

June 5, 2019

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VIA EMAIL & U.S. MAIL

Congressional Leadership Fund
Attn: Mr. Dan Conston
1747 Pennsylvania Ave. NW, 5th Floor
Washington, DC 20006
dconston@theclf.org

Re: Congressional Leadership Fund's Attacks on Double Time Capital

Dear Mr. Conston,

We are counsel to Double Time Capital, a North Carolina company that raises private capital to invest in solar farms across the state. Double Time Capital's work helps create good-paying jobs. These jobs create a more clean, more efficient, and sustainable economy.

In the last week, the Congressional Leadership Fund ("**CLF**") has made multiple false and defamatory statements regarding Double Time Capital. These include but are not limited to a post on your website titled, "McCready Outsourced Jobs to China, Endangered NC's Power Grid," see <https://www.congressionalleadershipfund.org/blog/mccready-outsourced-jobs-to-china-endangered-n-c-s-power-grid/>, and several social media posts. Your accusation of the risk to national security is a common feature in your posts.

Your statements appear to be based on a Fox News story published on its website on May 28, 2019. We are putting you on notice that the Fox News story includes multiple inaccuracies, specifically regarding Double Time Capital's relationship with Strata Solar. Fox News has been made aware, in writing, of these inaccuracies. You may not rely on what Fox News advances as factual representations or statements of fact in its story.

Moreover, even if the Fox News story were accurate, it does not support the claims that CLF has made on its website and in its social media posts. On its website, CLF claimed that "[t]he investigation [by Fox News] also shows that McCready's company opened America's energy infrastructure to '*major national security threats*,' by *exclusively using cheap Chinese inverters from Huawei ...*" *Id.* And on social media, CLF has asserted that McCready "used dodgy parts at his solar plants that 11 U.S.

Senators said are a grave risk to national security”¹ and “@McCreadyForNC’s companies built their solar farms using inverters exclusively from a Chinese conglomerate.”²

All of these statements are false. The Fox News story supports none of them. The Fox News story does not claim that *Double Time Capital* used Chinese inverters from Huawei. Instead, it alleges that a *different company*, Strata Solar, later entered into an agreement with Huawei to supply string inverters for *other* developments having no connection whatsoever to Double Time Capital. Double Time Capital has not invested in and owns no part of Strata Solar.

Here are the facts: not one of the solar farms receiving investments from Double Time Capital utilizes Huawei inverters; Double Time Capital does not build or operate solar farms and has never had any role whatsoever in the design, engineering, or equipment selection for any solar farm. Further, the equipment procurement for all projects in which Double Time Capital invested was completed before Huawei even began selling its inverters in the United States in late 2016. By attributing the purported actions of a different company to Double Time Capital without any factual basis—and by using that claim to argue that Double Time Capital is endangering our nation’s security—you have falsely and deliberately defamed Double Time Capital.

Similarly, you have repeatedly stated that Double Time Capital has outsourced jobs to China. On your website, you quote your spokesman Calvin Moore’s assertion that “records show that [McCready’s] own businesses profited handily off shipping jobs to China” and, on social media, you have repeated this claim.³ On social media, CLF claimed that “@McCreadyForNC outsourced jobs to China.”⁴ Here are the facts: Double Time Capital has not outsourced a single job. And, again, your purported source for the claim—the Fox News story—does not support your assertion.

The statements described above are demonstrably false, harm Double Time Capital’s business reputation, and constitute precisely the type of common law ill-will and malicious intent to harm that North Carolina law does not countenance. Because the factual claims underpinning CLF’s statements are false and damage the reputation of Double Time Capital, we insist that the Congressional Leadership Fund retract in full the statements described above.

We make this demand in accordance with North Carolina General Statute 99-1. We demand that you immediately retract the post from your website and any of your social media properties or accounts where it appears. We also demand that you

¹ <https://twitter.com/CLFSuperPAC/status/1133402133456412672>

² https://twitter.com/CalvinMoore_/status/1133357017022832641

³ <https://www.congressionalleadershipfund.org/blog/mccready-outsourced-jobs-to-china-endangered-n-c-s-power-grid/>

⁴ <https://twitter.com/CLFSuperPAC/status/1133362634470907904>

immediately publish a statement on your website and on your social media channels, in a place of equal prominence to the original post, acknowledging that the claims are false and that you disseminate this statement to any persons to whom you distributed the original post. Further, we demand that Congressional Leadership Fund preserve all notes, recordings, and information in its possession on which it relied in publishing the post at issue, or which it contends support any truth in the statements regarding Double Time Capital the post contains.

As required by North Carolina law, please contact me immediately to inform me that you have taken these corrective steps. My contact information appears above.

Sincerely,

ROBINSON, BRADSHAW & HINSON, P.A.

A handwritten signature in black ink that reads "John R. Wester". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.

John R. Wester

Cc: Double Time Capital