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March 5, 2015

Working Assets  
Credo Action  
[info@credoaction.com](mailto:info@credoaction.com)  
[customerservice@credomobile.com](mailto:customerservice@credomobile.com)

Re: Notice to Cease and Desist Defamation

To Whom It May Concern:

Please be advised that our firm represents the American Legislative Exchange Council (ALEC). Please direct any and all future communications concerning this matter to our attention. If you are represented by counsel, please direct this correspondence to them for review and consideration.

We are writing to you to demand that you cease all activities that misrepresent ALEC's positions and activities, including, but not limited to, those detailed below.

The Credo Action "Stop AT&T, Verizon and Comcast from blocking fast and affordable Internet access" petition page contains statements that are either purposely false or exhibit reckless disregard for the truth. Rather than cite to ALEC publications or ALEC model legislation, Credo Action instead cites a PR Watch webpage,<sup>1</sup> that states that "affordable, lightning-fast Internet access at your home that is 50-100 times faster than the national average" "could soon be a reality" but that "American Legislative Exchange Council is working to make sure it never happens." The webpage goes on to state that ALEC "is now pressuring state legislatures around the country to ban cities from offering broadband Internet access." The PR Watch webpage contains false statements and does not provide support for the false statements appearing on Credo Action's website.

First, ALEC is not "working to make sure it never happens." ALEC does not lobby state legislatures nor is it registered in any state as a lobbyist employer. A February 3, 2015, finding by the Minnesota Campaign Finance and Public Disclosure Board found that ALEC does not lobby, in part because ALEC is a nonprofit organization and ALEC policy discussions take place in the abstract and are not directly related to any state. See [http://www.cfboard.state.mn.us/bdinfo/investigation/02\\_03\\_2015\\_ALEC.pdf](http://www.cfboard.state.mn.us/bdinfo/investigation/02_03_2015_ALEC.pdf).

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<sup>1</sup> Credo Action's citation is itself incorrect. The link cited in footnote 2 was published on February 13, 2014, not February 14, 2014. The linked article by PR Watch itself contains statements that are false and exhibit reckless disregard for the truth.

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March 2, 2003

Dear Mr. [Name]:

Thank you for your letter of [Date].

I have reviewed the [Document] and discussed it with the [Person]. We are sorry that we cannot [Action] at this time. We will continue to [Action] and will contact you again if we have any further information.

I am sorry that you are unable to [Action] at this time. We will continue to [Action] and will contact you again if we have any further information.

The [Document] is a [Document] and is subject to the [Document]. We are sorry that we cannot [Action] at this time. We will continue to [Action] and will contact you again if we have any further information.

I am sorry that you are unable to [Action] at this time. We will continue to [Action] and will contact you again if we have any further information.

Sincerely,  
[Name]

This letter is subject to the [Document]. We are sorry that we cannot [Action] at this time. We will continue to [Action] and will contact you again if we have any further information.

**WEBSTER, CHAMBERLAIN & BEAN, LLP**

Working Assets

March 5, 2015

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ALEC is a think-tank for state-based public policy issues and potential solutions. It publishes research and writing on issues that are of importance to its members. It holds meetings where people from public and private sectors share their views. It also develops model policies and resolutions on economic issues. These materials are helpful resources for state legislators who have an interest in free markets, limited government and constitutional division of powers between the federal and state governments. ALEC serves solely as a resource for its members.

ALEC model policies serve as public policy resources, much like the model state policies or codes of the American Bar Association, National Conference of Commissioners on Uniform State Laws, and advocacy organizations, such as the National Consumer Law Center. Model policies are ideas that can be taken, modified or rejected, depending on the needs of a particular community. State legislators often find model policies valuable for learning from the experiences and expertise of others, while tailoring each policy introduced to meet the interests of their own state's constituents. Any model policy, regardless of where it is from, rises or falls in a state based on whether it provides the solutions that makes sense in that particular state.

Second, Credo Action's false statements directly contradict ALEC's publications. ALEC's model policy on municipal broadband clearly says that it is in favor of affordable and universally available broadband Internet service. *See, e.g.,* <http://www.alec.org/model-legislation/a-resolution-regarding-the-regulation-of-broadband-information-services-in-innovative-and-expanding-competitive-markets/> ("BE IT RESOLVED, that ALEC urges that the FCC, Congress and state regulatory and legislative bodies refocus their efforts on specific and limited initiatives targeted at ensuring that broadband service is made universally available and affordable to consumers . . ."). ALEC's model legislation is written in the affirmative and does not "ban cities from offering broadband Internet access." <http://www.alec.org/model-legislation/municipal-telecommunications-private-industry-safeguards-act/> Rather, the model legislation contains suggested "steps before a municipality may provide cable television or telecommunications or advanced services." *Id.* at Section 8.

We demand that you cease making inaccurate statements regarding ALEC, and immediately remove all false or misleading material from the Working Assets and Credo Action or related websites and action pages within five business days. Should you not do so, and/or continue to publish any defamatory statements, we will consider any and all necessary legal action to protect ALEC.

Further, we demand that Credo Action and Working Assets issue an immediate retraction and correction of the false statement concerning ALEC. Such a retraction and correction must be displayed prominently on the Credo Action website, as well as any other website or publication of Working Assets or Credo Action. In addition, the citation to the PR Watch article in footnote 2 must be completely removed as it too contains false statements made purposely or in reckless disregard for the truth. We anticipate that, having been advised of the reckless statement that Credo Action/Working Assets has made, Credo Action/Working Assets will take the actions that we have demanded and will promptly advise us of compliance with our demands, accompanied by copies of documents demonstrating such compliance.

WEBSTER, CHAMBERLAIN & BEAN, LLP

Working Assets

March 5, 2015

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We appreciate your cooperation, as well as a prompt and satisfactory response.

Sincerely,

A handwritten signature in blue ink that reads "Alan P. Dye". The signature is fluid and cursive, with the first name being the most prominent.

Alan P. Dye

A handwritten signature in blue ink that reads "Heidi K. Abegg". The signature is fluid and cursive, with the first name being the most prominent.

Heidi K. Abegg