

August 4, 2022

Mr. James Reeves  
523 West Market Street  
Johnson City, TN 37604

Re: WJHL Interviews

Dear Mr. Reeves:

You have made false statements in your interviews with WJHL during your election campaign. These statements must be remedied immediately.

You falsely stated that Ballad Health made contributions to Joe Grandy's campaign. This is simply untrue. Ballad Health is a not-for-profit corporation and is tax exempt under Internal Revenue Code provisions related to its non-profit purpose of providing healthcare services to members of the community. Ballad and its non-profit affiliates do not make political contributions to any candidate. Your unfounded allegations put Ballad at risk as they suggest that Ballad has acted improperly regarding its legal obligations. Such actions would put Ballad's legal status in jeopardy and compromise its work to fulfill its mission. Likewise, you falsely stated that Overmountain Recovery made contributions to Joe Grandy's campaign. You have made "publication" under the law of these statements. *Quality Auto Parts Co. v. Bluff City Buick*, 876 S.W.2d 818 (Tenn.1994). Statements made "with reckless disregard for the truth of the statement or with negligence in failing to ascertain the truth of the statement" can constitute defamation. *Sullivan v. Baptist Mem. Hosp.*, 995 S.W.2d 569 (Tenn.1999). The law focuses on defamatory statements that prejudice a party in its business or trade. *McWhorter v. Barre*, 132 S.W.3d 354 (Tenn. Ct. App. 2003).

Individuals who are local taxpayers have the right to exercise their freedom of expression within the law and to support any candidate whom they choose. Employees of companies across the county support one candidate or another and may do so as they see fit. To suggest that Ballad Health or its non-profit affiliates have taken any position on a candidate, however, is patently false and damaging.

Your statements must be publicly retracted. This letter puts you on notice regarding any false statements you have made, or may contemplate making, against Ballad or any of its affiliates. When an individual refuses to retract a statement after a request or republication

occurs after notice, the law treats this action as evidence of malice. *Morgan v. Dunn & Bradstreet, Inc.*, 421 F.2d 1241 (6th Cir. 1970). Absence of malice may be shown by your retraction of the statement to mitigate injury. *Knoxville Pub. Co. v. Taylor*, 215 S.W.2d 27 (Tenn. Ct. App. 1948).

Be advised that we will undertake appropriate steps to protect Ballard's interests. If your prior statements are not corrected, Ballard may (1) report your actions as misconduct; (2) seek injunctive relief; (3) seek monetary damages; (4) seek reimbursement of attorney's fees; and (5) request damages for injury to reputation and goodwill. You should take action immediately by contacting WJHL and correcting your statements. To be deemed as mitigating, a retraction must be frank, unequivocal, and not mixed with an attempted justification. *Knoxville Pub. Co.*, 215 S.W.2d 27.

We anticipate that this matter will be remedied without need for further action on our part.

Sincerely,

A handwritten signature in blue ink that reads "Andrew Wampler". The signature is fluid and cursive, with a long horizontal stroke at the end.

Andrew Wampler  
Acting General Counsel