

STATE OF LOUISIANA
PARISH OF JEFFERSON

8 SEPTEMBER 2010

NOTARIZED AFFIDAVIT

AFFIDAVIT
OF
DANIEL G. ABEL

DANIEL G. ABEL, an attorney licensed to practice in the State of Louisiana and an officer of Its Courts, appeared, was sworn, and testified as follows:

1.

I am Daniel G. Abel, a person of the age of majority, licensed to practice law in the State of Louisiana and admitted to practice within the state and federal courts.

2.

I have personal knowledge of all facts testified to in my affidavit.

3.

I have personal knowledge of certain matters pertaining to Trout Point Lodge which is located in the township of East Kemptville, Province of Nova Scotia, in Atlantic Canada.

4.

I am one of the founders of Trout Point Lodge and have personal knowledge of the false statements made about the lodge by Fox News8, also known as WVUE Television of New Orleans, Louisiana.

5.

On or about 7 January 2010 Ms. Laura Ruiz told me and I verily believed her that there was a newscast on WVUE which falsely accused Trout Point Lodge and its owners of being involved in criminal activities in concert with certain Jefferson Parish Officials and parish contractors.

6.

Later, I witnessed the newscast for myself and knew personally that the accusations made by reporter Val Bracy and others were false.

7.

I was equally concerned that Val Bracy and WVUE were using proprietary photographs of the lodge to make and support their false accusations.

DGA
Daniel G. Abel

8.

Knowing the allegations to be false, I called WVUE and asked to speak with the manager of the station.

9.

I was connected with the Newsroom and spoke to the person in charge at that time.

10.

I told him who I was and explained that Val Bracy and the station were using proprietary property including but not only photographs and information taken from our website for purposes not authorized by Trout Point Lodge.

11.

I told him that I knew that the accusations made by the station about the lodge and its use by Jefferson Parish contractors were false.

12.

I told him that Val Bracy and the station's accusations of criminal activity were not only false but were defamatory *per se* under Louisiana law.

13.

And I gave the station through the news manager a formal request that they cease and desist from broadcasting these false statements and accusations of criminal activities and that the station stop using the lodge's own proprietary property to defame the lodge, its owners, and its managers.

14.

I asked if I needed to speak with their attorneys and was told that if necessary they would contact me.

15.

Sometime later, I received a call from Val Bracy and told her essentially the same thing I had told the newsroom manager.

16.

I told Val Bracy to cease and desist from broadcasting the criminal accusations and from using the proprietary property of the lodge to defame the lodge, its owners, and its management.

17.


Despite being put on notice of the falsity of the accusations that the station and Val Bracy were broadcasting and the notice to cease and desist, the station continued to run her story and excerpts from her story as news on several days that followed.


Daniel G. Abel

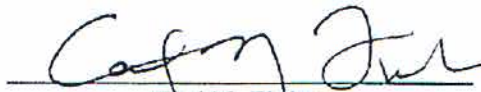
The accusations made by WVUE television and Val Bracy were false and have been proved to be false.

FURTHER THE AFFIANT SAYETH NOT

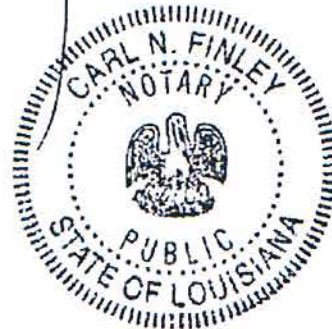
Sworn and subscribed on 9 September 2010.
Metairie, Louisiana 70001



Daniel G. Abel, Affiant
La. Bar No. 8348



Carl N. Finley
Notary Public No. 23074
Life Certification



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