

July 21, 2014

VIA E-MAIL AND U.S. MAIL

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Dear Mr. and Mrs. Brownlee,

I am counsel to Jeffrey Lansky, the Mayor of Maple Heights, Ohio. He has directed me to a website I understand you own, control or operate at <http://mapleheightsnews.org/>.

I have specifically looked at a posting on July 17, 2014 entitled "Throwback Thursday #TBT" in which Ms. Brownlee makes a number of ill-informed, false and defamatory statements about Mayor Lansky. Specifically, but without limitation, she makes these contentions:

1. Mayor Lansky "closed fire station # 2." In fact, it was closed at the direction of Fire Chief John Drsek.
2. Mayor Lansky "eliminated recycling." In fact, the Maple Heights City council did this by majority vote through legislation.
3. Mayor Lansky "reduced van services for senior citizens." In fact, one of the meal delivery drivers retired and another, who was part-time, quit . However, their positions were picked up by volunteers with no loss of service.
4. Mayor Lansky "vetoed legislation to raise property taxes which was on the ballot in November, 2013." This assertion is false. The City Council voted to put a property tax increase on the ballot in November 2013. Mayor did not veto this legislation. The voters did not support the increase. In 2014, Mayor Lansky proposed an income tax increase and put out a flyer in support. This measure failed by about 600 votes.

5. Mayor Lansky “stopped Safety Town.” Safety Town was suspended due to total lack of participation from the residents.

6. Mayor Lansky voted “no” to print and mail city newsletters to residents. As you know, or should know, Mayor Lansky does not have a vote at city council meetings. The City Council decided not to expend money for this purpose.

7. Mayor Lansky voted “no” for the renewal of the Code Red emergency alerting system for residents. Again, he has no vote at city council meetings. The Maple Heights City Council as a body voted to remove this item from the budget in the year 2013.

On the website you own, control or post on, Ms. Brownlee says she

likes to empower and equip others with information about news, events, activities, and programs that are local . . . I am a stay-at-home mom who likes to crochet, read, and check out new real estate listings in [her] free time. (Emphasis supplied.)

It is hard to imagine how publishing falsehoods about a public official empowers or equips others. Rather, it merely contributes to the continued lack of integrity of public dialogue and encourages decision-making that is irresponsible and uninformed.

While the Supreme Court of the United States has said there is “no such thing as a false idea,” *Gertz v. Robert Welch, Inc.*, 418 U.S. 323, 339, 94 S.Ct. 2997, 41 L.Ed.2d 789 (1974), “[s]ociety has a pervasive and strong interest in preventing and redressing attacks upon reputation.” *Id.* at 733, quoting *Rosenblatt v. Baer* , 383 U.S. 75, 86, 86 S.Ct. 669, 15 L.Ed.2d 597 (1966). You are entitled to express your opinion, but you are not entitled to our own facts.

Perhaps, Ms. Brownlee, you could use your precious time to find out the facts, not recklessly publish false allegations about the Mayor.

In light of the foregoing, and on behalf of Mayor Lansky, we hereby demand that you publish an immediate retraction of the false and defamatory statements made about him as outlined above. Failure to do so will result in all necessary legal action against you and anyone we determine is responsible for this reckless and uncalled for action.

Resolutely,

BRENT L. ENGLISH

BLE/jtc

cc. The Hon. Jeffrey Lansky

