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November 13, 2023

William M. Quin, II
McCraney Montagnet Quin & Noble, PLLC
602 Steed Road, Suite 200
Ridgeland, MS 39157

Via Email: wquin@mmqnlaw.com

Re: *Phil Bryant v. Deep South Today d/b/a Mississippi Today*
Cause no: 45CI1:23-cv-00238-JM

Dear Mr. Quin:

I have your October 31, 2023 letter regarding the notice of suit pursuant to Mississippi Code Annotated § 95-1-5.

Neither Mississippi Today nor Adam Ganucheau will publish the demanded retraction since the story about which Mr. Bryant complains is not only true but is also speech, including opinion, that is protected by the Mississippi Constitution and the First Amendment to the United States Constitution. We have repeatedly argued this point in Mr. Bryant's defamation/false light claim filed in Madison County Mississippi Circuit Court. Please refer to the pleadings and briefs filed thus far in that case.

The May 8, 2023 publication which is the subject of your most recent demand for retraction is:

The investigation, published in a multi-part series in 2022, revealed for the first time how former Gov. Phil Bryant used his office to steer the spending of millions of federal welfare dollars-money intended to help the state's poorest residents – to benefit his family and friends, including NFL Hall of Fame quarterback Brett Favre.

Furthermore, and as you clearly understand by the legal positions Plaintiff has taken in the Madison County litigation, §95-1-5 Mississippi Code does not apply to Adam Ganucheau since he is not a member of the news media. Please specifically refer to your

EXHIBIT

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motion for partial summary judgment on Mississippi's retraction statute in the Madison County litigation.

I am enclosing a copy of the October 30, 2023 Memorandum Opinion and Order from the Southern District of Mississippi Federal District Court in the case of *Favre v. Sharpe* and strongly urge you to seriously consider the various holdings in that order requiring dismissal of the Brett Favre defamation case, which grows out of the same set of facts in the Madison County litigation, e.g., use of the words steal, taking, and stole "in connection with Favre's actions is non-actionable speech."

When one compares the language about which Mr. Bryant complains in this most recent demand for retraction with the language from the recent *Favre* decision, it is absolutely clear that the language is, as a matter of law, not defamatory.

~~Mr. Bryant's threats under Mississippi's retraction statute, which he correctly admits in his Madison County Circuit Court defamation/false light litigation does not apply to individuals, and his threat to sue Adam Ganuchau concerning the words about which he complains as set forth in his most recent demand for retraction, expose Mr. Bryant to abuse of process and frivolous litigation claims if he proceeds to add Adam Ganuchau as a defendant in his Madison County defamation/false light litigation.~~

In closing, refrain from giving my clients whom you sue advice about how to defend your case, including your advice to hire separate counsel. Your giving advice is wrong and should be kept to you and your clients.

Sincerely,


Henry Laird

HFL/ld

Enclosures

cc: Vicki L. Gilliam (via email: gilliam@gilliamfirm.com)