

October 18, 2018

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VIA E-MAIL

Jeanette Samuels
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Shay Allen
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19150 Kedzie Ave
Homewood, IL 60430

**Re: JB for Governor
Privileged Under ER 408**

Dear Counsel:

After we rejected Plaintiffs' demand that the Campaign agree to pay your clients \$7.5 million within one business day, Ms. Samuels sent an email on the evening of Sunday, October 14, inquiring whether we could accept service on behalf of JB for Governor. The next morning, I informed you that Perkins Coie could accept service. On Tuesday, October 16, Plaintiffs filed a lawsuit in the Northern District of Illinois.

Notwithstanding the fact that we informed you that you could simply send us a copy of the lawsuit, Plaintiffs have not yet served the Campaign. Rather, the Campaign first became aware that you had filed suit when it began receiving inquiries from press who had been provided with a copy of the Complaint. Indeed, to my knowledge, news of the lawsuit was first broken by a Republican linked website, to which the lawsuit was apparently leaked. While you have not found time to serve the Complaint on us, you have found ample time to make and schedule multiple press appearances. Likewise, it has come to the Campaign's attention that at least one of your clients left work early one day asserting that she was feeling unwell when, in fact, she then made at least one press appearance.

If Plaintiffs do not intend to serve the Complaint on us so that the Campaign can respond to it, dismiss it immediately under Rule 41. Indeed, we would strongly advise that course of action. It is, of course, improper to file a pleading for an improper purpose, "such as to harass." FRCP 11. The fact that the Complaint was filed shortly before Election Day and that thus far more has been done to attempt to publicly attack the Campaign than prosecute the case raises serious Rule 11

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concerns, as does the fact that the Complaint is rife with basic factual inaccuracies that even the most cursory investigation would have identified.

If Plaintiffs do not intend to dismiss the Complaint, serve us so that we can promptly move to dismiss the Complaint ourselves, as it simply does not raise plausible claims for relief. Further, while it may be Plaintiffs' prerogative to attempt to litigate this case in the press, we would note that the litigation privilege does not extend to efforts to smear the Campaign and its staff in the press. Simply put, be advised that our client has authorized us to pursue all legal remedies to defend itself against false and defamatory statements.

Very truly yours,

Ben Stafford