

KASOWITZ BENSON TORRES LLP

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WASHINGTON DC

September 16, 2020

BY EMAIL

Signatories (listed in Exhibit A hereto) to
September 9, 2020 Letter to “Colleagues”
Stanford Medical School
291 Campus Drive
Li Ka Shing Building
Stanford, CA 94305-5101

Dear Signatories to the September 9 Letter:

We represent Dr. Scott Atlas. In your September 9, 2020 letter to “Colleagues,” which has attracted (as you know and no doubt intended), widespread media attention, you state, among other things, that Dr. Atlas has “fostered” “falsehoods and misrepresentations of science.”

In fact, it is your letter and that statement which are abjectly false. The easily accessible public record, had you bothered to check it, is clear that Dr. Atlas has not in any way “fostered” any “falsehoods” or “misrepresentations.” In fact, the views he has expressed are consistent with the five statements which you assert in your letter are “currently supported” by the “preponderance of data” and which you falsely imply our client has lied about. And, any disagreement you claim to have about testing is not with Dr. Atlas, but with the entire Coronavirus Task Force, which, as you also know, includes Dr. Fauci, Dr. Redfield, Dr. Birx, and Dr. Giroir, all of whom unanimously approved the testing guidelines before the CDC, under the direction of Dr. Redfield, issued them.

Accordingly, your letter, which you wrote and sent with no regard for the truth, maliciously defames Dr. Atlas. *See, e.g., Competitive Enterprise Inst. v. Mann*, 150 A. 3d 1213, 1243 (D.C. 2016), *as amended* (Dec. 13, 2018), *cert. den.*, 589 U.S. ____ (2019) (“defamatory statements [in articles about climate change] that are personal attacks on an individual [scientist]’s honesty and integrity and assert or imply that [he] engaged in professional misconduct and deceit . . . , if false, do not enjoy constitutional protection,” even though they “related to a matter of public concern”).

We therefore demand that you immediately issue a press release withdrawing your letter and that you contact every media outlet worldwide that has reported on it to request an

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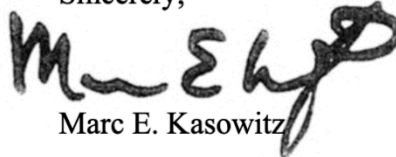
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immediate correction of the record. If you do not provide us by the close of business on Friday, September 18, 2020, with satisfactory written proof that you have done so, we will take all necessary and appropriate measures to enforce our client's rights, seek compensatory and punitive damages for the harm you have caused, and vindicate his reputation in court.

Dr. Atlas reserves all of his rights and waives none.

Sincerely,

A handwritten signature in black ink, appearing to read "M. E. Kasowitz", with a stylized flourish at the end.

Marc E. Kasowitz