



Manda Moore <manda@pensacolahumane.org>

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**Important messages attached**

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Hank Gonzales <hank437@gmail.com>

Sun, Dec 11, 2022 at 7:26 AM

To: "manda@pensacolahumane.org" <manda@pensacolahumane.org>

Manda:

Please read the attached carefully.

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**2 attachments**



**Memo to ED Dec 10 2022.pdf**

214K



**[5776598] C&D Ltr - We The Organization.pdf**

235K



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**PENSACOLA  
HUMANE SOCIETY™**

1943-2023

5 N. Q Street Pensacola, FL 32505 [pensacolahumane.org](http://pensacolahumane.org) 850-432-4250

Date: December 10, 2022

TO: Manda Moore Joseph

FROM: Board of Directors- Pensacola Humane Society

RE: Recent correspondence received from  
[wetheorganization@pensacolahumane.org](mailto:wetheorganization@pensacolahumane.org)

A special meeting of the Board of Directors of the Pensacola Humane Society was held on December 10, 2022. The purpose of the meeting was to make every attempt to address the concerns raised in a document sent out to the Board of Directors on the evening of December 8, 2022. With a quorum of the Board in attendance, we have determined that certain process should be followed to ensure every attempt is made to address the concerns identified in the document. To that end, we are instructing you, as Interim Executive Director, as follows:

- 1) Until further notice, you are to hold no meetings, formally or informally with staff, volunteers, or donors, either in person or by telephone without at least two (2) members of the Board of Directors in attendance.
  
- 2) On Monday morning, December 12, representatives of the Board of Directors will arrive at the PHS shelter shortly after 8:00 am. We will meet with you, Jessica Fischer and Jess Gehres individually at 8:30 am, 9:00 am and 9:30 am. We will let the three of you decide the order we meet. The purpose of these meetings is to begin the process of addressing the allegations raised in the document received from [wetheorganization@pensacolahumane.org](mailto:wetheorganization@pensacolahumane.org). Please notify Ms. Fischer and Ms. Gehres that these meetings are mandatory.

- 3) There will be a mandatory staff meeting to be held at the PHS shelter at 10:00 am Monday morning, December 12. In your role as Interim Executive Director, it is your responsibility to disseminate the notice of this meeting and to stress this is a mandatory meeting of great importance to the Pensacola Humane Society. The purpose of the meeting is for the Board members to hear directly from the staff of their concerns so that we can address the allegation that have been put before us.

Lastly, you have received a copy of the letter from PHS legal counsel, Jennifer Shoaf Richardson dated December 9, 2022. I have attached a copy, should you wish to review it again. I call particular attention to the following excerpt from Ms. Richardson's letter.

***"As the defamatory statements in the press release may result in legal action, you must preserve all evidence, tangible and electronic, related to this matter. Your obligation to preserve evidence extends to your personal devices, records, and accounts. Any destruction of evidence may result in appropriate sanctions."***

The Board of Directors of The Pensacola Humane Society takes the allegations made by [wetheorganization@pensacolahumane.org](mailto:wetheorganization@pensacolahumane.org) very seriously. The processes outlined in this memo will help us determine the validity of the issues raised and how best to address them.



# EMMANUEL SHEPPARD & CONDON

ATTORNEYS AT LAW SINCE 1913

**Jennifer Shoaf Richardson**

Attorney at Law

30 S Spring Street, Pensacola, FL 32502

(O) 850.433.6581 | (F) 850.434.5856

jrichardson@esclaw.com | esclaw.com

*Via Electronic Mail*

wetheorganization@pensacolahumane.org

December 9, 2022

## **IMMEDIATE CEASE AND DESIST**

To Whom It May Concern,

I represent the Pensacola Humane Society. Some members of the Board of Directors, as well as some volunteers and donors, are in receipt of the alleged December 8, 2022 press release sent from this email address. Please be advised that several statements are patently false and any publication of those statements may be considered defamatory. Several statements appear to be based upon incomplete or wholly inaccurate information. Pursuant to our policies, we will investigate the claims that we do not know to be false. However, our investigation is hindered by the fact that this statement is anonymous and does not contain specific dates, times, and witnesses. We encourage all employees to follow the Whistleblower Protection Policy to report any perceived violations of laws or regulations. We emphasize that our policy prohibits retaliation for good faith reports of an ethics violation or a suspected violation of the law. Perceived violations should be reported to the Interim Executive Director at [manda@pensacolahumane.org](mailto:manda@pensacolahumane.org) and Vice President, Andy Barnes, [andy87barnes@gmail.com](mailto:andy87barnes@gmail.com).

You are reminded that no employees are permitted to work overtime and working off the clock is similarly prohibited and a basis for termination.

**We demand the following:**

1. Cease and desist publication of defamatory false statements.
2. Cease and desist unauthorized use of Pensacola Humane Society letterhead.
3. Cease and desist violation of duty of loyalty and duty of good faith and fair dealing. We remind you that financial documents prepared for board meetings and executive committee meetings are confidential and you may have a fiduciary duty to maintain the confidentiality of those records.
4. Cease and desist publication of confidential financial information.
5. Cease and desist using the unauthorized email account [wetheorganization@pensacolahumane.org](mailto:wetheorganization@pensacolahumane.org) and representing your communications as

communications of the Pensacola Humane Society. This activity may be construed as violation of the Computer Fraud and Abuse Act.

Please be advised that any and all press inquiries must be directed to the Chair of the organization.

Again, we maintain an open door to listen to valid concerns reported in **good faith**. Please utilize the appropriate avenues to better facilitate full investigation of any concerns and keep in mind that some information is known only to the Executive Committee by necessity.

As the defamatory statements in the press release may result in legal action, you must preserve all evidence, tangible and electronic, related to this matter. Your obligation to preserve evidence extends to your personal devices, records and accounts. Any destruction of evidence may result in appropriate sanctions.

While the Pensacola Humane Society would prefer to resolve this matter without resorting to formal legal proceedings, please be advised that it takes this matter extremely seriously and, if necessary, will take appropriate legal action to vindicate its rights and to protect its integrity and reputation. Please provide a list of the email addresses, names, and mailing addresses of the entities or individuals to whom the December 8, 2022 Press Release was disseminated no later than close of business of **December 12, 2022** to [jrichardson@esclaw.com](mailto:jrichardson@esclaw.com).

Sincerely,

**Jennifer Shoaf Richardson**  
For the Firm

JSR/adk

CC: Executive Committee