

Michael W. Tighe
803-404-6900
MikeTighe@callisontighe.com

March 10, 2015

VIA EMAIL - Hogfish182@gmail.com

Mr. Hershel Kirk

Re: Carolina Entertainment Complex

Dear Mr. Kirk:

This firm represents HSGCHG Investments, LLC and Robert D. Hartmann, Sr. and, in that connection, I have received an email which you sent to Ms. Norman and others (except Mr. Hartmann) shown as receiving a copy of this email.

The relevant facts in your email and in the enclosures attached are untrue, scandalous and libelous and should be retracted by you immediately, if you wish possibly to avoid the consequences of spreading libelous statements about an ongoing business.

As matters of fact, I would point out to you the following:

1. Many previous owners and operators of this amphitheater have used the name "Marion Amphitheatre." Mr. Hartmann does not use that name, and has never been an owner, employee or had any other connection with the entity Marion Amphitheatre, LLC, which is described in the litigation and bankruptcy filing enclosed with your communication.
2. Mr. Hartmann does not now live, and has never lived, at 7 Bayberry Drive, East Granby, CT 06026 and, in fact, one of your enclosures shows that residence is occupied by the Guarco family, presumably including a gentleman by that same name who was affiliated with an entity that previously owned the Amphitheater property.
3. If you will examine the public records of Marion County, you will see that Mr. Hartmann's company, HSGCHG Investments, LLC acquired ownership of the amphitheater property in the year 2015. Although he has been trying for some time to acquire this property, Mr. Hartmann was not affiliated with any company which owned the property prior to his acquisition of it in 2015. For your information, he purchased it from Wells Fargo, the bank which had foreclosed the property from its prior owner, Marion Amphitheatre, LLC.
4. Neither Mr. Hartmann nor any of his companies has ever "gone down" for mail fraud.

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5. None of the tax payments which you have referred to in your attachment to your email pertain to Mr. Hartmann or any company which has had an ownership interest. He has never resided at 7 Bayberry Drive, East Granby, CT 06026.

6. There is no record of your having paid a vendor fee to participate in the Swamp Fox Biker Bash 2015, and we are unaware of any state licensing fee which you may have paid in connection with your wish to participate in that event.

I am not sure whether your complete retraction of this scandalous email will preclude legal action against you for publishing it in the first place, but I recommend that you contact an attorney familiar with defamation litigation at your earliest convenience.

With kind regards, I am

Yours very truly,

CALLISON TIGHE & ROBINSON, LLC

Michael W. Tighe

MWT/stb

cc: Mr. Robert D. Hartmann, Sr. (via email)
Dr. Julie M. Norman (via email)

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