

February 8

Dear LCMS Board of Directors Member,

In the name of Jesus, greetings.

Again, we are writing to you and every member of the LCMS Board of Directors concerning events that have transpired since our January 17 email to you regarding the trademark "Issues, Etc."

Shortly before our last email, we approached Ron Schultz through Southern Illinois District President Herb Mueller, and offered to meet with Mr. Schultz without attorneys present. Mr. Schultz refused, stating that he had been advised by LCMS legal counsel that he should not meet with us without counsel present.

On January 30, the attorney for the LCMS BoD sent a letter to our attorney, acknowledging our email January 17 to each of you, and urging us to meet with him and Mr. Schultz sometime early in February.

On February 6, while still considering that request, we were contacted by President Mueller again, this time acting on a request from Sherri Strand, Chief Legal Counsel for the LCMS.

In an email addressed to us, Sherri Strand, Ron Schultz and Tom Polcyn, President Mueller urged both sides to meet, with legal counsel present, and attempt to resolve the dispute over the "Issues, Etc." trademark.

After careful consideration, we must decline to meet with Ron Schultz and LCMS legal counsel at this time. We believe that you, as a member of the LCMS BoD, should be fully informed of our reasons. We also plan to publicly inform our listeners of our current situation and of these reasons. They are as follows:

- 1) The LCMS BoD still actively opposes Harry Madsen's trademark application for the "Issues, Etc." name. We have no authority or standing in that dispute.
- 2) The LCMS BoD still threatens to take legal action against us personally. We will not enter into any negotiation under the threat of a lawsuit.
- 3) The LCMS BoD proposes nothing new, and what they have proposed before (the "Trademark Assignment and License Back") remains unacceptable on several points. We will not concede that LCMS owns the "Issues, Etc." trademark. We will not ask Mr. Madsen to abandon his trademark application. And, we will not sign away our First Amendment or Seventh Amendment rights.

If the BoD offers another proposal that does not include any of these egregious demands, or others like them, we will consider a meeting.

- 4) Finally, the meeting that LCMS legal counsel is requesting would be costly. We prefer to spend our donors' money on the broadcast of the Gospel, not on lawyers. Again, we have offered, and continue to offer to meet with Mr. Schultz without attorneys present.

As some of you may have already realized, the easiest, cheapest and smartest way to resolve this situation would be for the LCMS BoD to withdraw its Letter of Opposition to Mr. Madsen's trademark application, and withdraw its threat of legal action against us.

That would immediately end this entire dispute, cost nothing, and achieve the BoD's stated goal to "*help bring the recent programming issues to a positive conclusion.*"

Wir sind alle Bettler,

Todd Wilken, host
Issues, Etc.

Jeff Schwarz, producer
Issues, Etc.