



**BUSINESS OWNERS ORGANIZED TO SUPPORT TOURISM**  
1413 Highway 17 South, Box 211 ♦ Surfside Beach, South Carolina 29575-6090

October 26, 2009

Mr. Karl S. Bowers, Jr.  
Hall & Bowers, LLC  
1329 Blanding Street  
Columbia, South Carolina 29201

Dear Mr. Bowers:

A fundamental freedom is the natural right to free speech. It is protected in America by our First Amendment. We are not intimidated by your threat of a frivolous lawsuit, and we will not cease or desist. In fact, the absurdly vicious response by the Chamber and its henchmen to BOOST's questions suggests that you all are hiding something very big and very bad.

Frankly, the easiest way to get to the bottom of all of this would be for you to go ahead and file your lawsuit. We will subpoena the Chamber of Commerce, every member, lobbyist, and employee of the Chamber and its Board. We will subpoena each of the LLCs involved and their owners and managers. We will subpoena the Mayor, city councilmen, and other elected officials who received the campaign contributions. We will subpoena the banks, telephone providers, and internet service providers of all of the above. We will investigate each and every financial transaction, telephone call, email, and text message related to all of this. At the end of this process, we will know what everyone knew and when they knew it, and we trust the voters and the jurors to make the right decisions armed with that information.

I also want you and your client to carefully consider the following. In the old English common law, there was a mechanism called the writ of qui tam. The writ allowed private citizens to sue when an organization wrongfully takes government funds. Interestingly, the old English writs are still viable parts of South Carolina law. Therefore, if you sue for defamation, we expect to counterclaim in qui tam for the nearly \$200 million in taxpayer funds paid or to be paid to the Myrtle Beach Chamber.

We will also counterclaim under the federal anti-racketeering law, RICO. We have identified a variety of activities of Chamber of Commerce associates that appear to qualify as RICO predicates. I cannot tell you how much BOOST is looking forward to reading the email of each and every person associated with the Chamber to determine whether its activities constitute racketeering.

I also would like to know whether your client and the Chamber would be willing to waive confidentiality with regard to any ethics complaints that may have or might be filed. State law prohibits a person filing an ethics complaint from stating that such complaint has been filed unless the target of the complaint waives confidentiality. Will your client—and will the Chamber—waive confidentiality and let sunshine into this process? If not, what are you afraid of?

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In closing, like the American colonists who died to protect the freedom of speech we invoke today, your intimidation has instead emboldened us. Your threats are of the same caliber as playground bullying. The members of BOOST have been standing up to bullies for a long time and will continue to do so. If you think that we are scared by your pathetic threat of a frivolous lawsuit, you paid far too much for your law degree. Instead of suing us, perhaps you could sue Tulane Law School for a refund?

Respectfully & On Behalf of BOOST,

A handwritten signature in black ink, appearing to read "Thomas K. Herron", written in a cursive style.

Thomas K. Herron  
Consultant