SEARAC)  
Discretionary Grant to support ethnic community  
Capacity Building of the NAVASA Initiative - A Pro-  
posal of Directors and reflects in conjunction with N  
single ethnic national organization to benefit  
refugee organizations throughout the country  
NAVASA is a national Vietnamese commu-  
nity organization; the next two years of org-  
anization are critical to the succe-  
ss of our member organiz-  
ations. We will sponsore

# NAVASA

April 12, 1996

## BOARD OF DIRECTORS

\*Nguyen Ngoc Linh  
Texas Center for  
Employment Services, TX

\*Lu Mong Chi  
Vietnamese Social Services  
of Minnesota, MN

\*Tuyen Ngo  
Refugee Community Center, UT

\*Dao My Lien  
Vietnamese Re-Education  
Detainees Program, FL

\*Nguyen Kim Long  
Vietnamese Friendship  
Association, WA

Dung Van Doi  
Vietnamese Civic  
Association, MA

Ngo Dao Diem  
Vietnamese Voluntary  
Foundation, CA

Nguyen Ha  
Vietnamese Association  
of Illinois, IL

Le Xuan Khoa  
Southeast Asia Resource  
Action Center, DC

Nguyen Ly  
Unified Vietnamese  
Community Council, CA

Y Hien Nis  
Montagnard Dogs Association, NC

Truong Khanh Tho  
Vietnamese American  
Association, OK

Nguyen Duy Tuong  
Vietnamese Chamber  
of Commerce, CA

Vn Dnc Vietnam  
Southeast Asian  
Community Center, CA

Nguyen Minh Chan  
Washington Representative

Nguyen H. Duyea  
Project Coordinator

\* Executive Committee

Ms. Mai Cong  
President, VN Community of Orange County  
1618 W. First Street  
Santa Ana CA 92703

Dear Ms. Cong,

We have received your letter dated March 25, 1996 concerning the use of your name on the NAVASA letterhead.

We are sorry about the misunderstanding regarding the inclusion of your name as a member of our Board of Directors. However, while we sincerely believed you had agreed to be a member of our Board, we never used your name to gain monetary advantage, and immediately removed your name from our Board list as soon as you informed us in August 1995 of your decision not to serve.

In fact, with the exception of one meeting in Chicago in March 1994, you and/or VNCOC representatives participated in all activities leading up to the formation of NAVASA. Following the Chicago meeting, I consulted with our members on naming you and other NAVASA founding members to our Board and asked them to vote by mail. As a result of my consultation, a majority of our members elected you to the Board.

On May 18, 1994, I wrote to inform you that you had been duly elected to the NAVASA Board. Since no communication was received declining the offer, we reasonably believed that you had concurred. The fact that you hosted three consecutive planning meetings at the offices of VNCOC in April, May, and June of 1994 appeared to confirm this. In addition, your active participation in preparations for the three subsequent NAVASA seminars again confirmed your intent to serve. Therefore, your name was included on the NAVASA temporary letterhead.

In August 1995, upon learning of your decision not to serve on our Board, we immediately informed our Board members of this fact and removed your name from our letterhead as of that date. As you can see from the enclosed copy of our 30 August memo to our Board, your name had been removed from the letterhead by that date. Since then, we have not shown your name anywhere as a member of our Board of Directors.

1628 16th Street, N.W. , Washington, D.C. 20009  
Tel: (202)667-4690 - Fax: (202)667-6449 - E-mail: Navasa@aol.com

Once again, I am sorry about this misunderstanding. I hope that in the future you would check with me before publicizing such inaccurate allegations.

Sincerely,

A handwritten signature in black ink, appearing to read 'Linh', written over a horizontal line.

Nguyen Ngoc Linh  
NAVASA Chair

cc: Mr. Le Xuan Khoa, SEARAC  
Ms. Lavinia Limon, Director, ORR

encl: Copy of August 30, 1995 memo to the NAVASA Board

**ANH DUY NGUYEN & ASSOCIATES  
ATTORNEYS AT LAW**

Telephone: (714) 590-9800  
Facsimile : (714) 638-2749

10872 WESTMINSTER AVENUE  
SUITE 111  
GARDEN GROVE, CA. 92643

ANH DUY NGUYEN, Esq.  
CARLSPRING, Jr., Esq.  
DUANE HAMILTON, Esq.

April 29, 1996

LINH NGOC NGUYEN  
NAVASA  
1628 16th Street, N.W., 3rd Floor  
Washington, D.C. 20009

RE: Mrs. MAI CONG & VIETNAMESE COMMUNITY of ORANGE COUNTY, INC.  
1) Appropriation of Plaintiffs' Name for Commercial Advantage  
2) Publication of Facts Placing Plaintiffs in a False Light in The Public Eye

Dear Mr. Nguyen:

This is to acknowledge your letter of April 12, 1996 addressed to Mrs. Mai Cong, President of VNCOC. We appreciate your prompt response to our request of March 28, 1996.

Your letter raises two issues: (1) Your apology to my clients for your misunderstanding in asserting my clients' name as Board of Directors on your letterhead; (2) Your assertion that my client publicized inaccurate allegations.

First of all, in the totality of circumstances, this office has advised Mrs. Mai Cong and VNCOC to accept your apology and we are pleased to see that NAVASA had deleted Mrs. Mai Cong and VNCOC from its letterhead. Therefore, we will not initiate legal proceedings against you and/or NAVASA at this time.

Secondly, we are disappointed however, that you seem to be still confusing about the legal consequences of your action in this matter. Therefore, I would like to take this opportunity to analyze the undisputed facts before us.

As you pointed out in your letter that Mrs. Mai Cong and other VNCOC representatives participated in all activities leading up to the formation of NAVASA. We do not dispute those facts. However, as you know Mrs. Mai Cong and other VNCOC representatives were performing contractual obligations which was funded by Office of Refugee Resettlement (ORR) through SEARAC. Mrs. Mai Cong was hired as a consultant and trainer for all non-profit organizations and her involvement with NAVASA and SEARAC was terminated when the contract terms ended. Therefore her contractual performances shall not, in any means, be construed as an intention to join the Board of Directors of NAVASA or SEARAC.

You also stated that on May 18, 1994 you sent a "Notice of Election to NAVASA's Board of Directors" to Mrs. Mai Cong and VNCOC and there was no response. Do you have any

April 29, 1996

LINH NGOC NGUYEN - NAVASA

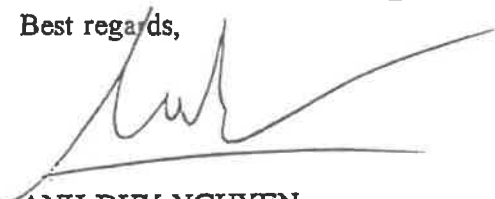
Page 2

proof of service of such important letter? Let me inform you now that my clients never received such notice and that's why there was no response made from my clients.

Nevertheless, please be mindful that silence is NOT an acceptance. Therefore, in order to avoid any "misunderstanding" in the future, I advise you to consult with an attorney before putting one's name on your letterhead without a written consent from that person.

In conclusion, your action was legally improper and there was no inaccurate allegations from my clients' part. But since you have apologized and delete my clients' name from your letterhead, we will close our file at this time.

Best regards,



ANH DUY NGUYEN  
Attorney at Law

cc: Congressman Robert K. Dornan (Attn.: Mr. Al Santoli).  
Ms. Lavinia Limon, Office of Refugee Resettlement.  
Ms. Mary Jo Bane, Dept. of Health & Human Services.  
Mr. Khoa Xuan Le, SEARAC.  
Board of Directors, VNCOC.