

CAPPELLO
& NOËL LLP
TRIAL LAWYERS

December 5, 2006

A. BARRY CAPPELLO

File No. [REDACTED]

Via U.S. Mail

[REDACTED]
[REDACTED]
Santa Barbara, CA 93101

Re: Lawyers Alliance for Free Speech

Dear [REDACTED]

We are counsel for the Santa Barbara News-Press and are writing concerning your membership in the "Lawyers Alliance for Free Speech Rights." Please don't be swayed by the name since the so-called "Lawyers Alliance For Free Speech Rights" is anything but. Its real purpose is to support litigation against the News-Press, its owner, publishers, and certain employees. The reasons are pecuniary and personal, nothing more, nothing less.

As fellow members of the Bar, we all unquestionably know that there are two sides to every story. We believe that once the News Press's side of the story is presented in both the courtroom and the mass media, the diatribe attacks against it will end.

The News-Press is both a venerable Santa Barbara institution and a business. As law business owners yourselves or representatives of business owners, you have to recognize that every business owner has the exclusive right to make economic decisions in the best interest of his or her respective business. The employees do not own the newspaper, they have not sacrificed their capital, and if they are unhappy with their workplace they may leave of their own free will. Similarly, if the owner is unhappy with any individual performance or the economics of the business require action to protect the investment, the owner retains the right, even more the necessity, to make the harsh decisions to keep the business alive. It is the owner's decision, and not one else's, of what to do. That is not the purview of the employees or outsiders that purportedly profess a love for the institution itself.

Those of you that engage in employment law know these issues are hotly litigated. But employee complaints wrapped in a constitutional shawl should be examined carefully. Just as those complainers seek allies by forming groups with high sounding names, those allies must be careful to understand what true motives actually exist before lending their name to the contest of facts.

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If you were unaware of the group's primary purpose before you joined and consented to the group's use of your name, we urge you to reconsider your affiliation and at least wait until our side of this story is told. Then make up your mind. If you have questions regarding the litigation you are supporting by virtue of having joined this "Alliance," so long as you are not personally engaged in the litigation against our client, feel free to contact us.

Very truly yours,

CAPPELLO & NOËL LLP



A. Barry Cappello

cc: Client

[REDACTED]