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October 23, 2013

**VIA USPS AND EMAIL**

Bill Moyers  
Managing Editor - [BillMoyers.com](http://BillMoyers.com)  
Moyers and Company  
2100 Crystal Drive  
Arlington, VA 22202  
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**RE: Cease and Desist Making False and Defamatory Statements Against Robert E. Murray and Murray Energy Corporation and Publish Retraction of October 17, 2013 Article Titled “Yes, Virginia, There is a Santa Claus – Campaign Cash”**

Dear Mr. Moyers:

We are writing on behalf of Murray Energy Corporation and Mr. Robert E. Murray with regard to the absolutely false, defamatory and very damaging statements published by you and Mr. Michael Winship on the website [BillMoyers.com](http://BillMoyers.com) on October 17, 2013, in the article titled “Yes, Virginia, There is a Santa Claus – Campaign Cash.” (the “Article”). A copy of the Article is attached.

The Article contains false and defamatory statements regarding Murray Energy Corporation and Mr. Murray, including the assertions that:

“What’s more, his donor list includes considerable checks from big tobacco and big coal, including Murray Energy Corporation, which has often been fined for endangering the health and safety of its miners. Last year, its boss, Bob Murray, was discovered insisting that employees contribute time and money to his favorite anti-regulatory candidates – including Mitt Romney – or else.”  
 (“the Defamatory Statements”).

The above-mentioned Defamatory Statements have severely harmed the reputation of Murray Energy Corporation and Mr. Murray and have cast Murray Energy Corporation and Mr. Murray in a false light before the public. The Defamatory Statements could also not be further from the truth. Mr. Murray has a reputation for integrity and honesty and has been a leader in

the coal industry and business community, adhering to an “open door policy” with his employees and working tirelessly to create jobs and preserve the livelihoods of thousands of coal miners, with the health and safety of miners always foremost on his mind. The Article, of course, ignored all of these facts and instead seemed bent only on smearing Mr. Murray’s good name and reputation. Indeed, neither Mr. Winship nor you even so much as contacted Mr. Murray prior to publishing the Article either to verify the facts or to give Mr. Murray a chance to present his side of the story. To so irresponsibly publish such one-sided rubbish is shameful and demeaning to your profession.

The Terms of Service of BillMoyers.com, which apply to “all materials ... that is or becomes available on the Site,” provide that those posting information on the website “shall abide by all applicable federal, state and local laws, including those pertaining to such areas as libel, slander, defamation, trade libel,” and other torts. If the Article is not immediately retracted, we will immediately file litigation against you in order to remedy the reputational harm caused by your publication of the Article.

If you wish to avoid litigation over your actions in defaming Mr. Murray and Murray Energy Corporation, we expect that, no later than one week from today, you will take the following actions:

1. Publish and prominently display a statement on BillMoyers.com explicitly retracting the Defamatory Statements;
2. Permanently delete the Article, and all links to it, from BillMoyers.com and any other websites under your control;
3. Make no further defamatory statements concerning Mr. Murray and Murray Energy Corporation.

If the actions listed above are not taken within one week from today, we will file a lawsuit on behalf of Murray Energy Corporation and Mr. Murray seeking compensatory and punitive damages and attorneys’ fees.

Thank you for your immediate attention to this matter.

Sincerely,

MURRAY ENERGY CORPORATION



Gary M. Broadbent  
Media Director and Assistant General Counsel



**& company**

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## WHAT MATTERS TODAY

ON DEMOCRACY

# Yes, Virginia, There is a Santa Claus – Campaign Cash

October 17, 2013  
by Bill Moyers and Michael Winship

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Virginia candidates for governor, Democrat Terry McAuliffe (left) and Republican Ken Cuccinelli (right), talk during a forum at the University of Richmond in Richmond, Va., prior to the November election. (AP Photo/Steve Helber, File)

If you want to see how grossly money can distort democracy, just go to the state of Virginia, where there are no limits on how big a check can be written for statewide office. Groups and individuals from outside the Old Dominion are taking full advantage, pouring millions into a governor's race they see as a dry run for the tactics they'll use in the 2014 midterms and the 2016 presidential race – sort of the way the Spanish civil war [turned out to be a testing ground](#) for many of the deadly weapons of World War II.

Billionaires like environmentalist Tom Steyer on the left and the Koch Brothers on the right are placing their bets, but as they say at the track, the horses they're backing are just a couple of hay burners. Once the home of Washington and Jefferson, James Madison and Patrick Henry, Virginia now has a choice between two mediocrities slavishly devoted to their wealthy contributors.

The Democrat, Terry McAuliffe, has been in training for years as courtier to the rich. He has raised hundreds of millions of dollars for the Democratic National Committee, which he chaired for four years and the campaigns of his – Best Friends Forever – Bill and Hillary Clinton, who now are [shaking down donors for him](#). Along the way, according to *The Washington Post*, this gregarious bagman used government programs, his huge Rolodex of political connections and wealthy investors from both parties to enrich himself. He organized a company to build electric cars and promoted it to investors with a prospectus featuring photographs and ample references to his Clinton ties. He even got the former President to show up at the opening of the plant in Mississippi, along with that state's former Republican governor, Haley Barbour, who made his fortune as a lobbyist in Washington for the tobacco industry.

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Strange bedfellows, these crony capitalists – [you may remember](#) that Hillary Clinton’s brother, Tony Rodham was involved, too, searching out foreign investors for the electric cars. When the spotlight of scrutiny crossed their path, McAuliffe resigned from the company, which is now under investigation by the Securities and Exchange Commission.

*The Washington Post* also [reports](#) that one of McAuliffe’s top twenty donors – at \$120,000 – is the Liberian International Ship and Corporate Registry, which issues flags of convenience to shipping companies that want to dodge taxes and labor regulations and that McAuliffe invested in an alleged insurance scam that stole identities from the terminally ill. His campaign says that like other investors, McAuliffe was deceived. The fellow in charge of the scheme donated more than \$25,000 the last time McAuliffe ran for governor, in 2009. Hmmm...

In a recent debate, his Republican opponent, state attorney general and right wing zealot Ken Cuccinelli, said that if McAuliffe’s elected, they’ll have to change the state’s motto from “Sic Semper Tyrannis” to “Quid Pro Quo.” That’s Latin for you scratch my back, I’ll scratch yours.

But Cuccinelli is in no position to talk. The candidate was drawn into that Virginia money scandal in which Jonnie R. Williams, Sr., CEO of Star Scientific, a company that manufactures dietary supplements, showered lavish presents and perks on the current governor and his wife. Cuccinelli also received a sprinkling of Williams’ largesse. He recently donated the value of what he says he got – \$18,000 – to charity.

What’s more, his donor list includes considerable checks from big tobacco and big coal, including Murray Energy Corporation, which has often been fined for endangering the health and safety of its miners. Last year, its boss, Bob Murray, was discovered insisting that employees contribute time and money to his favorite anti-regulatory candidates – including Mitt Romney – or else.

Now Cuccinelli’s touting a major tax cut for the rich, with a plan that, [according to the liberal Center for American Progress](#), would give 47 percent of a proposed tax reduction to the top five percent of Virginians. The state would lose nearly a billion and a half dollars in revenues so the rich can be even richer.

Not surprising, Cuccinelli’s a major climate change denier, as well as a fractious opponent of Obamacare, a woman’s right to choose and gay marriage. He once wanted to make it legal for employers to fire an employee if they were heard speaking Spanish. No wonder he’s the favorite of *Citizens United* – yes, that *Citizens United*, the right wing group that got the conservatives on the Supreme Court to give corporations the same free speech rights as real people.

So come Election Day, pity the voters of Virginia. Whether they choose the glad-handing Democrat or the self-righteous Republican, once again, the real winner will be Big Money.

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**Elizabeth Conley** · 36 minutes ago

I certainly don't like Cuccinelli or McAuliffe. Those two bums have kept my phone ringing morning, noon and night, and their negative campaign ads litter my mailbox each day.

We have a real choice in VA this year. We have a Libertarian running with 9% of the vote already. I don't agree with him about everything, but I agree with him on enough to seriously consider giving him my vote.

His name is Robert Sarvis. I tried to post a link earlier that explained his positions on

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