



**UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION**

San Francisco Regional Office  
44 Montgomery Street, Suite 2800  
San Francisco, CA 94104

**DIVISION OF ENFORCEMENT**

Jason Lee  
Senior Counsel  
415-705-2481

November 20, 2017

Via U.S. Mail & E-mail (AMartinez@montebello.k12.ca.us)

Montebello Unified School District  
c/o Dr. Anthony Martinez, Interim Superintendent of Schools  
123 South Montebello Boulevard  
Montebello, CA 90640

Re: In the Matter of Montebello Unified School District (MSF-4195)

Dear Dr. Martinez:

We believe that Montebello Unified School District ("MUSD") may possess documents and data that are relevant to an ongoing inquiry being conducted by the staff of the United States Securities and Exchange Commission. Accordingly, we hereby provide notice that such evidence should be reasonably preserved and retained until further notice. Failure to do so could give rise to civil and criminal liability.

The Commission considers potentially relevant documents to include those created on or after January 1, 2010 that relate or refer to the following topics:

1. MUSD's finances, accounting, budget, interim financial reports, general ledger, financial statements, financial solvency, and/or general fund reserves;
2. MUSD's municipal securities program;
3. Any contemplated or actual securities issued by MUSD;
4. The contemplated or actual use of any proceeds raised from securities issued by MUSD;
5. Any entity or individual who contemplated or actually submitted a bid to MUSD for work related to the district's municipal securities program;
6. The selection of any entity or individual to perform work for MUSD related to the district's municipal securities program;

7. DelTerra Real Estate Services, Inc. (“DelTerra”)<sup>1</sup>, any of its personnel, and/or Luis D. Rojas;
8. Any member of a MUSD municipal securities financing team including, but not limited to, Mission Trail Advisors, LLC, Stifel, Nicolaus & Company, Inc., Piper Jaffray & Co., Samuel A. Ramirez & Co., Inc., RBC Capital Markets, LLC, Blaylock Beal Van, LLC, Cabrera Capital Markets, LLC, U.S. Bank National Association, any bond counsel, any disclosure counsel, and/or any of the foregoing entities’ personnel; and
9. Any Citizens’ Oversight Committee for any securities issued by MUSD.

Such documents include both “hard copy” versions and electronically-stored information in your possession, custody or control, including text files, data compilations, word processing documents, spreadsheets, e-mail, voicemail, data bases, calendars and scheduling information, logs, file fragments and backup files, letters, instant messages, memoranda, notes, drawings, designs, correspondence or communication of any kind. Evidence that is stored electronically may be maintained on shared network files, computer hard drives, servers, DVDs, CD-ROMs, flash drives, thumb drives, laptops, digital recorders, netbooks, PDAs, smartphones, or other handheld devices.

In this letter, I refer to such documents and data as “Evidence.” You have a duty to reasonably preserve and retain such Evidence.

This duty includes an obligation to provide notice to all employees or custodians who may be in possession of Evidence. This duty also extends to the preservation and retention of Evidence in the possession or custody of third-parties, such as an internet service provider or a cloud computing provider, if such Evidence is within your control.

You may need to act affirmatively to prevent the destruction of Evidence. This duty may necessitate quarantining certain Evidence to avoid its destruction or alteration. You should consider whether you need to discontinue the routine destruction of Evidence, including discontinuing the recycling of backup tapes or other storage media, and the deletion of emails, “trash,” “recycling,” “drafts,” “sent,” or “archived” folders. You should avoid running or installing any drive cleaning, wiping, encrypting, or defragmenting software on hard disks of computers that may contain Evidence.

You should consider preserving any forensically recoverable data by having mirror image copies made of the Evidence. Having said that, any attempt to replicate electronic data without adhering to best practices for data replication could compromise the integrity or contents of such data. Simply making “hard copies” of such Evidence or transforming it to other formats (such as TIFF, or PDF documents) does not constitute preservation of such Evidence. We are prepared to discuss with you proper protocols for replication before you attempt to copy Evidence. The

---

<sup>1</sup> “DelTerra Real Estate Services, Inc.” means the entity doing business under the name “Del Terra Real Estate Services, Inc.” including parents, subsidiaries, affiliates, predecessors, successors, officers, directors, employees, agents, general partners, limited partners, partnerships and aliases, code names, or trade or business names used by any of the foregoing. This includes, without limitation, “Del Terra Construction” and “Del Terra Group.”

Commission may be able to retain and supervise computer forensic resources to properly and non-invasively create back-up images of Evidence.

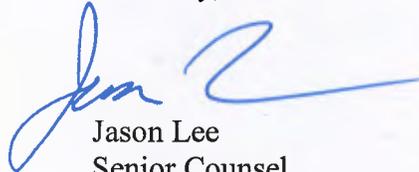
In addition to preserving the Evidence described above, we further request that you take no action to delete or otherwise compromise any content existing on social networking websites such as "Facebook" or "LinkedIn." Moreover, we request that you take no affirmative action to delete any emails, even emails that may not fit within the parameters set forth above.

\* \* \*

While we recognize that this may impose a burden on you, it is absolutely necessary that you fully comply with your obligations to reasonably retain and preserve Evidence. We appreciate your efforts in this regard.

Please contact me if you have any questions, or to meet-and-confer about the matters discussed above. Further, please acknowledge your receipt of this letter by sending me an email or by returning a copy of this letter with your signature in the space provided below.

Sincerely,



Jason Lee  
Senior Counsel  
Division of Enforcement

I acknowledge that I received this letter  
on the \_\_\_ day of \_\_\_\_\_, 2017:

\_\_\_\_\_