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The Hon. Senator Kevin de León, District 24
State Capitol Room 205
Sacramento, CA 95814
tel 916-651-4024 & fax 916-651-4924

Dear Senator Deleon:

On July 19th the attached letter outlining the State's catastrophic liability exposure from SB 649 was delivered to the Assembly Appropriations Committee. The attached letter of August 10th, in response to a Consultant's question, explains in legal terms why the State remains liable, ***both directly and derivatively***, for the same liabilities to which the cities and counties will be exposed from implementation of SB 649. The attached two page letter dated August 24th explains why the State-mandated installation of these 4G/5G microwave radiation transceiver on public utility poles ***will affect the poor to a far greater extent than the well-to-do, because of the increased signal density in densely populated apartments***. The cellular companies know of their massive liability exposure: Their SEC statements have language like the following from Verizon: "We are subject to a significant amount of litigation, which could require us to pay significant damages or settlements." The liability exposure faced by these companies is so great that even Lloyd's will not insure telecom for damages from RF/EMF microwave radiation. Below is a link to those data for all the companies:

<https://ehtrust.org/key-issues/cell-phoneswireless/telecom-insurance-companies-warn-liability-risk-go-key-issues/>

The attached three letters annotate legal and health hazards that can be readily verified:

- Clear and convincing evidence shows cellular radiation causes many types of injuries, including cancer, some immediate, some long term, some terminal.
- The Assembly now seeks to protect the State by ineffective Amendment. The liability exposure is so huge that, if not saved by governments, telecom companies can fail. The so-far disclosed 'indemnification' Amendment language does not yet even mention the State, which in any event would be forced to fill the financial vacuum left when the cities and counties are found liable.

I respectfully suggest that the Senate forthwith seek a guarantee letter from a senior Deputy Attorney General, who has substantial actual trial experience assuring the Legislature, with the endorsement of that office, that with SB 649, as amended, there exists absolute assurance that there is no State liability. In order to protect California's solvency, SB 649 must not be passed.

Respectfully yours,

Harry V. Lehmann, Attorney at Law
& CEO of Green Swan, Incorporated

cc: Governor Brown