## THE SUN

November 6, 2003

Bob Gray

909.889.9666 Fax 909.889.5388

bob.gray@sbsun.com

Mr. Carl Byington 27316 Pinewood Dr. Lake Arrowhead, CA 92352

Dear Mr. Byington,

On November 6, 2003 I sent this letter registered mail to your company's mailing address and have now fed-exed it to your home address as of November 24, 2003.

I recently learned that <u>The Sun's</u> internet address and 4,085 additional internet addresses relating to **The <u>Sun's</u>** owner and its more than 125 other publications have been placed on the 510 Software Group's anti-spam blacklist. As a result, legitimate e-mail messages to and from <u>The Sun's</u> domain and 88 other domains for publications such as <u>The Daily News</u> (Los Angeles), <u>The Denver Post</u>, <u>The Salt Lake Tribune</u> and <u>The Connecticut Post</u> are being wrongfully blocked for internet users who use the blackhole five-ten-sg.com blacklist.

From the information posted at 510 Software Group's website, none of these blacklistings apparently results from any spamming or spamming related activities believed to have been conducted by <u>The Sun's</u> owner, MediaNews Group, Inc., or any of MediaNews' publications. The sole reason stated on the 510 Software Group's website for the current blacklisting of all 4,086 Media News related web addresses is an allegation that you received at your residence four telemarketing calls on behalf of <u>The Sun</u> during a two year period that ended more than 16 months ago, despite requesting that <u>The Sun</u> place you on its do not call list.

For the annoyance caused by telemarketers attempting to sell you subscriptions to <u>The Sun</u>, please accept my sincerest apologies. It is not in <u>The Sun's</u> interest to annoy prospective customers and readers. And, we would certainly never knowingly or intentionally do so.

The Sun respects every customer's and potential customer's privacy. Like every other MediaNews publication, we do not condone or engage in spam or spam related activities of any kind. We are also very conscious of our responsibilities under the Telephone Consumer Protection Act. Accordingly, we, like other MediaNews publications, do not employ pre-recorded messages or use computer generated voices in any manner in our telemarketing. And, we all maintain do not call lists for both customers and potential customers, with regard to which we regularly train our personnel.

Since June 2002 your name has been on <u>The Sun's</u> do not call list. To our knowledge, no telemarketing calls on <u>The Sun's</u> behalf have been made to you at any time since your name was added to that list 16 months ago. Furthermore, until you request otherwise, it is not our intention to direct any future telemarketing calls to you.

If, as reported on the 510 Systems Group's website, you requested prior to June 2002 that your name be placed on <u>The Sun's</u> do not call list, and those requests were not processed, <u>The Sun</u> truly regrets this. During 2001, <u>The Sun's</u> telemarketing efforts were relocated to Ontario, California. In connection with this relocation, its possible some do not call information, including yours, may not have been transferred. If this in fact occurred, we are truly sorry for the oversight.

While <u>The Sun</u> does not believe it violated the Telephone Consumer Protection Act in connection with its previous telemarketing calls to your residence, I would welcome the opportunity to discuss this matter with you at your earliest convenience. If those discussions do not result in our resolving our differences, you will still then have the right to seek the damages you still believe may be owed you by <u>The Sun</u> in an appropriate proceeding in the California courts.

Regardless of when and how we resolve our differences regarding <u>The Sun's</u> previous telemarketing efforts, what is not acceptable is for the 510 Software Group to continue disrupting the legitimate e-mail activities of <u>The Sun's</u> owner and more than 125 other newspapers, absent any determination by any court or administrative agency that <u>The Sun</u> or any other MediaNews publication has violated the Telephone Consumer Protection Act. By blacklisting our businesses' web addresses, the harm you are wrongfully causing us could be very substantial. And, since the senders and intended recipients of e-mails blocked by your blacklist have no way of knowing which e-mails are being blocked, the harm you are causing is impossible for them to remedy.

I hope you share my commitment to resolving promptly and amicably whatever differences we may have regarding <u>The Sun's</u> previous telemarketing efforts. However, unless I am advised by you promptly that all of MediaNews' 4,086 web addresses have been removed from the 510 Software Group's blacklist, <u>The Sun</u> and MediaNews will have no choice but to commence appropriate legal proceedings to compel this result, and to seek all damages and other legal relief to which they are entitled.

Yours very truly

Bob Gray Publisher

cc Howell Begle, Esq. Hughes Hubbard & Reed LLP

> Eric J. Grilly President, MediaNews Group Interactive, Inc.