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Mr. Jim Moser, President
Moser Community Media, LLC
105 E. Main Street
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Via facsimile and email
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Re: Dennis Phillips / Robertson County News

Mr. Moser:

I write on behalf of Ronald Branefeff regarding some defamatory statements made by Dennis Phillips, publisher of the *Robertson County News*. In his February 22, 2018 newspaper column, Mr. Phillips wrote about a February 15, 2018 judicial candidates forum in Franklin as follows:

A male subject entered the event and the candidate identified the man as a person who had made death threats against him. Though this was in the past of 10 years or more, the man had also physically attacked the candidate.

In a Facebook comment, Mr. Phillips described the same unnamed man as “unstable,” so I sent Mr. Phillips an email:

Re: the older man whom Rusty claims is a threat. How do you know he is “unstable”? Are you planning to run that in the newspaper?

Mr. Phillips responded as follows:

His erratic behavior previously in the DA’s office early int [sic] he week as well as his behavior that evening. I will not be publishing that he is “unstable” as I’m not a doctor to make that claim. Why did you send him to the event? What was your motive?

Mr. Phillips clearly was referring to Mr. Branefeff, as Mr. Branefeff attended the candidates forum and was escorted outside by Franklin police officers and subjected to a pat-down search after someone reported that he had “threatened to kill” Mr. Russ.

For the record, I did not send Mr. Branefeff (or anyone else) to the event. I had never heard of Mr. Branefeff until the day after the candidates forum, when he called me to

ask about his legal options. The allegation that Mr. Branefeff “threatened to kill” Mr. Russ was false, and Mr. Branefeff was allowed to return to the candidate forum. Mr. Russ, however, refused to participate and left even though law enforcement officers were present during the entire event. I learned the foregoing information by interviewing those who were present, and by gathering records via the Texas Public Information Act.

Mr. Phillips, on the other hand, did not attend the candidates forum. According to an email that he sent to me, one of his reporters attended, yet Mr. Phillips apparently did not allow that reporter to write about what happened. Instead, Mr. Phillips wrote his second- or third-hand opinion column and tried to “spin” the story in favor of his preferred candidate, *i.e.*, Mr. Russ.

Mr. Russ is Mr. Phillips's personal attorney in two probate matters, and I only know that because Mr. Phillips mentioned it in an email to me. As far as I am aware, Mr. Phillips has never disclosed that information to his readers. After Mr. Phillips posted his column on the Facebook pages of *The Marlin Democrat* and *The Rosebud News*, I asked the following questions in a comment beneath each post: *Have you told the public that Rusty is your personal attorney? Is he representing you for free, like he represented Judge Stem for free?* One comment was deleted, the other ignored.

Meanwhile, Mr. Branefeff informs me that he has never threatened or attacked Mr. Russ. According to a police report, officers searched Mr. Branefeff's background and it came back “clear.” Admittedly, Mr. Phillips did not mention Mr. Branefeff by name, but numerous people in the community knew who Mr. Phillips was describing. That is sufficient grounds for a libel lawsuit against Mr. Phillips and your company.

On behalf of Mr. Branefeff, I demand that you publish a front-page retraction and apology in every publication that you own in Falls and Robertson Counties, and that you terminate Mr. Phillips immediately. I have written to you previously concerning Mr. Phillips's unethical journalism, and thus far you have turned a blind eye. If you do not address the problem this time, your company may very well face a defamation lawsuit.

Respectfully,



Ty Clevenger