

Direct Email: alasdair.pepper@carter-ruck.com
Direct Fax: 020 7353 5553

Our Ref: AP/DG/13219.5

28 September 2012

By Post and Email: editor@americanthinker.com

Private and Confidential

The Editor
American Thinker
3060 El Cerrito Plaza, #306
El Cerrito, CA 94530
USA

Carter-Ruck

**Urgent
Not for Publication**

Dear Sirs

Mr Nadhmi Auchi

We refer to our letter dated 21 September 2012 (copy enclosed for reference).

We note that the article containing defamatory and false allegations about our client is still accessible on your website. Accordingly, we ask again that you immediately remove the article from your website.

We look forward to receiving your confirmation that you have removed the article. In the meantime, our client's full rights are reserved.

Yours faithfully

Carter-Ruck

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Carter-Ruck Solicitors

6 St Andrew Street
London EC4A 3AE

T 020 7353 5005
F 020 7353 5553
DX 333 Chancery Lane
www.carter-ruck.com

Partners

Andrew Stephenson
Alasdair Pepper
Guy Martin
Nigel Tait
Ruth Collard
Cameron Doley
Claire Gill
Adam Tudor
Isabel Martorell

Partnership Secretary

Helen Burrluck

Authorised and regulated
by the Solicitors Regulation
Authority

SRA No. 44769

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21 September 2012

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Dear Sirs

Mr Nadhmi Auchi

We act for Mr Nadhmi Auchi. We have been instructed by our client in relation to an article entitled "Obama's Chicago Arab-American network comes into focus" by Lee Cary, published on your website from 20 September 2012 at the following address:

http://www.americanthinker.com/blog/2012/09/obamas_chicago_arab-american_network_comes_into_focus.html

The article contains highly defamatory and false allegations in relation to our client, in addition to other inaccuracies. In particular, which list is not exhaustive:

1. It is untrue that our client is in any way involved in terrorist activities, including the supplying or funding of terrorism or, as far as he is aware, on any "terror watch list" or "listed as a terrorist". It is also false that our client has been banned from entering the United States because he is on any such list.
2. It is untrue that our client was "[Tony] Rezko's bag man in Chicago" or "the money man for the whole [Chicago] network".
3. It is untrue that our client has any role in, or other connection with, an alleged "Arab spy ring operating out of Detroit".
4. It is untrue that our client "was involved with [Tony] Rezko in a cross section of Iraqi contract schemes".
5. It is untrue that our client was involved in "health and medical schemes and scams", whether in Chicago or Iraq as alleged, or at all.
6. It is untrue that our client was involved in "corruption" in relation to the reconstruction of Iraq, whether as alleged or at all. Our client is not involved in corruption of any kind.

Furthermore, the article contains hyperlinks, encouraging readers to access further articles containing numerous highly defamatory and false allegations in relation to our client, entitled "From Baghdad to Chicago: Rezko and the Auchi empire"¹ and "The Arab-American network behind Obama"².

¹ <http://illinoispaytoplay.com/2012/03/15/from-baghdad-to-chicago-rezko-and-the-auchi-empire/>
² <http://washingtonexaminer.com/chapter-ix-the-arab-american-network-behind-obama/article/2508425>
PCRI-1010938.2

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The article published at your website, and those to which it links, contain allegations that appear to be derived from allegations previously published in the Guardian and Observer newspapers, and in a 2004 Pentagon Report entitled "Preliminary Findings: Report to the Inspector General into Mobile Telecommunications Licenses in Iraq" (the "Pentagon Report").

Our client took legal action against Guardian News and Media Limited (publisher of the Observer and Guardian) in respect of the six Guardian and Observer articles cited above which were subsequently removed from the Guardian website. The newspaper accepted that the articles contained "some significant inaccuracies". It has also undertaken not to republish them and agreed to pay a substantial sum in relation to costs. In addition, the publisher of the New Statesman has published an apology both on its website (copy enclosed) and in a personal letter to Mr Auchinloss in respect of similar allegations as well as paying Mr Auchinloss substantial damages and his legal costs.

The Pentagon Report itself has been completely discredited, and hence the claims of its author, and a key source of quotes and material in the article complained of, John A. Shaw.

We have received documents relating to the settlement of claims made by Dr Daniel Sudnick against the United States Department of Defence. Dr Sudnick was employed by the US Department of Defence as a Senior Advisor to the Ministry of Communications, Coalition Provisional Authority, between July 2003 and April 2004. The Pentagon Report claimed that Dr Sudnick was the recipient of the alleged bribes from our client and involved in our client's alleged corruption in Iraq. It is clear from the Settlement Agreement between Dr Sudnick and the United States Department of Defence, and the supporting declarations from senior individuals within the US Department of Defence, that these allegations about Dr Sudnick are false. We also understand that Dr Sudnick was re-employed by the Department of Defence in a senior position within the Department of the Navy, as a highly-qualified expert. We further understand that as part of this re-employment his security clearance has been re-activated. In light of the above the Pentagon Report has been discredited and should not be relied upon, including in relation to claims in it which relate to our client and that are repeated in the article published at your website and those to which it links.

Further, our client has reached a favourable settlement with the publisher of The Washington Times over an article that contained allegations about our client deriving from the Pentagon Report. The Washington Times and the author of the article, Bill Gertz, have removed the article from their websites and agreed not to republish it. Furthermore, both the FBI and the Special Inspector General for Iraq Reconstruction of the US Department of Defense have informed The Washington Times that they are unaware of any basis for further investigation or legal action against our client in respect of the allegations that were made against him in the Pentagon Report.

We also refer you to The Los Angeles Times' article "*Pentagon Deputy's Probes in Iraq Weren't Authorized, Officials Say*" published on 7 July 2004³ and to the apologies published to our client in the Financial Times and Mail on Sunday (copies enclosed).

In light of the above, you are requested to cease publishing these false and defamatory allegations about our client by immediately removing them from your website.

You should be aware that our client has lived and worked in England for over 25 years and that your article is likely to have been read by a substantial number of readers in England. Accordingly, in relation to publication of the article in England, it will be subject to English law and the jurisdiction of the court in England.

³ <http://articles.latimes.com/2004/jul/07/world/fg-probe7>
PCRI-1010938.2

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Yours faithfully

Carter-Ruck

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New Statesman

December 2008

Nadhmi Auchi - apology

We recently published links to articles originally published by others which made serious allegations about Nadhmi Auchi. A number of these allegations have now been withdrawn by their original UK publishers on the grounds that they contained significant inaccuracies and we fully accept that to be the case. We should like to offer our sincere apologies to Mr Auchi for any distress he has suffered as a result of our linking to the articles.



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UK

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Correction - Mr Auchi

Published: Jan 03, 2008

Print

An article published by the Financial Times on 11 November 2003 headed "US delays mobile phone contracts to investigate" stated that US authorities in Iraq had launched an investigation into the award of mobile phone operators licenses to enquire into possible corrupt practices. The article further stated that the investigation would focus on the role played by Nadhmi Auchi, an Iraqi-born billionaire, in the awarding of the contracts. The US Government ultimately decided not to pursue the investigation, beyond a preliminary enquiry, as there was no evidence of any wrongdoing on the part of Mr Auchi. We are happy to correct the position and apologise for any misunderstanding.

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Mail on Sunday (London)

October 22, 2006 Sunday

Nadhmi Auchi

SECTION: FB S; Pg. 15

LENGTH: 102 words

On January 9, 2005, we published an article referring to Mr Auchi. We are happy to make clear that Mr Auchi is not linked to Saddam Hussein. He left Iraq in 1980 and has never been back. As to his conviction in France in relation to the 2003 Elf petroleum scandal, Mr Auchi has always denied any wrongdoing and continues to pursue his appeal. We also referred to a Pentagon Report concerning the mobile telephone network contract in Iraq. The Report has since been discredited and Mr Auchi now faces no suspicion of any wrongdoing. We apologise to Mr Auchi for the distress and embarrassment caused by our article.

LOAD-DATE: October 22, 2006

LANGUAGE: ENGLISH

PUBLICATION-TYPE: Newspaper

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