



THE  
VAN WINKLE  
LAW FIRM

11 North Market Street, Asheville, NC 28801  
P.O. Box 7376, Asheville, NC 28802-7376  
TEL 828-258-2991

422 South Main Street, Hendersonville, NC 28792  
TEL 828-697-6196

www.vwlawfirm.com

August 5, 2009

*Terry Bellamy, Mayor*

*Jan Davis, Vice Mayor  
Board and Commissions Committee Chair*

*Robin Cape, Councilmember  
Boards and Commissions Committee*

*Carl Mumpower, Councilmember  
Boards and Commissions Committee*

*Kelly Miller, Councilmember*

*Bill Russell, Councilmember*

*Brownie Newman, Councilmember*

*David Gantt, Chairman  
Buncombe County Board of Commissioners*

*Gary Jackson, City Manager*

*Jerry Young, President  
URTV*

**Re: Follow-up to Meeting with the City Boards and Commission Committee**

Ladies and Gentlemen:

This letter is an effort to respond to your letter of July 20, 2009, addressed to Patricia Garlinghouse, Director of URTV. As you may be aware, our firm has represented URTV for several years and it is our hope that we can resolve the ongoing efforts to discredit the organization.

I would be more than willing to respond to the issues raised in your letter if I could obtain some further clarification. More specifically:

What facts can you provide to substantiate your concern that

- there is an issue with “transparency”?
- URTV policies are applied selectively and in reaction to conflictual circumstances?
- there is a persistent degree of internal turmoil within the organization involving membership, staff, and Board leadership?
- conflict within URTV appears to accelerate into intense and personal adversarial process?
- individuals with criminal backgrounds and/or cautionary fiduciary histories have primary leadership responsibilities within URTV (in this case to whom may you be referring)?
- there have been violations of the open meeting requirements governing URTV's Board actions?
- there is a disenfranchised vocal minority that has a continued stated interest in participating in and upholding URTV (can you identify who these people are)?
- minutes of the Board's meetings (open and closed session) are not always accessible or complete or that notice of meetings are not always provided on a timely and visible basis (can you identify when this occurred)?
- the organization's membership disciplinary/banning procedures appear to have been occasionally applied in abrupt and harsh fashion?
- the contract between the old and new by-laws of the organization seems to indicate other agendas?
- URTV needs to provide a system of consumer information/program identification to enable viewers to filter programming they may find offensive?
- the roles of the various leadership functions need clarification?



I should add that I have reviewed numerous emails containing allegations against individuals associated with URTV which could be related to your concerns, but are for the most part unsubstantiated or illusory and could easily support claims for defamation. It seems that there is a small but vocal minority of individuals who seem to have the goal of controlling the programming on URTV. The latest, which I enclose, illustrates my point. Needless to say I would very much like to resolve these issues.

URTV plays an important role in building community dialogue but must be free to represent every point of view. To this end, I believe it would be most helpful for you to permit Ms. Garlinghouse to meet with you and share the history and purpose of public access. I would also be willing to contact the Washington, D.C. attorneys who have expertise in this area and arrange for them to respond to any legal questions you may have concerning the rights and responsibilities of public access media. Finally, I would be willing to assist in implementing any suggestions you have which would provide you the assurances that you are seeking.

Sincerely,

  
Michelle Rippon



## Michelle Rippon

---

**From:** Jonathon Czarny [jonathon@urtv.org]  
**Sent:** Wednesday, August 05, 2009 2:45 PM  
**To:** Michelle Rippon  
**Subject:** FW: This is actually a friendly message, Jonathon

---

**From:** WNCMtnLiving@aol.com [mailto:WNCMtnLiving@aol.com]  
**Sent:** Thursday, July 30, 2009 10:01 AM  
**To:** Jonathon Czarny  
**Subject:** This is actually a friendly message, Jonathon

Good morning, Jonathon!

By now, I am sure you know who I am but this is Alan Rosenthal. I'm asking that you keep our email and, perhaps face to face, conversations to yourself. I can not control that but read further and you'll understand the benefit of doing so.

In my research I have followed your short career. As far as I have seen, you have a motor vehicle violation in your past, nothing of any concern to anyone.

I read about your activities at UNCA, all good. No one has anything negative to say about you over there.

Even your work at URTV is commendable, notwithstanding Garlinghouse, Chiaromonte and now Iway the Weapons of Mass Death Guy. I watched an interview you did with Lemuria. While Lemuria is a criminal and an idiot, you presented yourself professionally which made that interview kind of surreal.

So, I write all that to say that, if it were not for the company you keep (and the Mad Monk Awards decision with Weapons of Mass Death guy), I would be a fan. I think you have the chops to do good work. I think you are destroying your career at URTV.

There is a path to a more fruitful pasture and a positive career move. I would like to begin a conversation with you. Please think about it. Again, please keep this to yourself.

Contact me when you want to and we'll get a cup of coffee, shake hands and move forward. Use a non-URTV email addy if you can so we can have privacy.

All the best,

Alan Rosenthal

---

[Hot Deals at Dell on Popular Laptops perfect for Back to School](#)