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December 7, 2025

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Re: Our clients: Kenan Macomber, Stephanie Rodgers, Meghan Kincaid, Cody McCabe, Andrea Groves, Laura Home Kaiser, Jodi Templeton, Toni Osotio, and Annette Bowler

Dear Bend-La Pine Schools:

I have been retained by the above-referenced nine individuals, who are all Miller Elementary teachers and staff. All of them were exposed to toxic fumes from the lithium battery fire that occurred last Sunday, November 30, 2025.

Your decision to reopen the school on Wednesday resulted in my clients' experiencing symptoms associated with the recent chemical fire. Eight staff members were absent on Friday due to their symptoms, which include headaches, sore throats, burning eyes, congestion, and abnormal heavy sleep, from which it is difficult to wake. Numerous teachers also reported experiencing symptoms and would have either called in sick or left early, but doing so was impossible because a classroom cannot be left unattended without a substitute teacher. Not only is the District already facing a significant shortage of substitutes, but asking other teachers to cover in what may be a contaminated environment places them at additional risk.

This situation puts my clients in an extremely difficult position. They are dedicated educators, and any action that removes them from their students is not taken lightly. However, their foremost moral and ethical responsibility is to safeguard the health and safety of every person in the building.

As you can see from the attached petition, my clients and other educators at Miller Elementary have serious health and safety concerns regarding the exposure to chemicals at the school and are making the following demands:

1. Immediately close Miller Elementary School to all staff and students until independent, comprehensive environmental testing has been completed;
2. Provide full documentation of all testing results, cleanup procedures, safety protocols, and clearance standards used to determine building safety;
3. Ensure that all testing is conducted by qualified, independent environmental firm or industrial health hygienist, with results shared promptly and transparently; and
4. Communicate clearly and regularly with staff, parents, and the community regarding the status of the school building, risks identified, and steps taken to mitigate those risks.

We hereby demand that the school be closed starting tomorrow, Monday, December 8, 2025, until all of these demands have been met to ensure teacher, staff, and student safety.

Please call me today by 4:00 p.m. Feel free to call me directly on my cell phone, 202-465-2764, or over email at jkafoury@kafourymcdougal.com.

Failure to close the school risks further exposure for students, teachers, and staff, and may create liability for the District moving forward.

If school does move forward tomorrow, my clients may go to the court for emergency injunctive relief to prevent further harm.

Sincerely,



Jason Kafoury

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Enclosure