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June 9, 2020

CMRRR No.: 7014 1200 0002 0031 4942

Mr. Robert Lopez
President, Mission Fire Fighters Association
P. O. Box 1284
Mission, Texas 78572

RE: File No.: 20-11-027
Client: Hollis Rutledge, Hollis Rutledge & Associates, Inc.
Matter: Mission Fire Fighters Association

Dear Mr. Lopez:

This office represents Hollis Rutledge and Hollis Rutledge and Associates, Inc. (HRA, Inc.) regarding defamatory statements made by Michael Silva of the Mission Fire Fighters Association during a Mission City Council Meeting on January 13, 2020. During the taped meeting, Mr. Silva stated that HRA, Inc. had negligently failed to apply for and submit a grant request to the Office of the Governor - Homeland Security Grant Division 2020 Border Zone Fire Department (referred herein as the Border Zone Grant) which had been due on December 2, 2019. The comments made by Mr. Silva, and which were met with silence and no clarification by the City Council, were made in the presence of staff members from Oscar Longoria's office, a State Representative, interested various attendees and the media. The remark made by him was slanderous, disparaging, and completely false and made for no other purpose than to impugn the business reputation of HRA, Inc., and Hollis Rutledge personally.

During the meeting of January 13, 2020, Mr. Silva reported to the Mission City Council and the attendees that HRA, Inc., had negligently missed a deadline to submit an application for the Border Zone Grant for the purchase of certain equipment for the City of Mission Fire Department. Mr. Silva knew that the statement which he made was false.

The facts surrounding the submission of the grant and the time line are as follows:

- Summer 2019: Hollis Rutledge and Associates, Inc. contacted the Fire Chief for the City of Mission Fire Department and notified him of an opening for the eGrant application submission to the Office of the Governor - Homeland Security Grant Division

2020 Border Zone Fire Department (Border Zone Grant) for specialized equipment, maintenance, medical supplies, etc. which the Fire Department might utilize.

- October 1, 2019: an email was sent to the Fire Chief, again notifying him of the Border Zone Grant and the deadline for the applicaiton submission.
- October 14, 2019: The Mission Fire Department sought authorization by the City Council for the City of Mission to submit an eGrant application for the Border Zone Grant application and it was approved as a Consent Agenda Item. However, the authorization request did not include nor ask for the participation or input of HRA, Inc.
- October 23, 2019: Despite the fact that the City Council did not authorize the services of HRA, Inc. to submit the application for the Border Zone Grant, HRA, Inc. again emailed the Fire Chief reminding him of the Border Zone Grant application and the submission deadline. HRA, Inc. never received a follow-up from the Fire Chief or the City Manager regarding requesting the participation of HRA, Inc. in applying for the Border Zone Grant or their assistance in preparing and/or the applying for such.
- November 6, 2019: HRA, Inc. again emailed the Fire Chief reminding him of the Border Zone Grant submission deadline and requesting status of their application. As with the previous emails from HRA, Inc. regarding the grant, no response was forth- coming from the Fire Chief.
- December 2, 2019: The Border Zone Grant application submission was due and neither the Fire Chief nor the Mission City Administration made any effort to submit the application or reach out to HRA, Inc. requesting their services.
- December 6, 2019: The Fire Department made contact with HRA, Inc., four days after the application submission deadline. Frank San Martin, the Vice President for Grants and Partner of HRA, Inc. attended a meeting with the Fire Chief and staff regarding the Border Zone Grant and advised them that the submission deadline had elapsed.

Hollis Rutledge and Associates made countless and continues efforts by way of emails to the Fire Chief to remind him of the Border Zone Grant and the application submission deadline, in spite of the fact that the City Council had not authorized the involvement and/or participation of HRA, Inc. regarding the Border Zone Grant. The Mission Fire Department nor the City of Mission made no effort to apply for and submit the application for the grant.

The deafening silence of the Fire Chief and the City Administration is well documented in the

various emails sent by HRA, Inc. commencing in the summer of 2019 and continuing up until the submission date. The emails are in the possession of the Fire Chief and the City Manager, however, HRA, Inc. is willing to make them available for inspection if need be.

The Fire Fighters Association and the City Administration now find it convenient to blame HRA, Inc. for their own lack of efficiency and their failure to apply for the Border Zone Grant. It is obvious that using HRA, Inc. as a scape-goat is politically motivated as one can only question the failure of the City Administration and the Mission Fire Department to follow up on an authorization to apply for the Border Zone Grant.

Hollis Rutledge and Associates, Inc. could not have applied for the Border Zone Grant without the use of the eGrant Log-In information. To access the eGrant log-in site requires permission from the City of Mission and is solely in the possession of the City Administration.

The egregious behavior displayed by Michael Silva, President of the Mission Fire Fighters Association at the City Council Meeting of January 13, 2020, was compounded by each and every Council Member who did nothing more than sit on their hands while Mr. Silva excoriated Hollis Rutledge personally and Hollis Rutledge and Associates, Inc.. The City Council was fully aware that they had not engaged the services of HRA, Inc. to prepare the eGrant and apply for the Border Zone Grant, yet they allowed the onslaught of Mr. Rutledge and HRA, Inc. to continue in a public forum.

Pursuant to Civil Practice and Remedies Code Section 73.003(a)(3), 73.059 and Section 73.061(b), Hollis Rutledge and Hollis Rutledge and Associates, Inc., hereby demands a retraction in the form of a letter. Said letter should be from the Mission Fire Fighters Association and it is to be published in the Progress Times and the Monitor and any other newspaper of general circulation correcting, clarifying and retracting the false, disparaging and untrue statements made by Mr. Silva. The letter must retract the statement that HRA, Inc. had missed the deadline for the eGrant submission of the Border Zone Grant which had been due on December 2, 2019. The letter should also state that the failure to submit the eGrant within the submission deadline was the solely the responsibility and fault of the Fire Department and/or the City Administration.

Failure to comply with our demand as required by the above mentioned statutes, allows Hollis Rutledge and Associates, Inc., to seek exemplary damages and file suit for defamation, which we have been authorized to do.

I await your prompt response.

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