



The Law Offices of
DAVIS & ASSOCIATES

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September 15, 2009

Kirk D. Yake
WARD & HAGEN LLP
440 Stevens Avenue, Suite 350
Salono Beach, California 92075
VIA CERTIFIED U.S. MAIL & FAX 858.847.0105

Re: **September 11, 2009 Demand Letter**

Dear Mr. Yake:

I am writing to you on behalf of my client, The Calguns Foundation, Inc. I am responding to your follow-up demand letter on behalf of Kathy Lynch and (now) Gerry Upholt dated September 11, 2009.

In your letter you retract the claims made against The Calguns Foundation, Inc. To that extent, we appreciate your understanding and professionalism on the matter.

Yet, your clients maintain their threat of litigation as against Mr. Bill Wiese. In doing so, you have made the following pre-litigation demands against Mr. Wiese:

1. *Calguns*/Mr. Wiese agree to immediately cease and desist publishing and posting derogatory and/or false statements regarding Ms. Lynch and Mr. Upholt.
2. *Calguns*/Mr. Wiese shall provide the persons and/or sources of the false and defamatory statements referenced in your September 11, 2009, letter.
3. Mr. Wiese shall post a retraction and apology to Ms. Lynch on the Calguns.net forums site on which the defamatory statements were posted.
4. Neither Ms. Lynch or Mr. Upholt believe that they have ever met, talked to or corresponded with Mr. Weise. If Mr. Wiese believes he has, you request that information; otherwise Mr. Wiese's apology should include that he does not know your clients, has not met them, and never has corresponded with them.

(Emphasis added.)

I find it odd that, in spite of your retraction of claims against Calguns Foundation, Inc., you still seek action by them in your first two demands.

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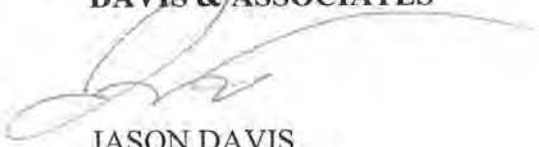
Responding to the first demand, Calguns Foundation, Inc. has not made any "derogatory and/or false statements regarding Ms. Lynch" and will not capitulate to demands for apologies or agreements to "cease and desist" from posting such statements. Calguns Foundation, Inc. is very clear on the law. It has and will always continue to operate in a lawful manner.

Responding to the second demand, Calguns Foundation, Inc. has advised you that the Calguns.net website is not owned by the foundation – which you acknowledged. To the extent that individuals within Calguns Foundation, Inc. know the sources of the allegedly false statements, Calguns Foundation, Inc. will not provide such information to your clients due to third party privacy rights.

While my client appreciates your clients' retraction of their claims against Calguns Foundation, Inc., your offer to have my client participate in any pre-litigation settlement agreement between your clients and Mr. Wiese is denied as being unnecessary in light of the retraction.

Sincerely,

DAVIS & ASSOCIATES

A handwritten signature in dark ink, appearing to read "Jason Davis", with a long, sweeping horizontal line extending to the right.

JASON DAVIS