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March 22, 2013

Kirk Allen
Edgar County Watchdogs
PO Box 593
Kansas, IL 61933

RE: Day & Night Solar, LLC

Dear Edgar County Watchdogs:

The undersigned and this law firm represent Day & Night Solar, LLC (“Day & Night”), CMS Renewables, Inc. (“CMS Renewables”), Julie Clark, and Stanley Clark (“the Clarks”). You have recently published false and defamatory statements about Day & Night, CMS Renewables, and the Clarks on your website, edgarcountywatchdogs.com (“the website”). A copy of the website page containing the defamatory statements is attached.

The website contains multiple defamatory statements. First, the website states that Day & Night, CMS Renewables, Inc., and Best Building Systems, Inc. all have the same tax identification number. This is false and defamatory. In fact, CMS Renewables, Inc. and Best Building Systems, Inc. are the same as the entity went through a name change, but Day & Night has a separate tax identification number, and your false statement imputes that the three businesses are not legitimate entities.

Secondly, several of your statements regarding the bidding process for the Ford Iroquis Public Health Department’s (“the Health Department”) purchase of solar panels are false. Contrary to your statements that the Health Department does not have written bids, CMS Renewables submitted a written bid for the job. Furthermore, your website states that Day & Night was awarded the solar panel contract, but CMS Renewables has been paid for the contract. However, the fact of the matter is that CMS Renewables was the bidder, was awarded the contract, and has been paid for the contract. Your false statements about the bidding process impute that CMS Renewables and Day & Night are not engaging in legitimate business practices, and essentially are switching which company is obligated to do the work and receive payment from one to the other.

Thirdly and perhaps most egregiously, your website states that there was a “problem” and an “issue” with the Health Department’s purchase of solar panels from Day & Night and that problem “relates to” Stanly Clark being a member of Day & Night and an officer in CMS Renewables, while Julie Clark is an officer for the Health Department. By labeling this relationship as a “problem” and an “issue,” your statement imputes that there was some impropriety in Day & Night and CMS Renewables winning the contract that arose out Julia