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April 25, 2018

Scott Stevens
Political Sales Manager
Northeast Division
20 Century Hill Drive
Latham, NY 12110

Additional Delivery by Fax, E-Mail and Hand-Delivery

**RE: Demand to Immediately Cease & Desist Deceptive Advertising
Paid For by Rennaci for Senate**

Dear Mr. Stevens:

This law firm has been retained to represent Gibbons For Ohio, the principal political committee of Mr. Mike Gibbons, candidate for the U.S. Senate in the Ohio Republican Primary set for May 8, 2018.

It has come to our attention that your station is and continues to broadcast paid advertising that falsely states material fact(s) deliberately calculated to damage the personal and professional reputation of Mr. Mike Gibbons. These include the following:

- 1) The narrator states: "**Gibbons himself admits he's no conservative describing himself as ideologically flexible...**"

This statement falsely attributes both the terms "**no conservative**" and that he is "**ideologically flexible**" to Mr. Gibbons. **In fact, they are the words of a reporter in a year-old article by political reporter David Drucker in the Washington Examiner on June 1, 2017.** By stating that Mr. Gibbons "admits" and then using the words of a different person characterizing Mr. Gibbons actual words in the advertisement your station chose to broadcast materially false attributing these words as Mr. Gibbons' self-description, with reckless falsity. Indeed, Mr. Drucker never even interviewed Mr. Gibbons for his report, perhaps relying instead on his opponent's characterization for a 'fake news' story.

- 2) The narrator further states that Gibbons: "**says he's personally pro-life, but would vote pro-choice in Washington.**" This statement is based on the following portion of the same article:

"He said that he was personally pro-life but didn't want to make decision about abortion for women.

Gibbons later said that he opposes abortion, supports defunding Planned Parenthood and would vote to confirm Supreme Court justices that would overturn Roe v. Wade."
See: David M. Drucker, "Ohio Republican Senate Candidate Gibbons Hopes to Replicate Trump, June 1, 2017, in THE WASHINGOTN EXAMINER (on-line edition 6:34p.m.), at, <https://www.washingtonexaminer.com/ohio-republican-senate-candidate-gibbons-hopes-to-replicate-trump>

Nowhere in that statement is there any expression by Mr. Gibbons that he "would vote pro-choice in Washington." Indeed, it states that he would vote to defund Planned Parenthood and vote to confirm Supreme Court Justices that would overturn Roe v. Wade—the very decision upon which legal abortion is based.

Your publication of this materially false statement constitutes actual knowledge of its falsity.

These materially false and defamatory statements are contained in an advertisement **[attached as an audio clip]** and specifies that it is an official advertisement "Paid For By Renacci for Senate." This letter provides notice that these statements are materially false and defamatory. Continued publication will result in further exposure to liability because of continued harm to Mr. Gibbons' impeccable reputation.

We hereby demand that your station immediately Cease and Desist from broadcasting this advertisement. We further demand that you immediately notify this office of your compliance with this demand.

Mr. Gibbons is a highly-successful businessman whose personal reputation for integrity and a successful record has motivated high-net worth individuals to entrust him with their savings. Your continuing publication of these materially false statements threatens financial harm to Mr. Gibbons that will be separately actionable.

Very truly yours,

TERRY T. CAMPO

TTC/th

cc: