

LAW OFFICES OF  
**ORLANDO J. CASTAÑO, JR., INC.**

4675 MACARTHUR COURT, SUITE 465  
NEWPORT BEACH, CA 92660  
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November 24, 2009

Christian Shawkey  
Chief of Police  
Costa Mesa Police Department  
99 Fair Drive  
Costa Mesa, CA 92626

Re: Police Reporting Practices

Dear Chief Shawkey:

I am writing this letter of grievance to you on behalf of my client, Jay Photoglou, whom has been unsuccessful in filing a citizen's complaint with your department. He has attempted on several occasions to file a report against Gretchen Forward-Rossi for filing of a false police report under Penal Code Section 148.5.

Ms. Rossi filed two (2) separate false reports under DR #09-2623 and #09-3928, against Mr. Photoglou alleging that he stole her tires, rims, and a Nikon SD Camera Card with personal pictures that he turned around and sold for profit to the National Enquirer, and other gossip tabloids. She further alleged that he threatened to kill her. (DR 09-3928). Both of these reports were false and known to be false at the time of her filing.

After several lie detector tests, some investigation by your detectives, and other irrefutable evidence, it is clear that such allegations were not only false, but known to be false by Ms. Rossi at the time she filed these complaints.<sup>1</sup> The District Attorney's office rejected any criminal filing against Mr. Photoglou. (Rejection case # 09H02936X)

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<sup>1</sup> Please note that Mr. Photoglou first came to the CMPD in April 2009 to file the 148.5 complaint, one (1) month after her "life threat" report. Until then, no one had contacted Mr. Photoglou, perhaps indicating the threat level was low or non-existing.

Recently, on November 10<sup>th</sup>, Mr. Photoglou spoke with Sgt. Frank Rudisill, who indicated he would not take any type of report for Mr. Photoglou against Ms. Rossi but advised that he "had a very good civil case against her."

Ms. Rossi's reckless actions caused the City of Costa Mesa to expend numerous man hours and resources dedicated to her false reports and allegations. It is clear that Ms. Rossi manipulated the entire situation to capitalize on her reality show image and to ensure she would be in line to collect over \$2.5 Million from the insurance and estate of the terminally ill much older man she was dating, while secretly dating Mr. Photoglou: a fact she desperately needed to hide.<sup>2</sup>

### **Photo Theft:**

Attached please find copy of the alleged photos, which clearly show they were taken by a *Sony* camera and not a *Nikon* camera. She forced your department to reach out to The Dirty.com regarding these photos only to find that she has no right, ownership or title to any of them. The camera, the camera card were and are owned by my client, and as the photographer, owns every copyright in such photos.

Curiously, a few weeks back on November 5, 2009, Ms. Rossi states on the air on Bravo TV that "these pictures were taken when I was in a dark place after Jeff's death." The man Jeff referred to is Jeff Beitzel who died on September 13, 2008; yet the pictures were taken and allegedly stolen in February 2008...7 months earlier?! This alone proves she purposely lied to your detectives when she filed this report. She cannot keep her stories [lies] straight.

Ms. Rossi's actions should not be taken lightly by your department, nor the City of Costa Mesa. In these times of economic hardship, it is important that resources be reserved for real matters and not be unnecessarily be wasted on a person seeking her 15 minutes of fame. She wanted to attempt to discredit Mr. Photoglou and the real truth, and hence, concocted a scheme to bring in the CMPD so she can then file a restraining order, which was dismissed with prejudiced. Despite all the witnesses and evidence, she could not prove her claims.

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<sup>2</sup> Ms. Rossi is on the reality show Real Housewives of Orange County. During the show it came out she was dating Mr. Photoglou while dating this rich terminally ill elderly gentleman, which put her in a bad light.

**Life Threats:**

Ms. Rossi claimed that on 2 occasions, Mr. Photoglou made life threatening threats. Please note that Ms. Rossi's subpoenaed phone records for both February 18, 2009 and March 4, 2009, are currently in the possession of Judge Pacheco in department 11 at the Harbor Justice Center, Newport Beach, for your review. Mr. Photoglou has made his own phone records available, along with numerous texts from Ms. Rossi, for your department to review as well to show to the contrary.

**DR 09-10789:**

On a separate but related matter, my client also requests for status and follow up on his complaint (DR 09-10789) for witness tampering against Ms. Rossi. The herein report was taken by Sgt Zack Hoferitza and appears nothing occurred despite providing written proof by way of emails from Ms. Rossi to witnesses Tamra Barney and Paul Hillson to your department.

If you can extend the courtesy and provide me with information on what the policies are for the CMPD to accept or reject certain reports, I can provide an explanation to my client, and allow him to move forward. If you need any information from me or my client, please do not hesitate to contact me.

Very truly yours,

Orlando J. Castaño, Jr.

Cc: Alan Roeder, City Manager, City of Costa Mesa  
Allen Huggins, Internal Affairs Costa Mesa Police Dept.  
Client

Encs: Receipt and serial number for camera and SD card for photos taken of Gretchen Forward-Rossi; Fax letter to CWIE re: The Dirty from Det. Carlos Diaz; Copy of DR-09-10789 card for filing of report.



# CITY OF COSTA MESA

P.O. BOX 1200

CALIFORNIA 92628-1200

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FROM THE OFFICE OF CHRISTOPHER SHAWKEY, CHIEF OF POLICE

December 1, 2009

Law Offices of Orlando Castano Jr., Inc.  
4675 MacArthur Court, Suite 465  
Newport Beach, CA 92660

Mr. Orlando Castano,

I am in receipt of your letter regarding "Police Reporting Practices." The substance of the letter has been reviewed in relation to the completed investigation.

While I can understand your client's desire to have additional reports filed, the facts are that all allegations that fall within the jurisdiction of the Costa Mesa Police Department have been sufficiently presented to the Orange County District Attorney's Office for review. The Orange County District Attorney's Office, as an independent agency, reviewed the allegations, including the false report claim, and has indicated that the allegations cannot be proved beyond a reasonable doubt.

The Costa Mesa Police Department has a practice of resolving issues by completing a thorough and accurate investigation. That being said, if new evidence is discovered or brought forth, then additional investigation may be warranted. In this particular case, a complete and thorough investigation was completed and the facts did not warrant the Orange County District Attorney's Office in filing charges against any of the involved parties.

If you have any additional questions, please contact Lieutenant Allen Huggins at 714-754-5282.

Regards,

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Christopher Shawkey  
Chief of Police  
Costa Mesa Police Department

Cc: Allan Roeder  
Allen Huggins