

October 3, 2023

PRIVILEGED SETTLEMENT COMMUNICATION
PURSUANT TO FED. R. EVID. 408

VIA E-MAIL

Lead Safe Mama, LLC
c/o Tamara Rubin
Email: tamararubin@mac.com

Re: Cease and Desist Letter re False and Misleading Statements About Pura Stainless, LLC Contained Media Posts by “Lead Safe Mama, LLC”

Dear Ms. Rubin:

We are the attorneys for Pura Stainless, LLC (“Pura”). We write to address the persistent and repeated false and misleading statements made by Lead Safe Mama, LLC (“Lead Safe Mama”) about Pura in a series of blog posts, social media, and other media platforms (collectively, the “Blog Posts”).

This letter is a formal demand that Lead Safe Mama immediately (1) remove all Blog Posts on any media platform concerning Pura’s products containing false, misleading, and disparaging statements about Pura and (2) cease and desist from continuing to make false and misleading statements about the Company.

By way of background, Lead Safe Mama has no fewer than nine (9) Blog Posts in which Lead Safe Mama has made false, misleading, and disparaging statements about Pura dating from March 5, 2017, to as recently as August 26, 2023. While this letter does not identify each false and misleading statement contained in the Blog Posts, we provide a few illustrative examples below as guidance.

First, Lead Safe Mama’s August 26, 2023 Blog Post inaccurately accuses Pura of committing “violations” of the Consumer Product Safety Improvement Act (“CPSIA”)—mentioning the term “violation” in no fewer than 24 instances. To be clear, Pura has not been found to be in violation of the CPSIA by the Consumer Product Safety Commission (“CPSC”). In fact, in 2017, the Company provided a report to the CPSC regarding the Pura Kiki 9 oz. Insulated Bottle (the “Pura Kiki”), and no violations were determined. Accordingly, Lead Safe Mama’s continued, repeated accusations of “violations” regarding this product are unfounded and unsubstantiated and must be retracted. Similarly, Lead Safe Mama’s improper characterization of a “violation report”—which “report” was created solely by Lead Safe Mama and not the CPSC—

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is false and misleading to consumers in that it improperly suggests that violations were determined by the CPSC and/or that the unilateral statements of Lead Safe Mama are attributable to the CPSC.

Second, Lead Safe Mama's August 26, 2023 Blog Post accuses Pura of "Failure of Compliance with Duty to Report." This damaging statement is grossly inaccurate and intentionally reckless. Lead Safe Mama has no basis to make such a demonstrably false statement, and clearly does so with the intent to harm Pura's business and negatively impact the public's view of Pura's business practices and products. Indeed, Lead Safe Mama's false statement that Pura failed to comply with self-reporting requirements is extremely damaging to Pura's business and reputation.

Further, Lead Safe Mama makes repeated false and misleading statements about Pura and its products, including, without limitation, that Pura's products are "unsafe and illegal," that Pura's products "often fail" and have a "well-documented propensity to fail," that Pura engaged in "intentional inaction" and a "*deliberate cover-up* of the violation" (emphasis in original), is "culpable," and that Pura's products "harm children" or "poison children." These statements are plainly false, irresponsible, and must be retracted immediately.

While the examples above by no means provide a comprehensive list of the actionable defamatory comments made by Lead Safe Mama concerning Pura, they do exemplify the reckless publication of false, misleading, and damaging statements that have and continue to cause harm to Pura.

Pura hereby demands that Lead Safe Mama cease and desist from making false, misleading, and damaging statements about Pura, as outlined above. To resolve this matter amicably, please confirm no later than **Wednesday, October 4, 2023** that Lead Safe Mama will comply with the following demands:

1. Remove within three (3) business days all blogs, print media, social media, or other media platforms containing false and misleading statements (including the nine (9) Blog Posts currently posted on Lead Safe Mama's website); and
2. Cease and desist from any and all use of false and/or misleading statements about Pura or its products.

Pura is intent on pursuing legal action if this is not resolved quickly. Lead Safe Mama's continued attack on Pura's products, business, and ethics, cannot go unaddressed. Should Lead Safe Mama refuse to take down the posts and refrain from further publishing defamatory statements about Pura, legal action will be taken against you. Should that be necessary, Pura will seek all available remedies for Lead Safe Mama's intentional, bad faith conduct aimed at harming Pura's business and reputation.

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We look forward to your prompt attention to this matter.

Sincerely,

RUTAN & TUCKER, LLP



Bradley Chapin

BC:mcb