



Attorneys and Counselors at Law

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October 28, 2014

Via Electronic and Regular Mail

Mr. Shaun Golden, Chairman
Monmouth County Republican Committee
14 Johnny Drive
Farmingdale, New Jersey 07728

Re: Lawrence W. Luttrell a.k.a. Larry Luttrell

Dear Mr. Golden:

We have been engaged by Lawrence W. Luttrell, also known as Larry Luttrell, who, as you are aware, is a democrat party candidate for Monmouth County Freeholder. If you are represented by legal counsel, please immediately direct this letter to your attorney and have your attorney notify us of such representation.

It has come to our attention that the Monmouth County Republican Committee has created and paid for radio advertisements and robo telephone calls concerning Mr. Luttrell in which the speaker falsely states that Mr. Luttrell "had his law license taken away." The ads and robo calls also repeatedly refer to Mr. Luttrell as a "lawbreaker." The paid advertisements copy containing this deliberately false content can be found at <http://www.moremonmouthmusings.net/> while a copy of the robo-call is attached to the e-mail copy of this letter.

Lawrence W. Luttrell is an educated, respected and licensed professional in the community. He has spent his 15 year legal career in service to the community and through this service has built and enjoyed a good and positive reputation in the community where he works and resides. You and your organization have repeatedly engaged in the publication and wide dissemination of false, destructive, and defamatory statements concerning him, and in particular his law license, in the run up to the election with the obvious intent to impugn his reputation so as to lower his standing in the estimation of the community or to deter persons from associating with him or dealing with him and to wrongfully attempt to influence the vote.

The paid content in your advertisements that refers to Mr. Luttrell having “his law license taken away”, or words to that effect, are false and you and your organization knew or should have known they were false when disseminated. As you should know, the New Jersey Court Rule to which the defamatory statements obviously relate provides only for the temporary administrative ineligibility to practice until annual assessments are received by the New Jersey Lawyer’s Fund for Client Protection, not the revocation of a license to practice law. In Mr. Luttrell’s case, his assessments were paid in late once, over 13 years ago shortly after the September 11th terrorist attacks in New York, Washington, D.C. and Pennsylvania. Your advertisements maliciously overlooked these facts. Mr. Luttrell’s law license was never “revoked” “suspended” “or “taken away” and remains in good standing to this day.

Under New Jersey law, it is unlawful to engage in defamation of another’s character and reputation. Defamation consists of (1) a statement that tends to injure reputation; (2) communicated to another; and (3) that the speaker knew or should have known was false.

The patently defamatory statements are comprised of:

Automated telephone calls (“robo calls”) made on October 28, 2014 to at least two or more Monmouth County residents, which falsely state that Mr. Luttrell “*had his law license taken away.*”

An audio recording emailed and to published to at least two or more Monmouth County residents including two recordings posted on www.moremonmouthmusings.net which falsely states that “*Larry Luttrell had his law license suspended...* ” and his “*law license revoked...*”

All of the communications above claim that they were “paid for by the Monmouth County Republican Committee.” All of the above statements are false and intentionally misleading. A number of these statements are defamatory per se, because they falsely accuse Mr. Luttrell a license attorney, as having engaged in illegal activity.

Accordingly, demand is hereby made that you and your organization (i) immediately cease and desist your unlawful defamation of Lawrence W. Luttrell (ii) provide us with prompt written assurance no later than Thursday, October 30, 2016 that your organization will cease and desist from further defamation of Lawrence W. Luttrell’s character and reputation and (iii) notify others, with whom the Monmouth County Republican Committee is dealing, or has dealt, concerning the offensive advertisements, of the content of this letter.

In addition, please be advised that we demand that the Monmouth County Republican Committee and its agents and employees preserve all documents, tangible things and electronically stored information potentially relevant to this matter, including,

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without limitation, any and all emails that relate to Mr. Luttrell and the objectionable paid advertisements that are the subject of this letter, their dissemination and communications with persons or entities that have created, published, reprinted or carried the objectionable content on their websites. We expect that you will act swiftly to preserve the contents of systems, devices and media and accounts used for electronic communication, including not only potentially relevant data from portable and home computers, but also from portable thumb drives, CD-R disks and the user's PDA, smart phone, voice mailbox or other forms of ESI storage. If you use online or browser-based email accounts or services (such as AOL, Gmail, Yahoo Mail or the like) to send or receive potentially relevant messages and attachments, the contents of these account mailboxes (including Sent, Deleted and Archived Message folders) should be preserved.

In the event you fail to comply with this demand, please be advised that Mr. Luttrell has asked us to communicate to you that he will pursue all available legal remedies, including compensatory damages for and injunctive relief against the continued defamatory conduct, and an order that you pay court costs and attorney's fees. Your liability and exposure under such legal action could be considerable.

I strongly recommend that you consult with an attorney regarding this matter. If you or your attorney have any questions, please contact me.

Very truly yours,



Frank S. Occhipinti

cc: Lawrence W. Luttrell, Esq.