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**BY ELECTRONIC AND REGULAR MAIL**

PropOrNot  
530-B Harkle Road, Sute100  
Santa Fe, NM 87505

Re: Request to: removal of “The List” and “The Report” from the website propornot.com; cease and desist from distributing the “Russian Propaganda Tools” from the Chrome Web Store; for public apology; and for an opportunity to respond; Document and ESI Preservation Notice.

Dear Sirs or Mesdames:

I write on behalf of my client, Aurora Advisors Incorporated (“Aurora”), publisher of the finance and economics website Naked Capitalism ([www.nakedcapitalism.com](http://www.nakedcapitalism.com)).

We request that the documents “The List” (<http://www.propornot.com/p/the-list.html>) and “The Report”: [\[https://drive.google.com/file/d/0Byj\\_1ybuSGp\\_NmYtRF95VTJTeUk/view\]](https://drive.google.com/file/d/0Byj_1ybuSGp_NmYtRF95VTJTeUk/view) be immediately removed from your website propornot.com and all web-accessible archives. We also request that you immediately cease distribution of “Russian Propaganda Tools” from the Chrome Web Store [<https://chrome.google.com/webstore/detail/propornot-propaganda-flag/ogmjhlmfmnhcllijlbaomamgfaiflai>]. The List, The Report, and web browser extension (“Tool”) contain extremely damaging false allegations constituting defamation.

Furthermore, Aurora asks for a prominent public apology for the false and defamatory accusations made in The List, The Report, and Tool, including sending a copy of the apology

to the Washington Post and other media outlets<sup>0</sup> that re-reported the article by Craig Timberg, “Russian propaganda effort helped spread ‘fake news’ during election, experts say” (“Fake News”) [[https://www.washingtonpost.com/business/economy/russian-propaganda-effort-helped-spread-fake-news-during-election-experts-say/2016/11/24/793903b6-8a40-4ca9-b712-716af66098fe\\_story.html](https://www.washingtonpost.com/business/economy/russian-propaganda-effort-helped-spread-fake-news-during-election-experts-say/2016/11/24/793903b6-8a40-4ca9-b712-716af66098fe_story.html)] published on Thursday, November 24, and to any other media of which you are aware that redistributed the allegations reported by propomot.com. We finally request that you send a copy of the apology to every user that downloaded the Tool.

Naked Capitalism is one of the accused organizations in The List and The Report and is also falsely branded as a propaganda site by the Tool.

You identified and thus denigrated Naked Capitalism as one of the sites in The List that “reliably echo Russian propaganda.” Item #7 of the propomot.com “Frequently Asked Questions,” about The List and The Report, defames Naked Capitalism by falsely stating they are “the kind of folks who make propaganda for brutal authoritarian oligarchies are often involved in a wide range of bad business” and further state that you believe “some of the individuals involved have violated the Espionage Act, the Foreign Agent Registration Act, and other related laws.” With no evidence whatsoever, you call for “government investigation,” specifically by the Department of Justice and the FBI. Item #11 falsely states that Naked Capitalism has “coordinators abroad.”

The introduction to the List defames Naked Capitalism by describing it as either “a paid Russian proxy, an honest true believer, or commercially opportunistic.” The Report contains further false and defamatory statements, including depicting Naked Capitalism as “[c]onsistently reuse[ing] text directly from official state-owned and semi-official Russian propaganda outlets and government spokespeople, often without attribution” and making demonstrably false statements regarding Naked Capitalism’s relationship with other sites.

The Tool does even more damage to Naked Capitalism by perpetuating the false “propagandist” designation and underlying false and defamatory charges, damaging the site’s reputation and by design, discouraging the acquisition of new content, readers, and visits by past readers.

Your identification of Naked Capitalism as a “fake news site” and as an agent for Russian propaganda designed to undermine American democracy is defamatory per se. These serious allegations have caused and will continue to cause great harm to Naked Capitalism, including but not limited to impaired growth and acquisition of new content, damage to

policy impact and reputation, diversion of scarce reporting and managerial resources to respond to concerned inquires and debunk this smear, loss of readers, and damage to the site's profitability. Moreover, writers and editors associated with Naked Capitalism face ridicule, emotional distress, loss of reputation, and risk to future career advancement, including for example, difficulty passing background and security checks.

You did not provide even a single example of propaganda allegedly distributed or promoted by Naked Capitalism. Nor did anyone associated with PropOrNot contact Naked Capitalism to check the accuracy of its assertions. The few cases where PropOrNot attempted to provide substantiating evidence when challenged by publishers such as by Counterpunch failed, forcing PropOrNot to retract those allegations.<sup>1</sup>

You are responsible for damage done to Naked Capitalism. Please be advised that all those who participated in the "research" and promulgation of these charges will be held jointly and severally liable if this matter remains unresolved and proceeds to litigation.

Finally, please be advised that anyone associated with PropOrNot who has received compensation from the Department of State or BBG or who has used resources from these organizations as part of their work for PropOrNot, risks separate liability and action for propagandizing a domestic audience. Please be advised that Naked Capitalism, as a falsely targeted website, has standing to pursue such an action.

You have made damaging false accusations against Naked Capitalism, and are maliciously harming Naked Capitalism via the continued distribution of the The List, The Report, and The Tool. Please immediately remove these from the web and provide an equivalent opportunity to respond. Please see the attached concerning your obligation to retain documents and electronically stored information relating to PropOrNot, which applies to all the "approximately 40 people" in your organization,<sup>2</sup> the referenced articles on your

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<sup>1</sup> Joshua Frank, "Counterpunch as Russian Propagandists: The Washington Post's Shallow Smear," Counterpunch, December 2, 2016 (available at <http://www.counterpunch.org/2016/12/02/counterpunch-as-russian-propagandists-the-washington-posts-shallow-smear>)"

Huh? That isn't very sound methodology if you ask me, more like a shallow smear campaign manufactured by amateurs. PropOrNot will consider taking these sites off their blacklist, not based on the sites' content but on whether or not they contacted PropOrNot directly and if "they understand" Putin is a bad hombre?

<sup>2</sup> Joel Harding, "PropOrNot – They're Real, They're Mad as Hell, and I Trust Them," To Inform is to Influence, December 5, 2016, (available at

website, and any additional parties who have contributed to The List, The Report, and The Tool. I look forward to hearing from you within three business days. Please contact me if I can provide further information.

Sincerely,

/s/ James A. Moody

James A. Moody  
Counsel to Aurora Advisors Incorporated

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