

TO: Albertsons Companies, Inc.

ATTN: Legal Department / Risk Management

CC: California Department of Civil Rights; California Commission on Disability Access

DATE: March 6, 2026

RE: UNLAWFUL USE OF LIVEVIEW TECHNOLOGIES (LVT) "ACTIVE DETERRENCE" SYSTEMS

NOTICE TO PRINCIPAL IS NOTICE TO AGENT; NOTICE TO AGENT IS NOTICE TO PRINCIPAL.

To the Management of Albertsons Companies,

This letter serves as formal Actual Notice that the use of a LiveView Technologies, Inc. (LVT) "Active Deterrence" system is a per se violation of the California Unruh Civil Rights Act (Cal. Civ. Code § 51) and constitutes an ongoing public safety hazard.

1. Per Se Violation of the Unruh Civil Rights Act

The Unruh Act mandates that all persons are entitled to "full and equal" access to business establishments. Under well-settled California Supreme Court precedent, the use of LVT's "Active Deterrence" is unlawful by design:

- **Arbitrary Discrimination (*In re Cox (1970)*, 3 Cal.3d 205):** The LVT system utilizes an automated AI algorithm to target, siren, and strobe patrons based on arbitrary factors such as physical appearance or attire (e.g., "Red Actor" profiles). The Court has ruled that treating patrons differently based on "unconventional dress" or "physical appearance" is a per se violation of the Act.
- **Illegal Predictive Profiling (*Marina Point, Ltd. v. Wolfson (1982)*, 30 Cal.3d 721):** A business cannot "deter" or exclude individuals based on a generalized prediction that their class or appearance might lead to misconduct. By automating "deterrence" against innocent shoppers who have committed no crime, the company engages in prohibited class-based discrimination.
- **All Persons Are Entitled to Equal Treatment (*Koire v. Metro Car Wash (1985)*, 40 Cal. 3d 24):** The LVT system uses intense blue LED lights, some of which are static and some of which strobe. The LVT system is designed as "Active Deterrence," utilizing high-intensity blue lights that inherently cause severe sensory discomfort and neurological interference for anyone in the immediate vicinity. While marketed to deter "bad actors," the system's automated nature lacks the capacity to distinguish between a threat and a citizen with a disability or light sensitivity. Consequently, the system indiscriminately subjects individuals, including the unhoused and those with photobiological disabilities, to hazardous conditions that

effectively bar their “full and equal” access to the premises. By deterring would-be shoppers, the company is violating Unruh.

2. Notice of Photobiological Hazard

The "Active Deterrence" blue LED lights utilized by these units are not merely a "security feature"; they are a hazardous sensory barrier. Technical analysis indicates these lights likely fall into IEC 62471 Risk Group 2 (RG2) or Risk Group 3 (RG3) for photobiological safety.

- These units emit high-intensity blue light that poses a risk of retinal damage and can trigger adverse neurological events (seizures) in sensitive populations.
- As the property owner, the company has a non-delegable duty to keep the company’s premises safe. Maintaining a hazardous light source in a public parking lot is a breach of duty of care to invitees.

3. Evidence of Malice and "Willful Blindness"

Please be advised that LVT’s executive leadership have been notified of these hazards and have responded by blocking electronic communication from victims to avoid receiving further safety data. This act of "Willful Blindness" does not protect LVT’s clients.

- By receiving this letter, the company now has Actual Knowledge of the system's defects.
- Operation of an LVT unit with Active Deterrence features enabled, after receiving notice of the civil rights violations and photobiological hazards caused by use of an LVT system, constitutes "Conscious Disregard" for the safety and rights of the public under California Civil Code § 3294, exposing the company to Punitive Damages.

DEMAND FOR IMMEDIATE ACTION

If the company operates an LVT system, then it is imperative that the company mitigate liability and protect the public, and the company must immediately:

1. Deactivate the "Active Deterrence" features (blue LED lights (static and strobing), floodlights, and sirens) of the LVT units on the company’s premises.
2. Conduct an independent safety audit of the photobiological impact of the LVT blue lights and ensure that company policies align with the California Blue Light Awareness Day Proclamation (SCR 73, 2019).

I am providing this notice as a courtesy to ensure that the company is fully aware of the legal and physical risks LVT has introduced to the company’s operations. I intend to

hold all responsible parties, both the manufacturer and the premises host, fully accountable for any violations of Unruh.

Copies of this notice are being provided to the California Department of Civil Rights (CRD) and the California Commission on Disability Access (CCDA). This matter involves a systemic, automated interference with the “Full and Equal” privileges of California citizens due to use of “Active Deterrence” technology. Pursuant to the Unruh Civil Rights Act, this serves as notice of a pattern of arbitrary discrimination and the maintenance of a hazardous sensory barrier in public accommodations.

Sincerely,

/s/ Mark Baker

Pro Se Litigant / Advocate for Public Safety

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PROOF OF SERVICE

UNLAWFUL USE OF LIVEVIEW TECHNOLOGIES (LVT) "ACTIVE DETERRENCE" SYSTEMS

Electronic Service in accordance with California Code of Civil Procedure Section § 1010.6.

At the time of service, I was over 18 years of age. My residence or business address is 1520 E. Covell Blvd. Suite 5 - 467, Davis, CA 95616.

On March 6, 2026, I electronically served a true copy of the following documents described as:

UNLAWFUL USE OF LIVEVIEW TECHNOLOGIES (LVT) "ACTIVE DETERRENCE" SYSTEMS.

on the parties in this action as follows:

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BY E-MAIL OR ELECTRONIC TRANSMISSION: I caused a copy of the document to be sent from the e-mail address mbaker@moonlightadvocacy.org to the persons at the email addresses listed above. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on March 6, 2026.

Mark Baker