

LAW OFFICES
SCHULMAN, LEROY & BENNETT, P.C.

SUITE 701-THE FIVE HUNDRED AND ONE UNION BUILDING
POST OFFICE BOX 190676
NASHVILLE, TENNESSEE 37219-0676
TELEPHONE (615) 244-6670
FACSIMILE (615) 254-5407

jharris@slblawfirm.com

W. WAYNE LEROY
ANGUS GILLIS, III
GARY S. RUBENSTEIN
KEENE W. BARTLEY
BARBARA J. PERUTELLI
DOUGLAS E. JONES
ASHLEY N. ARNOLD
BRIAN CASPER

OF COUNSEL
JOHN I. HARRIS, III
BRENDA MEASELLS DOWDLE

I. R. SCHULMAN
(1908-1986)

T. T. MCCARLEY
(1918-1975)

LEWIS D. PRIDE
(1933-1978)

H. MICHAEL BENNETT
(RETIRED 1998)

OF COUNSEL
SEYMOUR SAMUELS, JR.
(1912-1992)

September 26, 2007

Via Fax: 687-2760

Natalya Rose
Bone, McAllester & Norton
130 Maple Drive North, Second Floor
Hendersonville, Tennessee 37075

Re: Goodpasture Christian School

Dear Ms. Rose:

Thank you for your faxed letter of September 26, 2007, to which I am submitting this initial reply.

Your letter threatens action claiming that GoodpastureConfidential.com violates the trademark of a school which, under its charter, is a non-profit organization. You should note that GoodpastureConfidential is what is commonly referred to as a "gripe-site" that was started by individuals with ties to the school and that these facts are clearly and repeatedly disclosed on the site as even your own attachments demonstrate. Its content is largely no different than what might be, and routinely has been, discussed among parents while sitting at a home football game.

Second, you should note that the site is protected First Amendment free speech of a non-commercial nature. There is no profit made nor even donations solicited through the site. It is wholly self-funded by individuals who seek to bring out the truth and legitimate concerns about Goodpasture and to encourage those who are working to fix it by identifying and discussing problems relative to the school and even proposing solutions to some of these problems. Other aspects of the site support various programs at the school such as band, sports, etc., by providing an internet presence that the school has not offered to those families. Similar First Amendment sites exist such as GoodpastureFootball and are allowed by the school. The difference is that the school's administrators feel that perhaps their lack of experience and qualifications and perhaps even their untruthfulness to the parents is a topic of discussion on Goodpasture Confidential whereas it is not as openly discussed on the other Goodpasture focused sites.

Third, case law has made it clear for many years that sites of this type are not in violation of the trademark and anti-dilution actions that you briefly reference. For example, the Supreme Court has stated that trademark infringement law prevents only unauthorized uses of a trademark in connection with a commercial transaction in which the trademark is being used to confuse potential

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consumers. See Prestonettes, Inc. v. Coty, 264 U.S. 359, 368 (1924). Your letter is conspicuously devoid of asserting that there is any commercial purpose or activity related to Goodpasture Confidential.

Likewise, numerous cases over the last 10 years have repeatedly found that gripe and complaint sites (such as IhateDell.com) do not violate the trademark rights and/or intellectual property rights. As you are aware, the courts acknowledge that commercial speech may be regulated in ways that would be impermissible if the same regulation were applied to noncommercial expressions. See, e.g., Florida Bar v. Went For It, Inc., 515 U.S. 618, 623 (1995). Once again, there is nothing commercial about Goodpasture Confidential nor, to my knowledge, any of the posts or activities surrounding it.

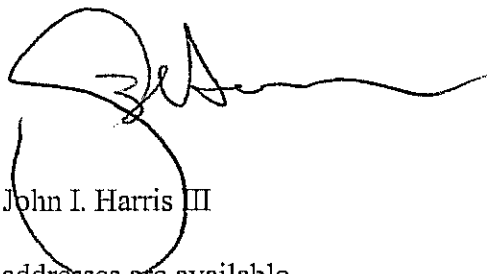
I simply do not find your limited citations to these commercial statutory provisions to be persuasive nevertheless but I am willing to consider any relevant case law that you may have relative to the First Amendment restrictions on discussions and conversations involving people who are alumni, parents, students and/or faculty of the school.

If you have specific case law which directly addresses the existence of sites such as Goodpasture Confidential where alumni, parents, faculty and students, are allowed to voluntarily join the discussion about a school of common interest, then please specifically cite to it and I will review it to see if it changes my opinion.

Likewise, if you have specific language which you would suggest as an amendment to the existing disclaimer(s) which might further eliminate any legitimate concerns that the Board of Directors may have concerning the site, then please feel free to suggest it.

I shall look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read "John I. Harris III", written over a circular stamp or mark.

John I. Harris III

cc: Board Members via Email for whom addresses are available