

James Sobwick

From:
Subject:

We are unclear to what Wittenberg refers since the subject of the meeting was the "libelous garbage." We believe that Wittenberg and Steiger et al were just going through the motions; looking for any excuse to file another lawsuit. In good faith, the blog content was taken down within days of this exchange and meetings with Marcus D. Dunn, Esq. were set, then cancelled by Dunn several times prior to their lawsuit on May 28, 2009; twenty days later. Wittenberg and Steiger et al thus republished the allegedly "libelous garbage" of their own volition. Click here for lawsuit containing blog content.

-----Original Message-----

From: Eric J. Wittenberg [mailto:eric@ewittenberglaw.com]

Sent: May 07, 2009 08:03 PM

To: Jim Sobwick

Cc: Adam Steiger

Subject: NO meeting tomorrow due to McKibben's continued libel campaign

May 8, 2009 resolution meeting cancellation and threat

Jim,

I was terribly disappointed to find yet more libelous garbage on McKibben's blog today.

I warned him, and I warned you, that there would be negative consequences to his persistent libeling. Evidently, he didn't believe me, and evidently, you didn't either. Well, those pigeons have now come home to roost.

The posts of yesterday and today have had precisely the effect that I feared and that I warned you might result. As of a telephone call that I received just a few minutes ago, Mr. Steiger has instructed me NOT to meet with you tomorrow. I have no authority to do so, and I have no authority to discuss anything with you on his behalf.

If Mr. McKibben thought that his libel campaign would successfully extort Mr. Steiger into settling, he could not possibly have been more wrong. Indeed, it has triggered exactly the opposite reaction. My instructions now are to utilize the court's collection enforcement mechanisms to the fullest extent of the law, and I will begin doing so immediately. I suspect that Mr. McKibben is about to learn what pressure really is.

Please do not come to my office tomorrow, as I will not meet with you. I will also instruct our support staff to tell you to leave if you do come. If you fail to do so, they will call the police.

If you or Leader has anything to say or that you want me to hear, do so in writing, as that is the only acceptable means of communication (of course, it will all end up on McKibben's blog anyway). Otherwise, we will see you in court for proceedings to execute upon our judgment.

I trust I have made myself abundantly clear.

Eric J. Wittenberg
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Against judge's orders at the time, Wittenberg refers to his attempts to execute on a partial summary judgment, subsequently rendered, but now on appeal since Leader believes many facts in the Steiger matter were in clear and well-known dispute and Leader's attorneys believe the opposition to summary judgment was well-pled. The opposition just filed with the Appeals Court will be published shortly.

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