

Lori Hood
Partner



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September 28, 2012

Dawn Nettles
TEXAS LOTTO REPORT
P. O. Box 495033
Garland, Texas 75049-5033

*Via CMRRR and
via Regular US Mail*

Re: Kelly Cripe

Dear Ms. Nettles:

The undersigned represents Kelly Cripe. On behalf of Ms. Cripe, demand is made that you immediately remove the defamatory statements you posted about Ms. Cripe on your website, lottoreport.com, and that you cease and desist from making false allegations about Ms. Cripe.

On May 30, 2012, under the headline, "Meet Kelly Cripe," you made numerous false and defamatory accusations about Ms. Cripe in an effort to malign her character. You wrote, as you have also done in emails to state legislators, the claim that Ms. Cripe is "refusing" to provide you with information. While making this charge might create the drama and sensationalistic material you need to sell subscriptions, it's not accurate and you know it.

With clear intent, you went on to make a host of reckless insinuations and charges against Ms. Cripe that had the cumulative effect causing injury to her reputation. You accuse Ms. Cripe of intentionally falsifying her job application and suggest multiple times that she was hired for reasons other than her accomplishments and her very applicable experience. In an obvious attempt to discredit her, you assert that Ms. Cripe falsely stated on her resume that she was the recipient of a 2006 PRSA Excalibur Award, an award she did in fact receive and that is presently displayed on her office wall. While erroneously and exhaustively trying to make your case, you fail to mention that just prior to applying for her current position, Ms. Cripe was named "Best Flack" by the Houston Press, an honor that she received in part for having "proved to be a reliable source of information."

After many wild speculations, including whether Ms. Cripe will be indicted for having the audacity to claim she was honored with an award that she did in fact receive, you concluded your libelous diatribe by making it crystal clear that you are motivated by retaliation when you wrote, "IF Kelly had just continued providing me with sales and roll/cvo amounts, a vital element of information included in my extensive reporting, I would NEVER have taken my time to research her and none of this would have been discovered - at least not by me. I can only conclude that there really is a REASON for all things that happen to you and I can further conclude that my exposing this may anger somebody of influence. But you know, facts are facts, and I can't help what I found. Kelly did it herself."

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On September 8, 2012, under a banner stating "Brief Cripe Update," you again maliciously made insinuations regarding Ms. Cripe's employment when you wrote "As we all know-fair or not-not all rules/laws apply to all people." In reference to Ms. Cripe, you went on to write, "I've gathered she's got a medical condition that's flared up so she's been allowed to hide." This statement is outrageous and completely false. Ms. Cripe has no such medical condition, nor is she hiding. You also wrote that Ms. Cripe is "intentionally trying to harm me." This statement is not only false, it's completely bizarre. Ms. Cripe is a respected and busy professional with no interest, motivation or time to think about harming you. She is focused on providing the state of Texas with the same exemplary media relations skills that she has demonstrated in previous positions and that have earned her the respect she has today.

Perhaps the most flagrant evidence of your reckless disregard for the truth is the unfortunate fact that after several months and a multitude of accusations, you have never once contacted Ms. Cripe to inquire if anything you have posted is true.

Libelous statements about Ms. Cripe will not be tolerated. This letter is not intended as a complete statement of all facts concerning this matter. Nothing contained herein shall constitute a relinquishment of any of my client's rights, remedies, causes of action, or claims for relief at law or in equity, all of which are expressly reserved. We demand that you preserve for evidentiary use all documents, memoranda, sources, e-mails, drafts, notes or other materials of any kind, in paper, electronic or other form, concerning, relating or referring to Ms. Cripe. It is clear from your postings that you have an opinion as to how the lottery is being conducted in the state of Texas. You are entitled to have that opinion. What you are not entitled to, is to libel Ms. Cripe in your efforts. Accordingly, demand is made that you (1) remove the allegations regarding Ms. Cripe from your website; (2) agree not to republish in any form your allegations regarding Ms. Cripe; (3) provide, in writing, a statement to Ms. Cripe apologizing for your false claims. I expect an immediate confirmation from you that you will comply with this demand. Failing that, we will be forced to take appropriate legal action to protect my client's rights.

Regards,


Lori Hood

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