

To:

-Elizabeth Chilton, Trip Shumate, and Susan Shumate, officers of the Daily Gazette Co.;
-Richard M. Adams, Chairman of the Board and Chief Executive Officer of the United Bank.

Cc: U.S. Bankruptcy Judge Frank Volk

Re: Pending auction of the Charleston Gazette-Mail; “highest and best” bid acceptance

Dear Elizabeth Chilton, Trip Shumate, Susan Shumate and Richard M. Adams:

We, the undersigned, were deeply dismayed to learn of the bankruptcy and pending auction of the Charleston Gazette-Mail.

The Charleston Gazette-Mail has served as not just the newspaper of Charleston, but as a publication for all of West Virginia. Losing the Charleston Gazette-Mail will be a terrible blow to a state that’s already reeling under the influence of special interest money in elections and political leaders beholden to those interests.

The reporters and editors at the Charleston Gazette-Mail exhibit excellent journalistic integrity, covering complex issues from multiple angles. In the paper’s pages, we hear from the workers, not just the bosses. We hear from the underprivileged, union representatives, budget analysts, environmentalists, social justice activists, and people concerned about public health, not just the well-heeled and well connected.

The Charleston Gazette-Mail has been a leading exemplar of the social importance of the Fourth Estate. As a February 2 article in the New York Times notes, “For decades, The Charleston Gazette-Mail in West Virginia has exposed corruption, greed and incompetence with a tenacity that was rewarded last year with journalism’s highest honor, a Pulitzer Prize.” (See www.nytimes.com/2018/02/02/business/media/west-virginia-newspaper-charleston.html)

It is vital that the new ownership of the Charleston Gazette-Mail fosters the continuation of the paper’s tradition of investigative reporting. It is vital that the new ownership protects the jobs of the current reporting and editing staff. We believe that investigative journalism plays a vital role in protecting and serving societal needs.

We understand that, under certain circumstances, bankruptcy court proceedings allow debtors to accept a closing auction bid that is not necessarily the highest bid, but rather the “highest and best” bid, if that bid contains fewer contingencies and/or provides certain values, such as the retention of existing employees and protecting societal needs. (See “Highest Dollar Bid Not Always the Best,” www.egsllp.com/BermanNYLJArticle.PDF, published June 27, 2011, in the New York Law Journal.)

We implore you to ascertain whether such circumstance could apply in this case, should the highest bid come from a media company that has demonstrated a lack of journalistic integrity, a

disregard for the First Amendment to the United States Constitution, a refusal or inability to carry out investigative journalism, and/or a propensity to not publish letters and opinion pieces from readers who do not concur with the company's editorial stances.

It is our observation that the Ogden Newspaper-owned publications (Ogden's Wheeling Newspapers is the current high-bidder for the Charleston Gazette-Mail) have poorly served both sides of the issues important to the West Virginia communities where they are published. In addition, the Ogden-owned papers reportedly do not maintain a well-staffed newsroom. A well-staffed newsroom is critical for robust coverage of public affairs.

We also encourage you to pursue alternative options for future of the Charleston Gazette-Mail, namely an ESOP, an employee stock ownership plan.

As corporate influence over politics increases—eroding the checks and balances each branch of government is supposed to bring to bear on the other branches—the role of the Fourth Estate takes on greater importance to societal health. Strong investigative journalism is essential to the future of West Virginia. Please bear that in mind as you accept the final bid for the Charleston Gazette-Mail, an institution that has long served West Virginia.

Sincerely,

863 individuals (see attached pages)