

Rapid Response Team

Charged by the Arkansas Judicial Campaign Conduct & Education Committee, Inc.

P.O. Box 141475, Little Rock, AR 72223

Members: Olly Neal (chairman), Elizabeth Andreoli (secretary), Audrey Evans, Hal Bass, Roy Ockert Jr.

Feb. 24, 2016

To: Matt Walter, President
Judicial Fairness Initiative (“JFI”), *via Facsimile (202) 448-5169*

Subject: Feb. 19 Complaint

Complaint filed by: Campaign To Elect Clark Mason for Supreme Court (“Clark Mason’s Campaign Committee”)

CEASE AND DESIST LETTER

Dear Mr. Walter:

The Rapid Response Team regrets the necessity of issuing this CEASE AND DESIST LETTER. The Judicial Fairness Initiative’s decision to continue publicizing false and misleading information about a candidate for the Supreme Court with full knowledge that the information is false and misleading requires this action. We take this action only after having notified you and giving you an opportunity to be heard.

Specifically, the RRT notified you in writing on Feb. 20 that a flyer you are distributing provides a website reference: <http://www.clarkmason.com/blog> as factual support for a statement you made in a flyer. The statement allegedly supported by the reference to this website is that Mason “Admits his support for Obama’s executive actions that kill Arkansas jobs while making trial lawyers rich.” The website cited as authority for this statement gives information about Judge Mike Maggio pleading guilty to bribery. The statement about Maggio does not have anything to do with the statement made in the flyer.

In its Feb. 20 letter the RRT notified you that the flyer contains false and misleading information and asked that you agree to correct the flyer or agree to stop distributing the flyer or any other advertising making this assertion immediately. We requested that you respond within 24 hours. When we did not receive a response, we made further efforts to insure that you received our letter. The RRT is authorized to take action to protect voters from false and misleading

information when a proponent of an ad containing false and misleading information does not respond.

According to our charge, our purpose is to prevent the use of false or misleading information in the election of a candidate to the Supreme Court. We asked you to change the language of your flyer and any other advertising making the same assertion so that they were not false or misleading. Alternatively, we asked you to stop distributing the flyer altogether. Yet, you continue to distribute this flyer despite the finding by this neutral group “that your flyer contains **false and misleading** information” and our private request that you either correct the flyer or stop distributing it and any other advertising making the same assertion altogether.

Consequently, the RRT issues this Cease and Desist Letter, which will be released in the public domain immediately. We will issue a press release that details the findings that the JFI flyer contains false and misleading information, along with a statement that JFI’s disregard for fair or truthful advertising impugns the integrity of the judicial election process.

Judge Olly Neal
Chair of the Rapid Response Team

Copies to:
Campaign Committees
Committee website
Press

The Rapid Response Team issues this letter officially requesting, on behalf of the citizens of Arkansas, that you cease publishing information that you know to be false and misleading.