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September 28, 2011

VIA UPS OVERNIGHT MAIL

Ms. Tina Renna Mr. Bruce Paterson Union County Watchdog Association 202 Walnut Avenue Cranford, New Jersey 07016

Re: Netta Architects, LLC

Dear Ms. Renna and Mr. Paterson:

Netta Architects, LLC and Nicholas J. Netta, AIA, NCARB (collectively, "Netta") have spent over 18 years building their reputation as a premier architectural firm throughout the State of New Jersey and across the country. This reputation is based not only upon Netta's renowned design skills, but also upon the integrity of Mr. Netta and all of Netta's employees. The false and misleading statements regarding Mr. Netta and the work of Netta Architects, LLC that you published on The Union County Watchers Blog owned by the Union County Watchdog Association and on YouTube place Netta in a false light and threaten the goodwill Netta has worked tirelessly to build.

More specifically, your statements in the video blogs "When You Sush Tina" and "Getting Off on Nick Netta" wrongfully imply that Netta has obtained public contracts and improper change orders as a result of personal relationships with local government officials. Moreover, you suggest without a scintilla of evidence to support your claims that Netta has engaged in improper billing practices - an accusation that simply is not true. While such baseless innuendo may be good fodder for your blog, your comments are damaging to Netta's business and are defamatory per se. See, Salzano v. North

Jersey Media Group Inc., 201 N.J. 500, 540-541 (N.J. 2010) (Certain kinds of statements . . . are considered defamatory as a matter of law. A prime example is the false attribution of criminality, and innuendo that insinuates guilt of wrongdoing will not be protected as fair)(internal citations omitted); *see also, McLaughlin v. Rosanio, Bailets & Talamo*, 331 N.J. Super. 303, 313-314 (App.Div. 2000)(statements qualify as slander *per se* if the comments accuse another (1) of having committed a criminal offense or (2) of engaging in conduct incompatible with his or her business).

While it is apparent that your zeal for government reform and personal vendetta against Mr. Netta has blinded your appreciation of reality, there simply is no excuse for knowingly publishing false comments regarding Netta's work on the Union County Courthouse; nevertheless, you publish and re-publish numerous comments in the video blogs titled "Netta Architects Change Order", "Getting Off on Nick Netta", and "When You Sush Tina" and on your Blog entitled "The Netta Incident" that are demonstrably false. For example, you state "[o]bviously, Netta Architects does not know how to build court buildings...[and Mr. Netta] admitted he didn't know the court requirements." A review of the facts, including the record from the Freeholder's Meeting, makes clear these comments are not accurate and have no merit. Please be advised that your republication of such comments makes you and the Union County Watchdog Association liable for these defamatory statements. *Salzano v. North Jersey Media Group Inc.*, 201 N.J. 500, 512 (N.J. 2010)(Notably, defamation law generally imposes liability upon one who repeats or republishes the defamatory statements of another) (internal citations omitted).

Additionally, you state that Netta was "just on the agenda tripling [his] fee because of some miscalculation [he] made." This also is not accurate, as you well know. The truth is that a change order was submitted to the County for approval, it was approved, and as a result, the size of the courthouse that Netta was authorized to design tripled. There is simply no truth to the allegation that Netta miscalculated his fee.

These comments, together with your similarly false and misleading comments regarding Netta's lack of experience designing courtrooms and Netta's work on the existing county court house staircases as well as regarding Mr. Netta's personal conduct and professional business relationships can be interpreted only as a intentional campaign to defame Mr. Netta and to harm the firm of Netta Architects' business.

Indeed, while you now admit in your blog post, "The Netta Incident", that you should not have engaged in personal attacks on Mr. Netta and that you in fact accept Netta's explanation of the events prompting the defamatory blogs posts at issue, you nevertheless refuse to retract your initial, and incorrect, reporting relating to Netta on your website and You-Tube. The fact that the Union County Watchdog Association apparently adopts your statements is particularly troubling in light of its laudable mission and status as a non-partisan, non-profit, 501(c)(3) organization and the responsibilities that accompany such status such as reporting views only supported by the facts and in a way that is not distorted.

Ms. Tina Renna
Mr. Bruce Paterson
Union County Watchdog Association
September 28, 2011
Page 3

Please be advised that Nicholas J. Netta, AIA, NCARB and Netta Architects, LLC demand that effective immediately, you remove the video blogs, titled "Netta Architects Change Order", "Getting Off on Nick Netta", and "When You Sush Tina" from The County Watchers Blog and from YouTube as well as from any additional websites or media outlets where you have published these false and misleading comments. This request shall also include the Blog Post "The Netta Incident" published on your Union County Watchers Blog site. Netta further demands that you acknowledge in writing no later than the close of business on October 6, 2011 that you have removed these videos from publication. If you fail to remove the videos or provide written confirmation as requested, Netta will have no alternative but to seek relief in the appropriate forum. Please be further advised that this letter is being sent without prejudice, and Netta reserves the right to pursue any and all remedies for the defamatory statements you have made, including statement not explicitly referenced in this letter. We look forward to your prompt response.

Very truly yours,

Wilentz, Goldman, & Spitzer, P.A.
*Attorneys for Nicholas J. Netta, AIA, NCARB &
Netta Architects, LLC*

BY: 

WILLARD C. SHIH

cc: Netta Architects, LLC
Kathi Fiamingo, Esq.