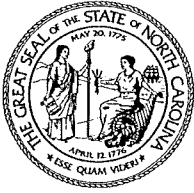


Office of the State Auditor



Beth A. Wood, CPA
State Auditor

2 S. Salisbury Street
20601 Mail Service Center
Raleigh, NC 27699-0601
Telephone: (919) 807-7500
Fax: (919) 807-7647
Internet <http://www.ncauditor.net>

July 18, 2012

Stephen P. Lindsay
Kerstin W. Sutton
90 Eagle Creek Way
Fairview, NC 28730

RE: Notice to Cease and Desist

Dear Mr. Lindsay and Ms. Sutton:

The purpose of this correspondence is to respond to your letter demanding the North Carolina Office of the State Auditor cease and desist publication of the investigative report entitled, *North Carolina Department of Crime Control and Public Safety Division of Alcohol Law Enforcement (INV-2012-3073)*. The investigation into this hotline tip as well as the writing and publication of the report was done according to Article 5A of Chapter 147 of the North Carolina General Statutes and therefore we will not cease and desist the publication of this report. It should additionally be noted that while your demand letter makes allegations of libel and slander the report in question does not mention any individuals' names.

In regard to the public records request made by your client, we believe that numerous requests as articulated by your client are vague and overbroad. Furthermore, we believe that several of your client's public records requests are requesting information that is statutorily privileged and confidential and that otherwise do not fall under the public records law. With that in mind we request that as your client's representative, you rearticulate or clarify exactly what is being asked for in this request so that we may be in a better position to respond to your client's public records request.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Hoegemeyer".

Timothy J. Hoegemeyer, J.D., MPA, CFE
General Counsel
N.C. Office of the State Auditor

cc: Brandon Truman, Assistant Attorney General
N.C. Department of Justice