

Allen Matkins

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VIA ELECTRONIC MAIL AND FEDEX

September 16, 2014

Ms. Kacey Montoya
KTLA-TV
5800 Sunset Boulevard
Los Angeles, CA 90028

Re: Former Riverside Agricultural Park (the "Property")

Dear Ms. Montoya:

This law firm represents Friends of Riverside Airport, LLC ("FRA"), owner of the above-referenced Property which was the subject of your news broadcast on KTLA5 news at 10:00 p.m. last Thursday evening, September 11, 2014 (the "Broadcast"). The Broadcast has been re-published in a fixed format on the KTLA5 website under the caption "Former Toxic Dumpsite in Riverside Causing Health Problems, Residents Say" (<http://ktla.com/2014/09/12/former-toxic-dump-site-causing-health-problems-riverside-residents-say/#oid=s2dTIhcDrW1IhHMiaDUtwOYZ5c0dqf8K>). Because your Broadcast disparaged my client's Property and defamed my client in the process, the purpose of this letter is to demand your immediate retraction of such Broadcast.

First, your Broadcast was not only patently false but grossly unresearched. Based on apparently nothing more than the uncorroborated statement of one alleged Riverside resident, your co-anchors, Micah Ohlmann and Cher Calvin, brashly characterized my client's Property as "a toxic dumpsite that is making [the residents] sick," and claimed that the "area has become a cancer cluster" – words that appeared prominently at the bottom of the screen during the Broadcast.

Your unresearched and uninvestigated report is patently false in at least the following respects:

1. No Toxic Dumpsite. The Property has never been a "toxic dumpsite." Rather, the only chemicals – largely PCBs and petroleum hydrocarbons – existing on the Property arose from the former permitted operation of a sewage treatment plant on the site from 1942 until 1965. Never has the Property been used to "dump," or even store, toxic chemicals.

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2. No Risk to Adjacent Residents. After multiple "remedial investigations," health experts concluded that unremediated, existing chemicals on the Property "did not pose a risk to people living near the site." In fact, in samples taken from nearby properties, the vast majority showed no evidence of PCBs, and only five showed low levels of PCBs that were "well within levels that the U.S. Environmental Protection Agency (EPA) considers safe for residential areas."

3. No "Cancer Cluster." Not only did your Broadcast present absolutely no evidence to support its headline claim that there was a "cluster" of nearby residents afflicted with cancer, its lone interview of a nearby resident, Marilyn Whitney, unwittingly provided evidence to the contrary. Ms. Whitney blithely stated that nine out of eleven homes "in the area" had residents who experienced "cancer, kidney dialysis *or severe illness*." In other words, Ms. Whitney simply identified nine of eleven nearby residents who she said had some form of illness, including at least four symptoms or diseases that were definitively not cancer. Nothing from Ms. Whitney's statement suggested there was more than one cancer case. And, it goes without saying, that none of her statements were documented, nor did your reporters make any apparent effort to confirm their accuracy.

4. No Cause of Cancer or Health Problems. Based on the above facts, it is readily apparent that the report's bold statement that my client's Property is "causing health problems" (and by implication, cancer), is also recklessly false. Indeed, your team "ran" with this false story despite having been sent documents by the City of Riverside showing that my client's Property had received clearance from the State. Moreover, even minimal research on the internet would have given you official statements from both state and local agencies substantiating the facts I have set forth above.

Such a blatant disregard for the truth, or even the minimal effort it would have taken to ascertain the facts form the basis, at minimum, for multiple claims of defamation and disparagement including trade libel, inasmuch as your public and widespread Broadcast stigmatizes my client's Property and undermines its value. You well know (or should know, if you had done the slightest amount of investigation) that my client's Property has, after years of effort, achieved full entitlement to be developed for residential use. Your false report can only serve to interfere with and damage my client's prospective relationships with joint venture partners, lenders, and prospective purchasers of homes on the Property.

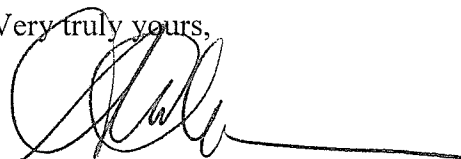
Accordingly, demand is hereby made, as referenced above, that you immediately publish a retraction of your defamatory and disparaging Broadcast in both content and length equivalent to the original Broadcast itself. As I am sure you can appreciate, time is of the essence in this matter in order to dispel the false statements that were broadcast. Accordingly, we request your immediate response to this letter but in no event later than Friday, September 19, 2014.

Allen Matkins Leck Gamble Mallory & Natsis LLP
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Finally, nothing herein is intended to waive or release any rights or remedies my client may have against you, your affiliates, or persons or entities acting in coordination and concert therewith including, without limitation, both compensatory and punitive damages and injunctive relief.

Very truly yours,

A handwritten signature in black ink, appearing to read 'S. Thames', with a long horizontal line extending to the right.

Stephen R. Thames

SRT:ema

cc: Mr. Larry Wert (via email and FedEx)
Edward Lazarus, Esq. (via email and FedEx)