



June 14, 2016

Charles J. Harder, Esq.
132 S. Rodeo Drive, Suite 301
Beverly Hills, CA 90212
Via Email: charder@hmafirm.com

Re: Edward Ivari Retraction Demand

Dear Charles:

I write in response to your June 9 letter in which you demand that an article about Donald Trump's hair be unpublished. You are requesting the retraction of an investigatory news article revealing information about the presumptive Republican presidential nominee that he might consider unflattering. Yet, you say your takedown demand is made on behalf of Edward Ivari. This is a vastly overbroad demand to be made for Mr. Ivari, who plays only a part in the article about Donald Trump. It's also a surprising demand to be made by Mr. Ivari considering that he had ample requests from our reporter to contribute to the article, and because you take no issue with the central thesis of the piece – that Mr. Ivari has worked on Donald Trump's hair. Further, you declare as libelous 19 statements in the article, all of which are from "lawsuits" or are innocuous on their face, such as the statement about the location of Mr. Ivari's office.¹ Accurate descriptions from court records and non-defamatory statements do not create viable claims for libel and are not cause to "immediately and permanently" remove a news article.

You also demand that your letter be maintained in secret. You declare it "confidential and protected by applicable Copyright law," and explain that this means it "may not be copied, published, disseminated or used by any person or for any purpose, other than internally at [Gawker Media] and its outside legal representatives for purposes of evaluating the claims [] and complying with the [] demands." We have never agreed to such confidentiality or to limitations

¹ The reliance on the statement about the location of Mr. Ivari's office is notable both because it is facially not defamatory and because you altered the quote in your letter. The article says where Mr. Ivari's office "was" located. You change it to say where your client's office "is" located. Similarly, you list as false and defamatory the statement that "Ivari's business brochure refers to microcylinders as 'microextensions.'" It is not clear how this would be defamatory and, in any event, it's not what the article says. Rather, the article asks, "Do the microcylinders include what the Ivari brochure dubs 'microextensions,' ensuring extraordinary length?"

on what purposes we may use your letter. It is understandable, as explained above, why you would want to keep the substance of your letter private, but it is still remarkable that you would try to prevent us from making it public. At least one litigation you are responsible for is part of an admitted effort to use the legal system to destroy Gawker Media, a controversy that has vast public interest and implications. The plan was effectuated confidentially for years until the press brought it to light. We will not voluntarily keep hidden your latest legal effort against us.

To be clear, we take your letter seriously, as we do any complaint we receive about Gawker Media's journalism. We reviewed the statements you are complaining about and find nothing false. Your letter also does not offer any basis for contending a statement is false or that it inaccurately characterizes court records. Please understand that we are not refusing to correct or retract the article or particular statements. Should you provide information contradicting or calling into question any aspect of the article, we will fully and fairly consider it. Gawker Media has seven publications with varied focuses – cars, sports, politics, lifestyle tips and tricks, technology and culture, video games, and women's issues. Their news reporting shares one guiding principle: report the truth. If you show that we have done anything but that, we will address the error. In no case have you proven otherwise and you offer no proof in your June 9 letter. Whatever your goal might be, it is not to remediate false speech.

Sincerely,



Heather Dietrick
President & General Counsel
Gawker Media LLC