

ROSE
LAW GROUP
pc

BRIAN M. BERGIN
6613 N. Scottsdale Road, Suite 200
Scottsdale, AZ 85250
Phone 480.240-5634 Fax 480-951-6993
bbergin@roselawgroup.com
www.roselawgroup.com

March 1, 2012

SENT VIA EMAIL ONLY

Brian Lawlor,
The E.W. Scripps Company, Senior Vice President
[REDACTED]

Anita Helt
KNXV ABC15, General Manager
[REDACTED]

Joe Hengemuehler
KNXV ABC15, News Director
[REDACTED]

Re: Sheriff Paul Babeu

To Whom It May Concern:

This will serve to follow up on our correspondence of February 28, 2012 demanding retraction/clarification of a report aired February 27, 2012 concerning our client, Sheriff Paul Babeu.

Not only has ABC15 refused to retract or clarify its errant reporting, it has accelerated its baseless attacks against the Sheriff by errantly reporting that he was involved in, responsible for, and/or aware of the mistreatment of students during his employment with the DeSisto School in Stockbridge, Massachusetts.

These allegations are false.

We suggest you call Harvey Thompson immediately. Mr. Thompson was the longtime Controller and CFO at DeSisto and currently is the Treasurer of the Southern Berkshire Regional School District. He was at the School many years prior to the Sheriff joining the staff and was there for the closing of the school, - one year after Mr. DeSisto's death. Mr. Thompson can speak to finances, role of the school, lawsuits and who ran the school. His e-mail is hthompson@sbrsd.org, his phone number is 413-229-8778 ext.168 and his home number is [REDACTED]

Mr. Thompson will confirm that Sheriff Babeu started as special assistant to the executive director in or about March of 1999 and ended his employment in approximately April/May of 2001. In July of 2009, Sheriff Babeu was named as one of four managers to assist the Executive Director A. Michael DeSisto. See Kelly O'Callaghan, *DeSisto School Reorganizes Staff*, The Berkshire Eagle Newspaper 7/17/99. That article explains that the Sheriff was one of four managers named by Founder and Executive Director Michael DeSisto.

Re: Sheriff Paul Babeu
March 1, 2012
Page 2 of 2

Mr. Thompson further will explain that, as headmaster, the Sheriff was responsible only for operations such as the kitchen, housekeeping, facility and grounds maintenance, office support staff and admissions. The Sheriff never taught class, was not responsible for the 5-6 full time therapists employed by the school and was not responsible for the actions of the teaching staff, or discipline. Those functions were overseen by the other three managers and Michael DeSisto.

As an example of his sphere of responsibility, Sheriff Babeu was recognized by the Executive Director and the board of directors for refinancing and consolidating various school debts, renovating many school properties, and repaving the small road network on campus.

Upon completion of this research, you will see that Channel 15's reporting with respect to the Sheriff's activities at the DeSisto School has represented a significant departure from accepted journalistic standards, a reckless disregard for the truth, clearly motivated by actual malice.

We remain hopeful, and insistent, that ABC15 will mitigate the serious injury it has sought to inflict upon Sheriff Babeu by publishing the retraction/correction requested in my February 28, 2012 letter and a retraction/correction of its errant reporting of Sheriff Babeu's involvement with, responsibility for, and/or knowledge of any alleged student mistreatment while at the DeSisto School.

Thank you for your time and attention to these issues. I look forward to your positive response.

Sincerely,



Brian M. Bergin