

From: Skip Hoagland
Sent: 3/30/2015 1:43:14 PM
To: John Buchanan
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Subject: Re: Question

John I feel some of this does relate and also we need to take into account the state laws and language for how a DMO is supposed to act and invest public funds . We also need to tie in the language and role of a separate cvb not a chamber tied into this which we all already know should be separated like most cities in America . We also need to tie in the fact we have massive IRS tax violations to the 501-c6 tax codes governing a non profit Chamber / CVB/ business league as well as UBIT , that we already know has been blogged by Mick Fleming the president of the ACCE " American Chamber of Commerce executives that Bill miles is a member of and awarded the HHI chamber as Chamber of the year after the blog and assume many conversions with Bill miles and Mick Fleming that caused this alert blog to all Chambers nation wide . Also note I am sure Bill Miles has had conversations with Tom Donahue president of US chamber on all of this . To bad we can't FOIA all records on all this and perhaps with our FOIA victory we will soon . Just another part of the secrecy of Bill miles and these national organizations . I see again a huge IRS whistle blower victory coming , Sc FOIA victory , massive violations to unfair trade , business and competitive practices with damage claims by many local media

and even class actions . I see the entire chamber and cvb nationwide business model forced to go back to its original intent, purpose , mission , charter and bylaws nationwide . Thx

Sent from my iPhone excuse all typos and misspellings

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On Mar 30, 2015, at 7:56 AM, John Buchanan <jtwg50@yahoo.com> wrote:

Here is the SC law that relates to unfair trade and business practices.

[<http://www.scstatehouse.gov/code/t39c005.php>](http://www.scstatehouse.gov/code/t39c005.php)

In order to be able to make a case, you or someone on your behalf must find a part of this that has clearly violated.

Please read through it carefully and see if you think you can find that.

Then we have something.

I will do same today.

If nobody can find a clear violation, there is no case to be made.

Thanks.

John Buchanan

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Sent: Monday, March 30, 2015 7:26 AM
Subject: Re: Question

SKIP: Per the other response I just sent, let's first see if anyone on this e-mail chain even responds -- and if so, with what comment or observation.

If you are planning to pursue an "unfair business/competition" lawsuit, there must be a legal basis for it -- under either federal law, state law, or both.

If you remember, I told you way back that I researched this with the FTC and was told that there is no federal law that prevents a Chamber or CVB from selling advertising. And all of them do, as we all know.

Yes, the IRS 501(c)(6) code SEEMS to be violated, but as all of the six (c)(6) expert lawyers I talked to (including the deans of two major law schools) told me, as you know, "Good luck getting the IRS to go after such politically powerful organizations. It's never going to happen."

Whether Dr. Joe and his team will succeed in that with their big-gun NYC law firms is an open question -- and based on our meeting, I share your confidence that it's possible. But that battle is going to take a long time and would result in the Chambers and VCBs owing back taxes and penalties -- NOT being "banned" from selling advertising.

If you also remember, I spoke to several civil litigators in SC and they also said they know of no basis there for bringing an "unfair business/competition" lawsuit against the Chamber.

Those kinds of actions, and the underlying laws that facilitate them -- just as at the federal level with the FTC -- are consumer-based, not business-to-business based.

So again, in one simple sentence, on what basis do you think you can bring an "unfair business" lawsuit in SC and win?

I'm totally on your side, and everyone this is e-mail thread knows and understands that.

But we need a clear plan, not just your opinion.

Again, I hope someone on this thread will respond -- and prove me WRONG. I would like nothing better than that under the circumstances. Please note I have added Mike Alsko, Lee Edwards and Taylor Smith as CC recipients.