



September 1, 2014

RE: Second Demand to Take Down All Case References and Ads

Senator Mark Begich,

I realize that yesterday is you and your campaign manager's first time working with me, and I personally have not sought politics or the spotlight of the press ever in my career. However, I am a man of principal and will not be manipulated or lied to.

In fairness I am passing this message to Dan Sullivan's camp as well to make sure his campaign understands my unconditional demand on behalf of the family that they continue to leave the case and my clients out of the campaign.

I have just read Max's press release from 8:30 pm last night and find that the campaign is not reducing the publicity of my clients' ongoing grief and tragedy but inciting it, and simply attempting to play politics at their expense. I am highly offended that your campaign manager will tell me one thing and your campaign does another when my client's wishes that you completely and unconditionally remove all reference to the case, including any sentencing issues, were directly known to your office. And that the withdraw was going to be done by 5:00 pm. You said you would comply and respect the wishes of the family and have yet to do so.

The family directly and without question has told your campaign they want no part of this. However if necessary I will defend them in the press, courthouse, or steps of our government from this abomination of political abuse you have placed them in. Do not try to deflect and avoid accountability for what you have done. Your ad was the cause of my involvement for the family.

This is your final notice to completely leave the case, family, and any part directly or indirectly related to the case out of this campaign. Do the right thing for the victims in this tragedy and directly, immediately, and unconditionally order the removal of ALL ads and references to anything to do with the case and my clients from the campaign. In case you have any doubt about the indirect information I am talking about, I specifically mean for you to remove from public view any discussion, reference, footnote, timeline, quote, anecdote, quip, about or related

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to any form of media, whether it be a graph, sketch, video, photocopy, voicemail, picture, timeline or other representation that depicts any part of, or reference to the case or related cases.

This includes any former plea bargains, sentences, conditions, release times, or partial pictures of documents of these issues.

For absolute clarity, if you do not immediately and unconditionally retract the ads and all associated materials in writing, copied to my office no later than NOON TODAY, I will issue a press release with the family statement below that your campaign refuses to unconditionally and completely withdraw the ad and any reference to the case and my clients.

Here is the exact quote from my client yesterday in response to the request to leave your ad up by Alaska Democratic Legislator Geron :

"the reason why I want the ad down is because we do not want it to interfere with the trial. She told me it wasn't going to and that it's all political but I don't see it that way. I told her it was all for votes and I do not want this or my family to be part of any campaign cause it's pointless for us."

My clients are astutely aware of the presence of this case in the anchorage community. I also can tell you that I will relentlessly defend my clients interests and ability to get through this difficult time, including the press if forced to because you will not immediately take down all references to the case in the media, including the internet and ads.

You are tearing this family apart to the point that your ad was so shocking to them they now want to permanently leave the state as quickly as possible. Again, to be perfectly clear, it was your ad that shocked them.

I dealt with my clients until late last night because of emotional storm you have created for them through your ad in last 48 hours. For 15 months they have not been able to spend a day or a minute without the presence of the pain of this case staring them in the face every time they look at their daughter or family. They go out of their way to not have to drive by the crime scene, yet your campaign puts it on the National Campaign stage every 15 min by having a retired cop point it out, even giving the address out.

Dan Sullivan's campaign May have been perceived as insensitive by my clients when he talked about the ad directly in his response to your ad, but he did not cross the line directly into material facts of the case. His ad also did not cause the extensive anguish that your campaign did. Yet, more

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importantly, the Sullivan campaign immediately recognized that the right thing to do was take it down.

Your campaign is playing pure politics at the expense of my clients, and frankly has done only what is in the best interests of “Mark Begich” rather than protecting the victims of the most serious crime in Alaska history.

Your campaign Sir has crossed the boundaries of decency, honor, and compassion by having a retired cop under color of his “perceived authority” in your ad showing the crime scene and telling everyone that this is the place where he did it. The trial is not over and your ad was for exactly what my client called it: VOTES.

And as a defense attorney, the issue of visiting a crime scene outside of court and having such personal knowledge the scene is the very thing that completely excludes jurors for cause and causes major disruptions to the trial. But more importantly, your whole campaign fundamentally ignores the fact that our system of Justice is built on a presumption of innocence until proven guilty in a court of law. Even my clients fundamentally understand this concept and have been very supportive of allowing the judicial process to take its course and allow both the prosecution and defense to run their case without interruption or distraction in accordance with our Constitutional Rights. Make no mistake, they wish all of this to be over as soon as possible, but not at the expense of anyone involved, and I do mean ANYONE.

Trial is about what is presented in court by the prosecutor and defense, not your trial of the case in the press before we get to court. Your actions are directly interfering with the prosecution.

It is beyond me Sir, how you can say anyone is not tough on crime yet are willing to exploit the endless ongoing pain of multiple victims of the worst crime in Alaska history when the case is not even ready for trial yet. How dare you attempt to prosecute this case in the press.

Is this the message you really want to send my clients and the public: that your campaign will be tough on crime but you are willing to abandon any sense of decency and honor by using victims of the absolute worst crime in our State’s history for personal gain to the point of them wanting to leave the state? I think not.

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