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February 25, 2010

VIA HAND DELIVERY

Mr. Scott E. Thomas  
District Attorney  
302 Broad Street  
New Bern, NC 28560

RE: Investigation Request – Possible Compromise of Town Electronic  
Communications; Alleged Electronic Recordings in Town Hall;  
and Possible Disclosure of Personnel Records

Dear Scott:

At the direction of the Town of Oriental, and in my capacity as Town Attorney, I have been directed to request an investigation from your office of the following matters:

1. Allegations that someone without authority accessed the Town's electronic email accounts.
2. Allegations that someone without authority used one or more computers in the Town Hall offices to publish Town information on a private website.
3. Allegations that a public official or Town employee released a copy of a personnel record without authority to do so.
4. Claims by Tony Tharp, the owner of a local news website, that he received an audio and video recording of a closed Town meeting that was called to discuss sensitive personnel matters. This matter now appears to be a hoax, but given the seriousness of the claims, and the public policy concerns raised by the claims, the Town believes that the only way to ensure the privacy of closed Town meetings is to investigate this matter.
5. Allegations that someone without authority caused a computer located in the Town Hall offices to record the ambient sound and any conversations in the office for prolonged periods of time, and that the recordings are presently archived on a Town computer.

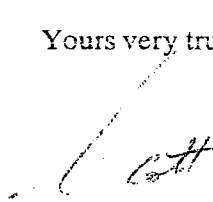
The Town has performed a preliminary investigation with respect to several of the aforementioned matters, and will be happy to share with you all of the information that it has collected.

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The sole purpose of this request is to satisfy the Town's legal obligations, and not to make any allegations against any specific person or Town employee. The Town's hope is that the foregoing matters prove to be nothing more than misunderstandings or miscommunications. Please feel free to contact my office, or Mr. Bill Sage, the Mayor of Oriental, to assist in coordinating anything you require of the Town and the Board.

Kindest regards.

Yours very truly,

A handwritten signature in black ink, appearing to read "MSD", is written over a faint, dotted line that serves as a guide for the signature's placement.

MICHAEL SCOTT DAVIS

MSD:pdg

xc: Mayor William Sage  
Members of the Board of Commissioners