

**December 17, 2007**

**Dear Brothers and Sisters:**

**Update on CNN Trial:**

It is difficult to adequately convey our growing sense of hopefulness with the progress of the CNN trial. The difficulty comes from the fact that we are not able to discuss the witness testimony in light of the Sequestration Order from the Administrative Law Judge. This means that potential witnesses cannot attend the trial and hear testimony, with the sole exception of designated representatives that each side is allowed. Likewise, the witness testimony cannot be reported in this website or discussed by witnesses with others, except for counsel, before or after they testify.

With these limitations in mind, let me say that the case has started with the General Counsel for the NLRB putting on their case in Washington, D.C., through the testimony of various witnesses, including managers of both CNN and TVS, existing CNN employees, and former TVS employees. There have also been thousands of pages of exhibits that have been introduced in the trial with more to come...

Cases of this nature are developed painstakingly by assembling evidence from multiple sources from which reasonable inferences can be made. Think of it as a mosaic. You don't need every single piece to be able to discern a clear and unmistakable picture. To put it differently, "The road to hell is paved with little rocks." Suffice it to say that the pieces are coming together

nicely in our opinion, and in the fullness of time we believe that we will prove the allegations of the complaint.

One side issue deserves some explanation. Mr. Gold, the Regional Director of Region 5, sent a letter dated \_\_\_\_\_, to those former TVS employees that he had contact information for. The letter contained a mistake in that it stated that CNN had a contract with NABET Locals for a number of years. This misstatement has been corrected by Mr. Gold to make clear that it is TVS, not CNN, that signed contracts with the Unions. The Unions have never claimed, and the NLRB has never alleged that CNN had signed the collective bargaining agreements. What the Unions have claimed and the NLRB complaint alleges is that TVS and CNN were so closely intertwined at the Washington, D.C. and New York CNN bureaus that they were acting as "joint employers." We believe that there is ample evidence to support this allegation and it is one of the issues that is being litigated at the trial.

Subpoenas have been issued by both the NLRB and NABET Local 31 seeking documents deemed relevant to the conduct of the trial. CNN has objected to these subpoenas and asked the Administrative Law Judge to quash (*i.e.*, block) portions of the subpoenas. The Administrative Law Judge had refused to grant CNN's motions which, in turn, has led to an appeal to the NLRB. We are confident that this appeal will be denied. If CNN continues to refuse to furnish all documents covered by these subpoenas, the NLRB can go to federal court to seek enforcement of the subpoenas, or it can ask the Administrative Law Judge to make an adverse inference that had the documents been produced that they would contain information damaging to CNN in this case.

The initial phase of the trial will be completed on December 19, 2007. The trial will resume in Washington, D.C., on January 14, 2008, and will continue until all relevant evidence is

heard. I expect that this will take at least until mid-February and perhaps longer. After that, the trial will move to New York for additional evidence. As should be clear, this case is a marathon, not a sprint.

I have been impressed by the hard work that the NLRB trial team has put into the case. Counsel for Locals 31 and 11, and the Sector have pitched in to assist the government's efforts and have participated in the trial. CNN and TVS have deep pockets to hire a bevy of high priced lawyers, but I can say without reservation that the NLRB and NABET have more than held their own. None of this would have been possible without the perseverance and courage of the employees of CNN and TVS who have remained steadfast and resolute throughout this long process.

Happy Holidays!

Sincerely,

J. Carl Mayers  
President Local 31