

February 1, 2010



Christopher L. Scileppi
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Nogales, AZ 85621
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Via e-mail and fax

Dear Mr. Scileppi:

I am in receipt of your letter regarding hotel charges for Mayor Octavio Garcia-Von Borstel, which you faxed to us earlier today. Reporter Tammy Vo has referred this matter to my attention. That fax also contained a copy of a letter from the Mayor to the Council, along with a credit card statement and an amended credit card statement.

What is clear from the letter and from the statements is that someone contacted the Mondrian Hotel and asked for a movie charge from 8/13/08 to be credited back to the credit card account. The bill reflects that this was done today. Also clear is that the Mayor is claiming the charge was in error, and is further claiming that the Mondrian Hotel admits both that a mistake occurred and that it was at fault in making the mistake. You make the same assertion in your letter to Ms. Vo, and add that the corrected statement shows Mayor Garcia-Von Borstel never rented any movies whatsoever.

However, I note that the credit card statements do not indicate that an error was made, do not indicate that the hotel was at fault in making any such error, and do not disprove that the Mayor rented the now-disputed movie. Accordingly, I called the hotel and spoke to the general manager, David Morgan, just a little while ago. Mr. Morgan tells me that when customers complain about a charge related to movies or to the servi-bar, it is the usual practice of the hotel to simply remove the disputed charges. This in no way indicates that any error was made or that, if one was made, that the hotel was in error. This appears to remove the basis for your demand for correction and retraction, and for your demand that we cease running our on-air announcements.

I note that the on-air announcement is not a full story; it is only a promotion for the story. Since the facts in the promotion are correct, I see nothing to retract or correct at the present time. Nor do I see any reason to cease airing those announcements. Your client's assertion that the hotel admits to having made a mistake will be a part of the actual news story, of course, along with the hotel's denial that it has made any such admission.

Should any other facts come to light bearing on this matter, we will be glad to hear them and to reconsider our position if appropriate. I note that KGUN9 has made numerous requests for an interview with the Mayor to explain his travel and entertainment charges, and that these interview requests have been declined. The offer still stands. Should deadline considerations prevent the Mayor from participating in the story now planned, we will be open to the appropriate follow-up coverage at a later time.



7280 E. Rosewood Street Tucson, AZ 85710

Because you contacted us in writing, I am responding to you the same way. However, should you like to discuss this further by phone, we would be happy to do that. Please call our assignment desk at 520 290 7700. If Ms. Vo or I are not immediately available, the desk can get a message to us quickly.

Sincerely,



Forrest Carr
KGUN9-TV News Director
520 290 7710

Fax: (520) 733-7051



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