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September 10, 2009

By Fax: (212) 556-8219

Roger Ailes
President
FOX News
1211 Avenue of the Americas
New York, New York 10036

Re: “News” Stories about ACORN Staff
Giving Tax Advice to a Prostitute

Dear Mr. Ailes:

The Association of Community Organizations for Reform Now (“ACORN”) has begun a careful investigation into the doctored videotape being played by FOX News, on line and on the air, allegedly showing an ACORN staffer in Baltimore giving dubious tax advice to people claiming to be a pimp and a prostitute.

It is very clear that the questions being asked are a voiceover, placed on the tape by the film maker. The staffer involved claims that the questions she was asked were not the questions asked by the voiceover online. In fact, she denies ever giving tax advice to people identifying themselves as a pimp and a prostitute.

These tapes were clearly filmed several months ago. They are not “news”; they are a form of “art.” FOX News certainly had time, if it believed that the tapes had news value, to ask ACORN to review the tapes and to comment about their accuracy.

It is ACORN’s position, at this time, that the videotape is doctored and that the voiceovers change the real dialog. We demand, as counsel to ACORN, that FOX cease publication of these tapes unless it can produce proof that the conversations actually took place.

SCHWARTZ, LICHTEN & BRIGHT, PC
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Roger Ailes
September 10, 2009
Page 2

Please be aware that we have received reports about people entering ACORN and ACORN Housing offices, identifying themselves as pimps and prostitutes, and asking for assistance to accomplish something unlawful. ACORN staff has been directed to turn such people away and to file a police report if possible. Our tax preparers and those who assist people with housing problems are given training that emphasizes the organization's strong policy against assisting fraud and dishonesty, and our policy of revealing fraud where ever it is discovered. The Attorney General of Florida applauded ACORN's efforts in that vein yesterday when announcing the arrests of voter registration canvassers who committed fraud against ACORN and the State of Florida.

We would like to avoid litigation with FOX, and ask that you take your responsibility as a news gathering organization seriously. Your failure to do so does a disservice to those who view your programming.

Very truly yours,

Arthur Z. Schwartz

AZS:dr

cc: Bertha Lewis
Scott Levinson