



OFFICE OF THE DISTRICT ATTORNEY
TWENTIETH JUDICIAL DISTRICT

Michael T. Dougherty, District Attorney

For Immediate Release
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PRESS RELEASE
CEASE AND DESIST NOTICE

On February 17, 2022, the District Attorney's Office issued a Cease and Desist Notice to Professional Forest Management, LLC after having cause to believe the company had engaged in unfair or deceptive trade practices in violation of the Colorado Consumer Protection Act.

The Cease and Desist Notice was in reference to advertisements by Professional Forest Management, LLC that were printed in the Boulder Daily Camera and the Boulder Weekly. The advertisements claimed a coal seam fire caused the Marshall Fire that devastated the Boulder County community. However, the cause of the fire is still under investigation. Further, the advertisements suggested Boulder County and City of Boulder authorities were aware of an imminent threat from a 150-year-old coal seam fire, but there is no indication that officials were aware of any imminent threat. Further, the advertisement suggested the company would be able to help victims of the Marshall Fire get compensated for their loss, pain, and suffering by Boulder County and/or the City of Boulder when, in fact, any such claim would likely be barred by the Colorado Governmental Immunity Act.

Later that same day, after receiving the Cease and Desist Notice to Professional Forest Management, LLC, the company's owners, Frank Carroll and Van Elsbernd, immediately acknowledged the demand, agreeing to cease and desist the advertisements unless and until they comply with all provisions of the Colorado Consumer Protection Act.

The Marshall Fire was an unimageable tragedy for Boulder County and its community members, especially those whose homes were destroyed or damaged. District Attorney Michael Dougherty takes seriously any threat or danger to Boulder County community members. Our office is actively working with law enforcement and other agencies to determine the causes and origins of the fire. In assisting citizens to recover from the Marshall Fire, our office's role includes making sure that consumers are not misled during this particularly vulnerable time. This includes any fraudulent or misleading attempts to assert that community members can receive compensation by engaging with a company that uses false, misleading, deceptive, or fraudulent advertisements. We encourage community members to call 303-441-3700 with any complaints.