

DAVIS | BURCH | ABRAMS

BOLD ADVOCACY. SMART BUSINESS.

July 14, 2025

Via Email and Fed-Ex:



Re: Armed Forces Brewing Company, Inc.

Mr. [REDACTED],

The law firm of Davis, Burch & Abrams (“DBA”) serves as legal counsel for Armed Forces Brewing Company, Inc. (“AFBC”). Please direct any future correspondence regarding the matters raised in this letter to us.

Your Past Illegal Conduct

As you know, AFBC planned to operate a craft brewery in Norfolk, Virginia. Since its founding, AFBC’s purpose has been to provide exceptional beer to its patrons and pay homage to United States Military Veterans and active-duty members, and the principal reason AFBC chose Norfolk for its operations was because of the City’s vibrant military community. Regrettably, rather than welcome AFBC to the Norfolk community and support its laudable mission (or at the very least, leave it alone), you chose to take part in a coordinated effort with others¹ to willfully and maliciously injure AFBC’s business, trade, and reputation. Your actions included, but were not limited to:

- Personally publishing and encouraging others to publish false, defamatory, misleading, and disparaging statements about AFBC and its leadership;
- Engaging in and encouraging interference with AFBC’s established and potential business contracts, expectancies, and relationships; and
- Intimidating AFBC customers and other persons who supported AFBC in any way.

Ultimately, the tactics you and your co-conspirators engaged in prevented AFBC from being able to run a successful business in Norfolk. But the success of your operation says nothing of its legality. To be sure, you and your co-conspirators’ conduct constituted multiple violations

¹ Based on our records, other currently known co-conspirators include [REDACTED] and [REDACTED]. The total number of co-conspirators is transparently more vast when considering two things: (1) the “Citizens for a Better Norfolk” group, which was organized for the sole purpose of opposing AFBC (and the members of which the group has so far kept secret), and (2) the sheer scale of the opposition AFBC faced when operating (and attempting to operate) in Norfolk. AFBC reserves the right to exercise all legal means to uncover all the participants in the conspiracy to destroy its business.

of Virginia statutes and common law, including, but not limited to, statutory business conspiracy under Va. Code §§ 18.2-499 and 500, common law civil conspiracy, tortious interference with contract/business expectancy, and defamation.

AFBC intends to pursue all remedies available to it at law and in equity to address your illegal conduct. Accordingly, you are hereby on notice that you must preserve all documents and electronically stored information in your custody and control that relate to AFBC in any way. Documents and electronically stored information include, but are not limited to, pictures, films, audio recordings, writings and recorded materials of all nature and kind whether handwritten, typed, printed, or in electronic form, including emails, email attachments, text messages, website contents (including internal company websites), and other information located on servers, individual computers, workstations, laptops, personal data assistants, calendars, cellular phones, memory sticks, diskettes, optical disks, or in any archived or backup media or status or on tapes and any other storage media. Your failure to preserve those documents and electronically stored information risks serious adverse consequences, including, but not limited to, entry of default judgment against you in future litigation. *See* Va. Code § 8.01-379.2:1(B)(ii)(c).

Interference with AFBC's Future Business Plans

On a separate but related note, it appears your plan to harm AFBC's business may not be limited to its operations in Virginia. Recently, one of AFBC's private memoranda to its investors—which included its plans to move its operations to either Texas or Florida—somehow got leaked to the public and has already been reported by Chron, a local Texas media outlet affiliated with the Houston Chronicle.² Exactly who leaked this information is not currently known to AFBC. But given your prior public statements that it is your goal to “actively work against” AFBC and that “[t]here's going to be a Round 2, 3 and 4 if Round 1 isn't successful,” *see* **Attachment 1**, [REDACTED] Reddit Posts, it doesn't require speculation to infer that either you or one of your co-conspirators leaked the information and provided it to the media.

Given all this, AFBC is concerned that you intend to engage in further illegal conduct to disrupt its business operations in its future location. In light of that legitimate concern, you are hereby directed to:

1. Immediately cease and desist from making any contact with any person, journalist, publisher, entity, or media outlet for the purpose of disrupting or interfering with AFBC's ongoing or potential business relationships or operations;
2. Immediately cease and desist from making any contact with any of AFBC's officers, employees, business associates, potential or actual investors, or potential or actual vendors for the purpose of disrupting or interfering with AFBC's ongoing or potential business relationships or operations; and
3. Immediately cease and desist from making any further false, defamatory, misleading, and/or disparaging public or private statements about AFBC.

² *See* Timothy Malcolm, *Brewery that left Virginia over 'woke mob' may reportedly move to Texas*, Chron, May 29, 2025, <https://www.chron.com/food/article/armed-forces-brewing-woke-texas-20347665.php>

Please be advised that, like Virginia, Texas and Florida prohibit the kind of unlawful conduct you previously engaged in to sabotage AFBC's business operations in Norfolk. *See, e.g., Forbes Inc. v. Granada Biosciences, Inc.*, 124 S.W.3d 167, 170 (Tex. 2003) (recognizing claim for business disparagement); *Prudential Ins. Co. of Am. v. Fin. Review Servs., Inc.*, 29 S.W.3d 74, 77 (Tex. 2000) (recognizing claim for tortious interference with an existing contract); *Vertex Servs., LLC v. Oceanwise Houston, Inc.*, 583 S.W.3d 841, 856 n.7 (Tex. App.—Houston [1st Dist.] 2019) (recognizing claim for tortious interference with prospective contract or business relationships); *Ethan Allen, Inc. v. Georgetown Manor, Inc.*, 647 So. 2d 812, 814 (Fla. 1994) (recognizing claim for tortious interference with a "business relationship," which is not limited to a plaintiff's "enforceable contract[s]" but also includes a plaintiff's "existing or prospective legal or contractual rights") (citations and internal quotation marks omitted).

No-Trespass Notice

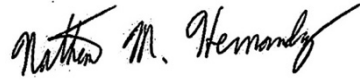
You and your co-conspirators have engaged in other conduct that raises significant concerns about the safety of the officers and employees of AFBC as well as the safety of AFBC's agents and representatives (including the attorneys and staff at DBA). AFBC has video footage of what appears [REDACTED] casing its Norfolk brewing facility. One of your co-conspirators is an individual who endorses violence against persons and groups he opposes and publicly boasts about having been detained, arrested, and threatened with arrest. *See Attachment 2*, Social Media Posts of [REDACTED]. And somebody within the broader conspiracy to destroy AFBC's business vandalized AFBC's Norfolk brewing facility. Consequently, as a precautionary measure, you are hereby on notice that you are *forbidden* from entering the following two properties without prior authorization from myself or another attorney at DBA: (1) AFBC's Norfolk facility located at 211 W 24th St, Norfolk, VA 23517, and (2) DBA's premises located at 555 Belaire Avenue, Suite 340, Chesapeake, VA 23320. If you violate this ban, AFBC and/or DBA will exercise its rights to the fullest extent permitted by the law, including, but not limited to, criminal prosecution pursuant to Va. Code § 18.2-119.³

You may feel strongly that the accusations in this letter are wholly unjustified and that you acted within your rights when you contributed to the sabotage of AFBC's business. And you would be entitled to feel that way. You also would be entitled to vigorously defend any future litigation brought against you by AFBC. But use of the legal process should be the *only* means by which the parties resolve their disputes, and neither criminality nor violence should play any part in that process.

³ I am fully aware that Virginia Rule of Professional Conduct 3.4(i) does not allow an attorney to "[p]resent or threaten to present criminal or disciplinary charges solely to obtain an advantage in a civil matter." There are two reasons that Rule is not implicated by the above no-trespass notice. First, the no-trespass notice is not a threat to present any criminal charges, as you have not yet engaged in any conduct that would provide AFBC or DBA the ability to bring criminal trespass charges in the first place. Second, by its plain text, the Rule only prohibits an attorney from threatening criminal charges "solely" to obtain an advantage in a civil matter. Here, the only purpose in issuing a no-trespass notice is to ensure the safety of AFBC's officers and employees and the attorneys and staff at DBA, not to gain any advantage in your civil dispute with AFBC.

Please govern yourself accordingly.

Sincerely,

A handwritten signature in black ink, reading "Nathan M. Hernandez". The signature is written in a cursive style with a prominent initial "N" and a long, sweeping underline.

Nathan M. Hernandez, Esq.
DAVIS, BURCH & ABRAMS