

Richard C. Hunt
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December 15, 2021

Via Certified Mail with Return Receipt Requested and Regular Mail

Michelle Kirkpatrick
Kirkpatrick Realtime Reporting
PO Box 5768
Breckenridge, Colorado 80424

Re: Demand for Retraction, Correction, and Apology

Dear Ms. Kirkpatrick:

This letter is written on behalf of Naegeli Reporting Corporation to demand an immediate apology, correction, and retraction of your online statements regarding Naegeli Reporting Corporation and its business practices.

Your comments are false and defamatory, and extremely damaging. Your statements, taken alone and/or together, clearly convey the false impression that, contrary to the true facts, Naegeli Reporting Corporation has engaged in unethical practices and fraud, including but not limited to comments made on your Facebook page and a Facebook page for Christopher Day and Stenonymous, containing the following false statements:

- Naegeli Reporting Corporation illegally or improperly used digital reporting methods;
- Naegeli Reporting Corporation illegally or improperly overcharged clients for services;
- Naegeli Reporting Corporation illegally or improperly engaged in cost-shifting practices;
- Naegeli Reporting Corporation illegally or improperly reformatted transcripts;
- Blatantly implying that Naegeli Reporting Corporation has acted in an untruthful manner or made untruthful statements.

Anyone reading these statements would reach the false and damaging conclusion that you intended: that Naegeli Reporting Corporation has engaged in unethical and illegal business practices. Additionally, you have used screenshots of Naegeli Reporting Corporation's Facebook posts and copyrighted logo and intellectual property without permission.

Naegeli Reporting Corporation takes this attack on its reputation and the quality of its services very seriously. Accordingly, demand is hereby made that you immediately and prominently retract, correct, and apologize for any such defamatory comments, including the aforementioned false and defamatory statements. Additionally, demand is hereby made that you remove any defamatory comments, including the aforementioned false and defamatory statements, from public view. Furthermore, demand is hereby made to remove all copyrighted and protected intellectual property of Naegeli Reporting Corporation from any online posts you have made, including but not limited

to Facebook posts and accounts. Failure to do so will result in the filing of a DMCA Takedown Notice.

This is to place you on official notice of this dispute and you are required to undertake steps to affirmatively preserve, and not delete, any and all physical and electronic documents, materials, information, and data, including without limitation all emails, text messages, instant messages, Facebook posts or comments, and letters (including communications with Christopher Day, Stenonymous, Theresa Jackson, Tammy Bruenker, and Lisa Migliore Black that were either sent by you or your organization or received by you or your organization), and memoranda, handwritten notes, typewritten notes, charts, summaries, financial information, audio and/or video recordings and footage, still images, photographs, etc. that pertain in any way to Naegeli Reporting Corporation, Marsha Naegeli, and any employees or managers of Naegeli Reporting Corporation, and any and all statements made therein, and/or might otherwise be relevant or related to the foregoing matters. All sources of documents, materials, information, and data should be preserved, including, without limitation, physical files, electronic and digital files, computer servers, email servers, backup tapes, cloud storage, personal computers, hard drives, smart phones, tablets, and other types of storage devices including external drives, thumb drives, zip drives, disks, and DVDs.

Promptly notify us whether you will set the record straight by immediately and prominently retracting, correcting, and apologizing for the aforementioned false and defamatory statements. Failure to do so will leave our client with no alternative but to consider all available legal remedies, including but not limited to claims for defamation, trade libel, intentional interference with business relations and prospects, trademark and copyright infringement, and other available remedies. In the event that a lawsuit is commenced, Naegeli Reporting Corporation will also seek its attorneys' fees and costs consistent with applicable laws permitting recovery of attorneys' fees and/or costs.

Very truly yours,

BARRAN LIEBMAN LLP



Richard C. Hunt

RCH:mc

cc: Edwin A. Harnden
Wilson S. Jarrell