

14 November 2017
(Tuesday)

VIA ELECTRONIC MAIL & CERTIFIED U.S. MAIL

John G. Thompson, Jr., Esq.
Lightfoot Franklin White, LLC
The Clark Building
400 20th Street North
Birmingham, AL 35203
Phone: 205-581-0700
Direct: 205-581-0748
Email: jthompson@lightfootlaw.com

RE: Alabama Media Group (al.com)

Dear Mr. Thompson,

Please allow this to serve as notice that our firm has been retained to represent The Foundation for Moral Law, its President Kayla Moore and Chief Justice Roy Moore. We also represent Roy S. Moore and Kayla Moore individually. We do, therefore, alert you to the duties and notices provided herein for your client the Alabama Media Group operating as al.com. This letter is provided in anticipating of our firm preparing and filing a lawsuit against your client and its agents.

Your client has engaged in making false reports and/or careless reporting that has adversely affected my clients, to include but not limited to reporting that a "fifth woman" has accused Roy Moore of sexual misconduct or assault which is untrue. Inaccurately reporting the income paid by The Foundation. Inaccurately reporting the travel expenses and accommodations of my clients, to include alleging that a private jet was used which is untrue.

Your client as an outlet is carelessly and perhaps maliciously reporting that my client, Judge Roy S. Moore, noted and signed a Yearbook of an accuser as a "DA" and in a manner which experts, to include our own, have confirmed is not consistent with his handwriting (*To wit*: structure, strokes, slant, base alignment, etc.) and does not comport to his typical vernacular.

Your client as an entity has also carelessly and perhaps allowed general slander and libel to the reputation of my clients by seeking out, and/or reporting from those who did, individuals who falsely portray the reputation of Roy S. Moore in northeast Alabama, to include Etowah County. This careless and/or malicious reporting includes reports that Judge Moore was “banned” from the Gadsden Mall, was on a watch list for the Gadsden Mall, had a general reputation of “predatory behavior”, that he badgered teens and had a general bad reputation. Such is untrue and is due to be recanted.

PRESERVATION and SPOLIATION

Note that your client, to include its agents, have a duty to preserve and maintain evidence. We do, thus, demand that you preserve and protect any potential evidence. Refusal or failure to do so could result in a legal presumption that the spoliated evidence was adverse to you, your company and it's interests.

Please also note that per Alabama law there is a Third Party Tort for Spoliation. Thus, even if your client is not held to have defamed or otherwise worked civil damages upon our clients, your client may remain responsible in a Court of law for damages caused by the failure to preserve evidence. This is often times referred to as “Adverse Interference”.

Note, our request includes all tangible and digital evidence such as, yet not limited to, handwritten notes, yearbook(s), journalist pads, spiral reporter pocket pads, text messages, sms messages, instant messages and any other tangible or digital evidence.

RETRACTION and/or RECANTING

Also be aware that we believe the publication(s) and report(s) made by your client's organization were made with knowledge that the matter published are false, or they were published with a reckless disregard of whether it was false or not. We are providing five [5] days for a full and fair public retraction in as prominent and public a place or manner as the matter published.

DEFAMATION, LIBEL & SLANDER, FRAUD, MALICE, SUPPRESSION, WANTONNESS, CONSPIRACY and NEGLIGENCE

As you may know “Defamation” is, among other things, an injury to reputation. In Alabama, defamation is considered to be a false statement of fact, published or spoken with some degree of fault, that tends to harm the reputation of another so as to lower him, her or, for an entity, “it” in the estimation of the community. This includes damages to the reputation of them individually, as an entity, to their marriage and to a person’s overall standing. These statements can include “Libel” (written) and/or “Slander” (spoken), which are both types of defamatory statements.

Your client’s organization has made and/or supported defaming statements. This is due to the careless and/or intentionally refused to advance the truth regarding our clients. We also believe that your client, by and through its agents, have damaged our clients by being careless in how they handle headlines and report the contextual of the allegations.

Meaning your client has used terms in reports maliciously or carelessly which has falsely portraying our clients.¹ Specifically your client’s reports have indicated there are five [5] women accusing Chief Justice Roy Moore of sexual misconduct when in fact only two [2] women have made accusations of sexual misconduct. And both of those women have made false statements which your client has yet to publish. The other ladies which were rounded up in the witch hunt merely allege they perceived him to have made advances, but do **not** accuse him of any sexual misconduct.

Thus, do note this clearly, yet significant difference which your client’s publication(s) have failed to distinguish. And the legal requirement that your client retract the stories, to include the details which clearly are false. It is also clear that your client’s organization is attempting pre-election to conspire and orchestrate a “trial by media” and is playing to a “mob mentality”. We demand this circus cease and desist immediately.

We believe it is clear and convincing your client consciously and deliberately engaged in oppression, fraud, wantonness, and/or malice and again as stated above we do requested a retraction. With regards to Judge Moore it is clear that your client’s reports were done with malice and with regards to the Foundation for Moral Law and

¹ Richard Jewell v. New York Post

Kayla Moore your client failed to exercise reasonable care.

GENRE NOTICE

Please also note that we are presuming the proper genre and/or legal categorization of all of your reports and/or articles is that of "news" and not satire. If we are incorrect, please note that you have five [5] days to specify otherwise.

If you or someone with your office have any questions, please feel welcome to contact us.

Respectfully,

A handwritten signature in blue ink that reads "Trenton R. Garmon". The signature is written in a cursive style with a large initial 'T'.

Trenton R. Garmon, JD MA