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February 24, 2020

Sent Via Certified U.S. Mail and Email

ESE Parent Advisory Committee
c/o Mr. Stephen Furnari, Esquire
712 S. Ocean Shore Blvd.
Flagler Beach, Florida 32136-3602

RE: Cease and Desist with the dissemination of false allegations related to Dr. Earl Johnson, Jr.

Please be advised by this letter that this firm represents the interest of Dr. Earl Johnson, Jr. in reference to the above styled matter. It has been brought to my attention that the ESE Parent Advisory Committee which you chair has made serious allegations against my client as it relates to his fitness to lead Flagler County Schools as superintendent. Your report indicates that Dr. Johnson was either complicit with, or negligent of the sexual harassment complaints alleged against Dr. Terrence Culver and therefore Dr. Johnson should be disqualified from consideration for the superintendent position. Your report states that EPAC members unlike CAP members performed extensive research beyond Dr. Johnson's resume to reach the conclusion that Dr. Johnson is unqualified. Of the three local candidates that you regarded "problematic" you blatantly presented falsehoods within the public square that you know to be false or should have known to be false as it relates to Dr. Johnson and you have allowed that information to be disseminated in the press.

You alleged that Dr. Johnson failed as supervisor, particularly with respect to the management of Dr. Terrence Culver and that through the entire course of Dr. Johnson's tenure in his current position complaints were made by staff to the district about Dr. Culver that were not addressed sufficiently and or instructors quit or transferred to other schools to avoid abuse. You go on to state that when the details related to Dr. Culver's alleged behavior and Dr. Johnson's ignorance or complicity as supervisor are revealed there will be public outrage that will undermine Johnson's effectiveness to lead. Had you performed a simple public record request you would have discovered that Dr. Johnson was hired by Flagler County in June 2015 as a principal and served in that capacity until June 2017. You would have realized that as a colleague of Dr. Culver, Dr. Johnson would not have supervised Dr. Culver's performance or responded to any complaint related to his conduct until he was employed as the Executive Director of Leadership and Operations in 2017. It is outrageous and irresponsible that you would

make such claims without a slither of evidence to support any wrongdoing on the part of Dr. Johnson.

Had you conducted extensive research outside of Dr. Johnson's resume as you claim, you would have realized that at the time Dr. Johnson was hired as the Executive Director of Leadership and Operations there was no active investigation of Dr. Culver ongoing. Had you conducted extensive research outside of Dr. Johnson's resume as you claim, you would have learned that in his current position only one complaint against Dr. Culver was made and that issue was addressed immediately to the satisfaction of the complainant. Had you conducted extensive research outside of Dr. Johnson's resume as you claim, you would have realized that every allegation related to Dr. Culver's conduct with the exception of one—which had nothing to do with sexual harassment—occurred under the supervision of Dr. Johnson's predecessors. I find it hard to believe that in your critique of the candidates your committee's extensive research failed to uncover this easily discoverable information. Your failure to accurately recite the record forces us to question the true motives for opposing Dr. Johnson's consideration as a candidate for superintendent.

Dr. Johnson is a well-respected and credentialed member of this community with thirty-one (31) years of service in Volusia and Flagler County Schools combined. The spreading of this inaccurate and malicious information has a great potential of causing damage to Dr. Johnson's personal and professional reputation. As you should be aware, under the laws of the State of Florida, specifically Chapter 836 Florida Statute it is unlawful for an individual to make deliberate, unfounded statements with the intent of harming an individual's reputation. Dr. Johnson demands that you immediately cease and desist with the distribution of this grossly false and malicious information that you have posted on social media platforms as well as provided for publication to the news media as it relates to Dr. Johnson's supervision and investigation of Dr. Terrence Culver. Please allow this letter to serve as a pre-suit letter requesting that you provide us written confirmation within five (5) days of your receipt of this letter that you will cease and desist from issuing further inaccurate statements and that the statements which have been made regarding this matter will be corrected by you in the same manner and means by which you besmirched Dr. Johnson.

If we have not received an affirmative response from you indicating that you have complied with Dr. Johnson's request, he will consider taking any and all legal action available to him to rectify this situation.

PLEASE GOVERN YOURSELF ACCORDINGLY

Sincerely,



Steven R. Robinson

cc Dr. Earl Johnson, Jr. johnsone@flaglerschools.com

Chair Mrs. Janet McDonald McDonaldj@flaglerschools.com
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