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VIA FACSIMILE (703-739-0775)Katherine Lauderdale, Esq.
Senior Vice President & General Counsel
PBS
1320 Braddock Place
Alexandria, VA 22314

Dear Ms. Lauderdale:

My clients received the enclosed letter from Bill Moyers today. Mr. Moyers appears to view the issue as one of equal time. As he sees it, he simply gave Mr. Bouton a forum. We see it differently.

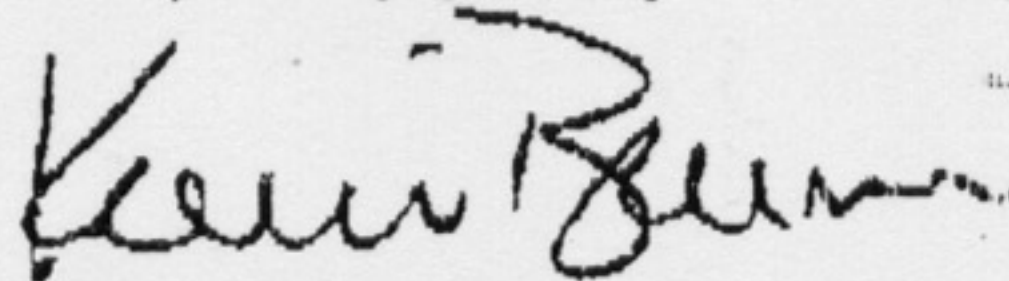
As I noted in my initial letter, Mr. Moyers did not simply conduct an interview. He put together a magazine piece with a lengthy introduction in which he endorsed the accuracy of Mr. Bouton's account, and then he wrote a separate column on the subject. If he had simply asked neutral questions and elicited answers, without endorsing the answers and writing a column reasserting their truth, we would have a different case—although even then I would have thought Mr. Moyers would have done a little basic checking so that he could ask more thoughtful questions. No one is asking that an interviewer "seek comment in advance" of an interview, but it is not too much to ask that an interviewer who has read a self-serving book by one participant in a public controversy make some effort in advance of the interview to learn the other side's position. Certainly one would expect that before the interviewer affirmatively embraces the author's charges, urges people to buy the book, and then writes his own column giving those charges even more prominence.

I had a chance over the weekend to read Mr. Bouton's book more carefully, and I was struck by the fact that the most serious charge that Mr. Moyers trumpeted in his column did not even surface in the book—that the Eagle was trying to avoid liability for an environmental cleanup. As I read the book, Mr. Bouton leveled such a charge against General Electric, but not at the Eagle and its owners.

Offering equal time is not the fair response to a broadcast and a column that lacked any semblance of fairness. The appropriate response is to take responsibility for the mistakes that were made and to set the record straight. I enclose a proposed retraction that accomplishes that. I ask that Mr. Moyers read such a retraction on the air, and that PBS make it available on its web site.

I am available to discuss this matter with you, but ask that it be addressed immediately. Thank you.

Very truly yours,



Kevin T. Baine

cc: Mr. Bill Moyers (via facsimile—212-560-1314)

RETRACTION

Recently I did an interview with Jim Bouton and a column about a new book of his that dealt with a controversy over a proposal to build a new baseball stadium in Pittsfield, Massachusetts. Mr. Bouton had some pretty strong words to say about the local newspaper, the *Berkshire Eagle*, and its owner, MediaNews Group. And I must say that I accepted Mr. Bouton's account pretty much as he delivered it. I shouldn't have. It turns out it was wrong in several important respects.

First, the *Berkshire Eagle* and its owners had nothing to gain from this proposal. In response to a request from the city's Mayor, they generously offered to contribute \$2 million in cash plus a one-acre piece of land—seeking nothing in return other than naming rights to the stadium.

Second, the land the *Eagle* was offering to contribute had no known pollution problem. The *Eagle* was not trying to escape liability for an environmental cleanup. The land that did have a pollution problem—relatively minor, it turns out—was land that was purchased for the project with some of the \$2 million contributed by the *Eagle's* owners.

Third, the proposal would not have cost the taxpayers \$18.5 million, as we reported. The project was to be funded through a combination of private contributions, state funds, and revenue bonds—with no local taxpayer funds.

So it turns out that the *Eagle* editorialized in favor of a new stadium, and that its owners offered to contribute over \$2 million to the project. But there is no evidence of any greed or corruption on the newspaper's part—just a good old-fashioned local argument about the pros and cons of a new baseball stadium.

We should have checked all of this out more carefully before we did our piece on the Pittsfield stadium project, and we regret the errors.