

Urgent Ethics Alert! Members:

Came back from the NALI Midwinter, the CALI mid winter, the extraordinary good news on Ciolinos efforts on Anthony Porter, exhausted with attempting to build Alliances, bridges and focus some light on the issues faced in the industry to the following sh.. on my fax. I hope everyone that even considers a coop with Fox obtain what they are looking for, since this is a classic example of what the right to privacy advocates are going to be stuffing down our throats again and again after our heads are cut off. Please, Please consider this offer carefully and weigh against the benefits, for once for the industry and not your firm or operation. There is a simple way Fox and Termite (appropriately named) productions can obtain what they want.....legally, that will show the adjuster, legal, private investigator, Risk Managers, Insurance Companies AOE/COE efforts, lawyers on both sides of the aisle and others is a far, far better light than the method of approach being used here. Not my license and not my clients, just a word of caution and frankly, the producers should be ashamed of themselves.....but hey.,it's t.v. right! Well, any client that will assign a matter to anyone cooperating in this or a related field has simply got his head in the sand. The press, god the printed press should should jump down the throats of their related media brethren for this. They are simply shooting themselves in the the foot in the long term, but, in the USA long term is the next ratings period. Just be careful, the Gremlins are out to getcha! This approach is simply not interested in truth, justice or the American way. They are interested in Salaciousness. **KEEP IN MIND WHAT THEY WILL SKEWERER YOU FOR DOING, THEY DO DAY IN AND DAY OUT IN AN EXPOSE FORMAT.**

Termite Art Productions

Danny Wolf

M Feb. 4,1999 (D7:01 PM Di/i

February 5, 1999

Re: Television Producers Seek PI Help

Dear Private Investigator:

We are producing a series of FOX Television specials which show footage of people doing things they shouldn't be doing, in places where they shouldn't be doing them, and often with people with whom they shouldn't be doing them. Currently, we are working on two FOX shows: "Busted on the Job 4" and "Busted Everywhere." As you may already know, our viewers get a sneak peek at people (who are not aware they're being watched) being "busted" by the camera--from restaurant workers adding extra "ingredients" to patrons' food, to cheating spouses caught in the act, to disgruntled employees captured on tape getting even with their bosses and co-workers in very creative, and often shocking, ways. Our main sources for footage are Private Investigators, such as yourself, and we are interested, on a continuing basis, in obtaining new footage. Please note that we never show identities (we blur all faces), nor do we need to give location, either city or state. In addition, we are selective about the clips we use, but, unlike some other television shows you may have dealt with in the past, we do pay for footage. If you have such footage, we would love to speak with you about potential licensing for broadcast. In addition, if you have other colleagues in the field who you think might have clips we could use, please pass on this request to them, if you don't mind. Thanks, in advance, for your consideration, and please feel free to telephone me with any questions or comments which you may have.

Best regards,

Ren'e Barnett
Producer

Termite Art Productions
1846 Ventura Blvd. Suite 204
Studio City, CA 91604
Phone (818)763-2862 - Fax (818)763-2485

Members:

This will follow the writers alert last night. The following is the writers formal response to Termite Art Production. It is submitted as a f/y/i/ and reposting is O.K.

February 6, 1999

Via fax 818/763-2485
and U.S. Mail
Termite Art Productions
1846 Ventura Boulevard, Suite 204
Studio City, California 91604

Re: Private Investigators Solicitation
"Busted on the Job 4" & "Busted Everywhere"

Attn: Ren'e Barnett, Producer

Dear Ms. Barnett:

I have in hand your faxed solicitation to private investigators dated February 5, 1999. I presume this is a first effort and your experience with the ethics of Private, Legal Investigators and Adjuster is limited. I must advise, my initial reaction was knee jerk and confrontational. I have since had a chance to sleep on your request. I am still appalled. I am professional offended. I have so informed a number of professional investigative associations memberships of which I am a member to avoid your offer like the plague.

I must admit, I am not a lawyer, I speak for no one other than myself and this letter is hostile, but bear with me, read and consider the content in it's entirety. There is much at risk in what you propose and my intent in this letter is to hopefully serve a far larger purpose. I do hope it will be somewhat educational to you and your production company, perhaps, even Fox Television and by extension, Rupert Murdoch. I anticipate some "investigator/adjuster" that can not control the desire for publicity at the godly throne of television exposure will cooperate anticipating it will enhance the investigator/adjusters reputation. It will do just the opposite but that is the type of muddled wrong headed thinking you will be working with. Accordingly, you will receive ample footage that is confidential, belongs to the end client and is totally inappropriate to be used without signed consent of all parties involved. The assurance the faces of the subjects of the footage will be blurred and the location the video

or film was obtained provides little and perhaps no significant protection to anyone, least of all, the subject and the investigator/adjuster. Paula Jones had only her first name mentioned in a "theoretical unfounded rumor," but has nonetheless all but brought down a duly elected government with the duplicitous assistance of the government itself. I hardly think the blurring of a face and the omission of the location of where the footage was obtained will be helpful, if the humiliated subject retains a "legal/professional investigator/adjuster" to track the source. It will not be difficult. Please be sure that whoever provides the requested footage is amply insured and that all parties in the chain of production are additional named insureds. The coverage will be needed. I suggest you alert your lawyers to brace for a number of defamation lawsuits since you will not have determined the outcome of the litigation and thus, "truth" will not serve as a proper defense to slander.

Ren'e Barnett
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Currently, there is an onslaught of legislation at the federal and state(s) level relative to rights of privacy and the closure of public records, largely due to expose reportage by the print and electronic media telling and visually relating "half truths," incomplete reporting rarely telling the whole or rest of the story. In so doing, the public becomes hysterical who in turn make the legislators hysterical who in turn over react and introduce inappropriate, unconstitutional legislation. The print and electronic media claims they are "stunned" and oppose the legislation based on the first amendment. You can not have it both ways. You must act responsibly, ethically, humanly and legally correct. You can accomplish what you wish legally, ethically, but it will require prudence and a high standard, similar to how reporting use to be accomplished before the rush to ratings and distribution, and simply a concern for below the line cost issues. The "publics rights be damned" attitude must stop.

As with all things, stuff rolls downhill and low on the food chain is the investigative/adjuster vendor who takes the hit and inflicts irreparable damage to the ethical, private, legal investigator and adjuster, individually and as a sorely needed profession, much like the legal as well as the news and entertainment media, print and electronic.

I presume it is not your intent to do so, but that is really what you are doing. Consider a moment, legislation pending in California SB 129, as well as the so called paparazzi bill, SB 262 passed last year in California. Further, you are welcome to review articles written by this author on the privacy issue at my web site rhtownsend.com.

Finally, I hope this letter is somewhat enlightening and educational. Should you expose do what you want , absolutely! Should it be accomplished in the manner and fashion you are soliciting, absolutely not! Your production company, Fox television should be ashamed at the transparent effort to "set up" someone else to take the liability and professional image fall for the proposed privacy intrusions.

Very truly yours,

Robert H. Townsend, C.I.I