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February 11, 2008

VIA CERTIFIED MAIL –
RETURN RECEIPT REQUESTED

Roger E. Jenne
Jenne Scott & Jenne PLLC
260 North Ocoee Street NW
Cleveland, TN 37311

Re: Hagler v. City of Chattanooga, et al.,
Case No. 07-1072, Part I, Chancery Court of Hamilton County, Tennessee

Dear Roger:

I write on behalf of our clients, Chattanooga Publishing Company, Tom Griscom and Ryan Harris (collectively the "Newspaper"). The Newspaper firmly believes the recording Judge Hagler made which has been the subject of this lawsuit is a public record. Chancellor Brown's Memorandum Opinion to the contrary is, we think, clearly in error. Nevertheless, the Newspaper has decided not to appeal Chancellor Brown's ruling.

In a letter dated January 11, 2008, and in a newspaper advertisement taken out the next day, Judge Hagler demanded that the Newspaper print an unspecified retraction relating to some of its reporting. That letter and advertisement specifically cited T.C.A. § 29-24-103, in an apparent threat of litigation.

Although such litigation would be groundless, the principal purpose of this letter is to put you and your client on notice that the Newspaper considers the recording critical evidence in any lawsuit that might be brought by any party in any way relating to the recording or the Newspaper's reporting. The Newspaper will consider any destruction of the recording to be spoliation of evidence, sanctionable under Tennessee Rule of Civil Procedure 34A.02 and Tennessee common law. Destruction of the tapes could also give rise to a separate cause of action for spoliation of evidence.

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Thank you for your attention.

Sincerely yours,

Anthony A. (Bud) Jackson

AAJ.dms

bcc: Mr. Tom Griscom
T. Maxfield Bahner
Bruce B. Bailey