



3910 South Yellowstone Hwy. • Idaho Falls, Idaho 83402-6003
Legal Department • 208 522-0700 • Fax 208 534-2063

February 7, 2012

Via Express Courier and E-mail

Mr. James Tidmarsh
The Idaho Agenda
822 Quincy Street, Apt. #3
Twin Falls, ID 83301
E-mail: idahoagenda@gmail.com

Re: Defamatory material on The Idaho Agenda website

Dear Mr. Tidmarsh:

Melaleuca recognizes the potentially valuable service that *The Idaho Agenda* website ("Website") provides to Idaho's LGBT community. We count members of the community among our friends and associates, and we appreciate your efforts to serve their interests. Unfortunately, it has come to our attention that some of the material that *The Idaho Agenda* has published in your recent article entitled, "Romney's Idaho: Big Money From Not-So-Gay Friendly Melaleuca Company," relating to Melaleuca, Inc. and/or to its CEO, Frank VanderSloot, goes well beyond what is appropriate or legal.

Your statement that Mr. VanderSloot "has a pretty solid anti-gay history in Idaho" is inaccurate and serves to mislead your readers. In your attempt to find support for this inaccurate statement, you misinterpret and put a misleading gloss on the facts.

First, you misinterpret a billboard message supported by Mr. VanderSloot regarding the program "It's Elementary," wrongly suggesting that the point of the message was anti-gay. An objective review of the unvarnished facts (the actual billboard message and Mr. VanderSloot's actions), makes it clear that Mr. VanderSloot was supporting a completely different point – one dealing only with the appropriateness of the documentary's subject matter for elementary-school-age children and its funding with tax dollars. While we understand that you might disagree with that point, it is simply not true to say that Mr. VanderSloot's statements or actions were critical or judgmental of gays, or that he is anti-gay. The reality is that Mr. VanderSloot is very close to a number of people who have a same-sex orientation, and he respects their rights and dignity.

Next, you falsely claim that Mr. VanderSloot "attack[ed] ... Post Register reporter, Peter Zuckerman," and "knock[ed] him for his sexuality." This is simply not true. Although you do not offer any source or citation for this outlandish claim, it seems likely that you are referencing (incorrectly) a 2005 Community Page commentary placed by Melaleuca in the Post Register to address a series of articles regarding the Boy Scouts of America. However, the signed statement by Mr. VanderSloot that was included in that Community Page does not even mention Mr. Zuckerman. And, the Community Page as a whole focused only on the sloppiness of the

Mr. James Tidmarsh
February 7, 2012
Page 2

newspaper's reporting and resulting inaccuracies. Never did Melaleuca or Mr. VanderSloot attack, disparage, or intend to hurt Mr. Zuckerman. Nor has either Melaleuca or Mr. VanderSloot ever "knocked" the sexual orientation of the reporter. In fact, Melaleuca defended Mr. Zuckerman against assertions that his journalism was motivated by a desire to attack the Boy Scouts. Melaleuca was only asking for accuracy in reporting from the local paper.

In addition, your reference to the personal donations of Mr. VanderSloot's wife to support Proposition 8, an amendment that passed by the majority of California voters, should be distinguished from Mr. VanderSloot's and Melaleuca's actions. Contrary to the implication of your article, the VanderSloots have publicly expressed support for numerous rights for the LGBT community.

It appears that one of *The Idaho Agenda's* objectives in publishing false statements about Mr. VanderSloot may be to sway voters away from Mitt Romney in his campaign for U.S. President. We certainly respect your right to express opinions about political candidates and causes, and we would encourage everyone to support the causes and candidates of their choosing. It is wrong, however, for you to use false, misleading, and/or defamatory statements to support your opinions or objectives, and we challenge you to be more careful about doing so. In particular, it is wrong to claim that Mr. VanderSloot is anti-gay, and it is wrong to back up that false claim by mischaracterizing facts.

In sum, while we respect *The Idaho Agenda's* First Amendment right to publish opinions – even when, as in the instances noted above, they are not supported by the facts – we must ask that *The Idaho Agenda* refrain from illegally defaming Melaleuca or Mr. VanderSloot and that you please remove the defamatory material on your Website relating to Mr. VanderSloot. We appreciate your anticipated cooperation in this matter. If you have any questions, please do not hesitate to contact me at 208-522-0700.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael LaClare".

Michael LaClare
Associate General Counsel