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ADMITTED TO PRACTICE IN
LOUISIANA AND TENNESSEE

October 8, 2009

Michael R. Jennings, Esq.
326 North Cumberland Street
Lebanon, TN 37087

Re: *John Doe v. The Wilson County Board of Education, et al.*

Dear Mr. Jennings:

This office, in conjunction with Tricia Herzfeld of the ACLU, represent the parents of a minor child currently enrolled in the fifth grade at Carroll-Oakland Elementary School. Attached to this letter is a copy of a lawsuit seeking declaratory and injunctive relief from the pattern, practice and custom of the distribution of Gideon Bibles not only at the Carroll-Oakland Elementary School, but all other Wilson County Schools.

I attach a copy of *Burger v. Rensselaer Central School Corporation*, 982 F.2d 1160 (7th Cir. 1993), which held that the distribution of Gideon Bibles to fifth grade students to be in violation of the First Amendment to the United States Constitution. The fact pattern in *Burger v. Rensselaer Central School Corporation* is virtually identical to that pled in the attached Complaint. In addition, I direct your attention to *Chandler v. James*, 985 F.Supp. 1068 (M.D. Ala., 1997); *Jabr v. Rapide Parrish School Board*, 171 F.Supp.2d 653 (W.D. La. 2001); and *Roark v. South Iron R-1 School District*, 540 F.Supp.2d 1047 (E.D. Mo., 2008), all cases that found that the distribution of Bibles to elementary public school students constitute an Establishment Clause violation.

Attached also to this letter is a Consent Order. Demand is hereby made upon the Wilson County Board of Education, through you as their attorney, that should the Board fail to agree to the terms of the attached Consent Order by 12:00 Noon the day following the next scheduled School Board meeting, the lawsuit enclosed in this letter will be filed, along with the adverse publicity and new coverage that will go along with this filing. As I appreciate it, the next scheduled School Board meeting is October 27, 2009. Should there be an earlier meeting scheduled, or should the October 27th meeting be rescheduled or postponed, please contact me immediately.

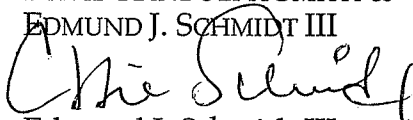
Michael R. Jennings, Esq.
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Failing to hear from you will result in suit being filed by 12:00 Noon on
October 28, 2009.

Awaiting to hear from you, I remain,

Very truly yours,

DAVID RANDOLPH SMITH &
EDMUND J. SCHMIDT III



Edmund J. Schmidt III

EJS/mdh

Enclosures

cc: Tricia Herzfeld, Esq.