



Sometimes the white man speaks the truth, like one in 20, 25 times. I believe this is one of those times.

Saginaw Grant as Screaming Eagle in "The Ridiculous 6" sycuanbandofthieves.com



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December 9, 2016 -- updated July 26, 2018

RE: The 11th anniversary date of my Sycuan Casino copyright infringement complaint.

Dear honored guests and supporters,

I am sorry to inform you of my **career-ending complaint and second failed copyright infringement settlement 'negotiation' with the Sycuan Band of the Kumeyaay Nation**, the sovereign Sycuan Tribal Government under Chairman **Cody J. Martinez**.

The Sycuan Tribal Council's first offer to buy nonexclusive "full rights" to my 30,000 Sycuan-related still photographs to settle my complaint in 2008 failed under Chairman Daniel J. Tucker when he withheld the tribal council's \$125,000 payment without explanation and refused to return my letters or resolve the serious problems to my life that Sycuan Casino and Resort employees and contractors created through their alleged grossly negligent handling and illegitimate use and anonymous digital storage and release of my intellectual property.

- *What's it like to work for the Sycuan Indians?*
- *How does Sycuan treat its employees, contractors and guests when they have a complaint, including age discrimination and unfair termination?*
- *Read my honest insider testimonial about my personal experiences working for Sycuan over a 20-year period as a professional independent photojournalist, producer and consultant.*

The Sycuan people may be able to leverage their Golden Tickets of tribal sovereignty and unfair advantage to ignore me and my legacy out of existence, or their wealth to exploit the legal system to silence me altogether.

But did you know, this is the Sycuan way?



"I published my online protests because I want my evidence on public record so people know the truth about how Sycuan 'acquired' my photographs — they didn't pay me for them (with only a few exceptions).

And how Sycuan allegedly destroyed my business and good reputation when I complained about their casino managers' unprofessional behavior.

THE DOCUMENTARY EVIDENCE SUPPORTING MY COMPLAINT LETTERS IS CLEAR AND CONVINCING



Ironically it was my respectfully asking a Sycuan marketing manager 11 years ago to the date to explain his SECOND unauthorized 36-inch poster print run of my Kumeyaay map — and the Sycuan Casino executive management's disrespectful reaction to my request — that triggered my conflict with Sycuan's tribal

leadership.

Sycuan employees' blatant plagiarism of my original map artwork was outrageous because they digitally erased my copyright legal notices, branding and consultant credits from both of their illegal print runs.

Further, they plagiarized their unauthorized reproductions of my original work by adding Sycuan's logo and distinct graphical branding to make it their own despite the Sycuan manager's personal written assurance in my licensing agreement that included only "one-time use" of my Map in a "Sycuan TV commercial."

THE ALLEGED RETALIATION & BLACKLISTING

Sycuan's tribal leadership's swift retaliation to my grievance in 2007, the untruths against my good name on the Sycuan Indian Reservation and unfair terminations from my Sycuan projects ultimately destroyed my good reputation in the tribal community, my career, and poisoned my massive professional legacy.

As news of my conflict with Sycuan's former leadership spread across Indian country, it effectively got me blacklisted — that's why I quit working on Kumeyaay.info in 2010 and posted this [Sponsor Letter](#) to donate my website and massive historical archive and move on.

But the unresolved Sycuan conflict and stigma on my name is preventing me from even giving it away free and finding peace.

SYCUAN'S NEW SETTLEMENT OFFER JAN. 2016

It's true newly-elected **Cody J. Martinez**, Sycuan tribal chairman responded positively to my letter in 2015 requesting he take a "fair review of the facts and timely closure" of my 2007 complaint against Sycuan Casino and Resort managers.

The young chairman even invited me to a meeting on the Sycuan Indian Reservation with his entire tribal council in December 2015 that seemed positive and on track.

Most importantly to my attending and preparing for his meeting — Cody reintroduced my **original \$250,000 price** in his 10/21/2015 invitation letter.

Because of Chairman Martinez's positive actions and his invitation \$250,000 price — I was caught off guard by his subsequent lowball price and ambiguous terms to settle my ongoing copyright dispute against Sycuan Casino and Resort.

SYCUAN'S PRICE AND SYCUAN'S TERMS — AGAIN!

Cody Martinez's Jan. 2016 written offer "to settle this matter," he wrote, was a "\$125,000" payment for my "copyrights" and all "materials."

To understand what he meant — in my 01/25/2016 response — I asked Chairman Martinez to be specific about the "materials" he was requesting.

Cody's 04/26/2016 final letter specified his offer includes my "entire collection" of "images related" to his Kumeyaay "tribe and its members."

That absolutely floored me, inasmuch for his broken written promise to me to engage in "actual negotiations" with his tribal council.

Why is Sycuan's last-second inclusion of my massive Kumeyaay.info collection and website a deal breaker — and a spiteful affront to my honorable service to Sycuan band members and the California Indian tribal community?

Chairman Martinez's one-sided deal required me to transfer my sole, exclusive rights, copyrights, to my personal unrelated Kumeyaay.info website, brands, multimedia, research and field notes, including its separate 250-gigabyte digital photographic collection, to Sycuan before he would settle the problems his employees created.

That's in addition to our original settlement deal -- Chairman Tucker's \$125,000 written offer (12/16/2008) for non-exclusive "full rights" to my 30,000 Sycuan-related still photographs.

There are light-years between these two take-it-or-leave-it Sycuan offers.

IN FACT:

My Kumeyaay.info project was NEVER included in Sycuan's 2008 or 2016 offer until Cody Martinez's last letter (04/26/2016) just before he clammed up AGAIN.

My Kumeyaay.info project and materials were specifically excluded from the deal in my written discussions with Sycuan's legal director.

Kumeyaay.info was to retain uncomplicated assignable rights to my Sycuan material so my Kumeyaay.info project remained intact and undamaged.

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UNDER SYCUAN'S OFFER, I WOULD BE THE EXCLUSIVE SOLE RECIPIENT OF MY SYCUAN AND MY KUMEYAAY.INFO COLLECTIONS WITH ZERO CONTRACTUAL OBLIGATION TO PRESERVE OR CREDIT MY WORK OR MAKE IT AVAILABLE TO STUDENTS AND RESEARCHERS.

Under Sycuan's offer (01/04/16) and subsequent final response (04/26/16) — **I would retain ZERO rights to my Sycuan and Kumeyaay.info work even in my lifetime!**

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I didn't spend two decades working for the Sycuan people — and invest **7,500-plus personal unbilled hours and tens of thousands of dollars of my own money** creating, preserving and developing my mammoth Sycuan and Kumeyaay collections to take an unfair, non-negotiable RAW DEAL to settle Sycuan employees' documented patterns of gross negligence that ultimately destroyed my career and professional legacy.

SYCUAN'S NEGOTIATING STYLE

Cody Martinez's negotiating style proved to be one-sided, dysfunctional, unfair, protracted and downright shameful for having Sycuan's vast professional management resources available to format a functional proposal:

- He dictated both price and terms.
- He refused to negotiate his price or his terms.
- His terms were ambiguous, incomplete and thereby legally unenforceable.
- He refused to even discuss his prices beyond the last letter that he used to tack on his disclaimers and further confuse his terms to include Kumeyaay.info.
- He refused to supply me with a contract to review his offer in its detailed entirety, yet he required me to counter his price under his grossly ambiguous terms.
- In his last letter, he promised me "actual negotiations" with his council and even warned me he would "remain silent" if I didn't comply with his instructions.
- But even after I fully complied — he broke his promise and clammed up AGAIN!
- And after his failure to close on Sycuan's settlement deal — he and his fellow tribal council members refused to resolve (or even discuss) the pressing Outstanding Matters I outlined and mailed to them in my 03/25/2016 letter.

Unfortunately for all, the hard evidence and the Sycuan Tribal Council's silence left everyone with the burning question begging to be asked of the Sycuan people:

"Is Sycuan an organization of thieves operating under the colors of Tribal Sovereignty and Unfair Advantage?"

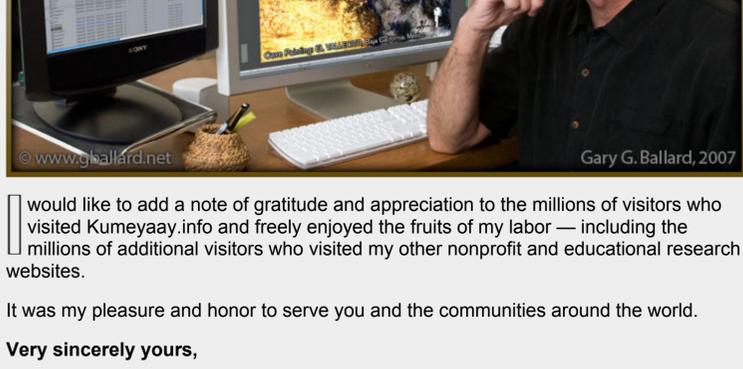
I certainly have my opinion at this late date, but I am leaving the evidence in a breadcrumb trail for anyone to follow and draw their own conclusions:

- I just published a new Sycuan protest website blog for 2017: www.sycuanbandofthieves.com
- I also just posted my and Cody's complete 2015-2016 series of unedited settlement correspondence letters in this [download PDF](#).
- I re-posted my original 2009 [Sycuan Casino protest blog](#).
- I re-posted my original 2009 [Open Letter to Sycuan](#).
- For convenience and historical purposes — I've copied a full set of PDFs for [DOWNLOAD in this .zip file](#) (15MB). It contains PDF packages of both my 2009 blogs, my complete series of 2015-2016 settlement letters, and my [sycuanbandofthieves](#) website.

Download .zip last updated on 08/01/2018 for minor revisions.

Sycuan has protracted this for a decade now — NOW is my time to finish my business with Sycuan. As a 60-year-old man looking to retire and enjoy life, I need to get my affairs in order and close this sad chapter of my life.

SPECIAL NOTE TO THE GOOD PEOPLE OF THE WORLD



I would like to add a note of gratitude and appreciation to the millions of visitors who visited Kumeyaay.info and freely enjoyed the fruits of my labor — including the millions of additional visitors who enjoyed my other nonprofit and educational research websites.

It was my pleasure and honor to serve you and the communities around the world.

Very sincerely yours,

GARY G. BALLARD

Kumeyaay.info Founder and Webmaster

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