



3910 South Yellowstone Hwy. • Idaho Falls, Idaho 83402-6003
Legal Department • 208 522-0700 • Fax 208 534-2063

February 14, 2012

Via E-mail

Ms. Jody May-Chang
Editor
PrideDEPOT.com
E-mail: Jody@May-Chang.com
jmaychang@cableone.net

Re: Infringing and defamatory material on PrideDEPOT.com website

Dear Ms. May-Chang:

I am writing to renew a previous request for the removal of a copyrighted image and a number of defamatory falsehoods embedded in several articles on the website PrideDEPOT.com (“Website”). In 2008, I sent you a letter asking for the removal of certain copyright-infringing and defamatory content on the Website (see attached copy). We received no response from you, and it appears that you stopped publishing new articles on the Website in 2009.

Recently, it has come to our attention that the PrideDEPOT Website is still active and that it continues to display archived articles containing infringing material and defamatory statements regarding Melaleuca and its CEO Frank VanderSloot. Some of the defamatory material on the Website has been referenced in recent articles on other websites, increasing the unlawful reputational damage caused by the Website.

You obviously have the right to express your opinions on matters of public concern and to make fair public comment on relevant issues. Melaleuca and Mr. VanderSloot do not intend to interfere with those rights. Legitimate public discourse ends, however, when inflammatory rhetoric is published as fact and false accusations of bigotry and unlawful business practices are made without evidence. We must demand that you promptly remove the infringing and defamatory materials described in the attached May 9, 2008 letter from the PrideDEPOT Website.

Sincerely,

A handwritten signature in cursive script that reads "Michael LaClare".

Michael LaClare
Associate General Counsel

Enclosure



3910 South Yellowstone Hwy. • Idaho Falls, Idaho 83402-6003
Legal Department • 208 522-0700 • Fax 208 534-2063

May 9, 2008

Via Express Delivery

Ms. Jody May-Chang
PrideDEPOT.com
1770 W. State Street, #235
Boise, ID 83702

Re: Infringing and defamatory material on PrideDEPOT.com website

Dear Ms. May-Chang:

We recognize the potentially valuable service that the PrideDEPOT.com website (“Website”) provides to Idaho’s LGBT community. We count members of the community among our friends and associates, and we appreciate your efforts to serve their interests. Unfortunately, it has come to our attention that some of the material that PrideDEPOT.com has published relating to Melaleuca, Inc. and/or to its president and CEO, Frank VanderSloot, goes well beyond what is legal in at least two ways.

First, the photograph of Mr. VanderSloot that is contained in the October 21, 2007 article entitled *Risch’s anti-gay backer tried to censor Idaho Public TV* is owned and copyrighted by Melaleuca – and its use by PrideDEPOT.com is an infringement of Melaleuca’s copyright.¹ We must ask that PrideDEPOT.com stop infringing Melaleuca’s copyrights and remove the photograph from its Website.

Second, several articles on the Website contain false and defamatory statements about Mr. VanderSloot and Melaleuca, including the grossly inaccurate assertion of an exchange between Mr. VanderSloot and Idaho lawmakers of votes for use of a corporate plane. The absolute falsity of this assertion has been recognized even by news outlets publishing criticisms of the circumstances referred to in PrideDEPOT.com’s article. For example, reporters from Idaho Falls’ Post Register writing about these circumstances have stated, “This is no quid pro quo. Nobody is saying a simple plane ride can buy a vote.” See March 7, 2008 article entitled *Taking a junket home*.

In addition, your repeated characterizations of Mr. VanderSloot as “anti-gay” and of Melaleuca as a “pyramid scheme” are inaccurate and serve to mislead your readers. In particular, your assertions that Mr. VanderSloot placed anti-gay propaganda on billboards and engaged in a campaign attacking free speech in connection with a debate about the documentary “It’s Elementary” are blatantly false. An objective review of the facts (the actual billboard message

¹ The article containing the photograph is located at <http://www.pridedepot.com/modules/wordpress/?p=1415>.

and Mr. VanderSloot's actions), makes it clear that Mr. VanderSloot was supporting a completely different point – one dealing only with the appropriateness of the documentary's subject matter for elementary-school-age children and its funding with tax dollars. While we understand that you might disagree with the point, it is simply not true to say that Mr. VanderSloot's statements or actions were critical or judgmental of gays, or that he is anti-gay. Indeed, such assertions violate PrideDEPOT.com's Core Values by spreading misinformation. The reality is that Mr. VanderSloot is very close to a number of people who have a same-sex orientation, and he respects their rights and dignity.

It appears that one of PrideDEPOT.com's objectives in publishing false statements about Mr. VanderSloot is to sway voters away from Jim Risch in his bid to become a U.S. Senator. We certainly respect your right to express opinions about political office-holders, candidates, and causes, and we would encourage everyone to support the causes and candidates of their choosing. However, it is wrong for you to use false, misleading, and/or defamatory statements to support your opinions or objectives, and we challenge you to be more careful about doing so.

In sum, while we respect PrideDEPOT.com's First Amendment right to publish opinions – even when, as in the instances noted above, they are not supported by the facts – we must ask that PrideDEPOT.com refrain from infringing Melaleuca's copyrights and from illegally defaming Melaleuca or Mr. VanderSloot. We ask that you please confirm in writing within five business days whether or not you intend to remove the infringing and defamatory material on your Website relating to Melaleuca or Mr. VanderSloot. We appreciate your anticipated cooperation in this matter. If you have any questions, please do not hesitate to contact me at 208-522-0700.

Sincerely,



Michael LaClare
Associate General Counsel