



June 14, 2011

HAND DELIVERED

Herman Morris  
City Attorney  
125 N. Main St. Room 336  
Memphis, TN 38103

Allan J. Wade  
Allan J. Wade, PLLC  
One Commerce Square, Suite 2275  
Memphis, TN 38103

Kelly Rayne  
County Attorney's Office  
County Administration Building  
160 N. Main, Suite 660  
Memphis, TN 38103

AMERICAN CIVIL  
LIBERTIES UNION  
FOUNDATION  
OF TENNESSEE

P.O. BOX 120160  
NASHVILLE, TN  
37212

Phone: (615)320-  
7142  
Fax: (615)691-7219  
www.aclu-tn.org

RE: The First Amendment

Dear Counsel

ACLU-TN is counsel for the author of the blog Tennessee Labor, who as you are aware has been following and reporting on the labor issues surrounding the attempts to dissolve the collective bargaining rights of sanitation workers in Memphis and the issue of privatization of sanitation services. As such, our client has attended numerous City Council meetings where he oftentimes videotapes the hearings and testimony during public sessions. He also frequently attends County Commission meetings.

Unfortunately, he has been harassed and threatened by various city officials for taping public events. He also has been told by a variety of city officials that he must remove a certain video from his blog.

<http://www.youtube.com/watch?v=ph-kCbG1wlM>.

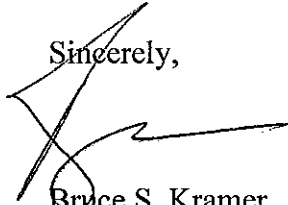
Certain elected public officials have also stated that "he will be dealt with!" Such statements by elected public officials can be construed as intimidation to quell public debate of public issues, and may constitute a criminal offense.

We consider the comments and actions of elected city officials, the Mayor and Councilmen, to be a case of government intimidation for political speech they

do not like. Therefore, we respectfully request that all City Officials immediately cease and desist from any acts, conduct or statements that are intended to threaten or intimidate our client from exercising his First Amendment rights to videotape, publish and/or comment upon issues of public importance and/or the conduct of governmental affairs.

If necessary, ACLU-TN is prepared to litigate on our client's behalf to stop the attempts by the government to force him to cease videotaping meetings and/or to have him remove his videos from his blog.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce S. Kramer". The signature is stylized with a large, sweeping initial "B" and a long horizontal stroke extending to the right.

Bruce S. Kramer  
ACLU-TN Cooperating Attorney

CC: Tricia Herzfeld, ACLU-TN Legal Director