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April 28, 2014

Ms. Megyn Kelly  
c/o Fox News Network  
1211 Avenue of the Americas  
New York, NY 10036

RE: Your Interview Last Week with Dr. and Mrs. James C. Dobson ("the Kelly file" – April 24, 2014)

Dear Ms. Kelly:

Our office represents Mikey Weinstein and the Military Religious Freedom Foundation. He has asked me to write concerning your television interview last week with Dr. and Mrs. James Dobson.

In that interview I understand you referred to the Foundation as an "atheist group" and that Dr. Dobson referred to Mr. Weinstein as a "professional atheist."

Mr. Weinstein, and the Foundation, work very hard in their effort to ensure freedom of religion for everyone. Most of the Foundation's tens of thousands of military clients are, in fact, Christian, but the Foundation works for the continued free expression and practice for those of all beliefs.

With that in mind, his interests are for a free, open, lively, and on occasion even heated debate. Open debate is one thing. Defamation, of course, is quite another.

Those making false statements can present a difficult and frightening situation. They are sometimes seemingly calculated to intentionally scare and mislead to the point of inciting unstable people.

Mr. Weinstein is quite concerned about this problem, particularly given that he and his family have been the subject of violent actions in the past, as well as many threats. Thus, these concerns are very real.

Your statement that the Foundation is "an atheist group" and Dr. Dobson's statement that Mr. Weinstein is a "professional atheist" are

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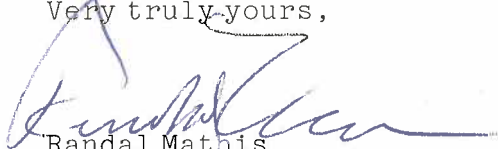
completely false and in this instance we believe defamatory. We are concerned that they add to, and perhaps expand, the potential for incitement to violence of unstable people.

Television broadcasts can be particularly challenging in that I think sometimes people re-publish statements as if they are true fact, when they are not. Said another way, many people do not seem to follow what would have historically been basic principles of journalistic professionalism. Defamation and the repercussions of it can spread awfully fast by television, or the Internet.

Argue with, and criticize, Mr. Weinstein and the Foundation all you want, but please, in the future, broadcast what is truthful. If you wish to state opinions, you are obviously free to do that, but remember statements of your personal conclusions about Mr. Weinstein's beliefs are expression of opinion and not fact.

Drawing that distinction in your broadcast is the difference between a legal expression of opinion and actionable defamation. If the distinction is not clear to you, or to Dr. Dobson (who I am copying on this letter), I trust that Fox's legal department, or your program's insurance carrier can further explain it.

Very truly yours,



Randal Mathis

RM:jw

cc: Dr. James C. Dobson – Founder, Focus on the Family