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RICHARD E. COATES

October 20, 2020

Mr. David Ayres  
WNZF  
1 News Place  
St. Augustine, FL 32086

VIA EMAIL: [david@flaglerbroadcasting.com](mailto:david@flaglerbroadcasting.com)

Re: Cease and Desist – False Radio Advertisement by Alan Lowe

Dear Mr. Ayres:

I represent Mayor Milissa Holland. Your station is currently airing a political advertisement placed by candidate Alan Lowe.

The advertisement falsely claims that Mayor Holland's administration is under current investigation by FDLE, the Florida Attorney General's office and the FBI. As reported by Flagler Live, all such claims are false.

Additionally, Mayor Holland categorically denies the truthfulness of Mr. Lowe's advertisement. As a licensee, your station has the overriding duty "to protect the public from false, misleading or deceptive advertising." Licensee Responsibility With Respect to the Broadcast of False, Misleading or Deceptive Advertising, 74 F.C.C.2d 623 (1961); see also WCHS-AMTV Corp., 4 FCC 2d 376 (1966) (reminding licensees "of their duty to protect the public from false, misleading or deceptive advertising"); In Re Application of Westinghouse Broadcasting Co., 40 F.C.C.2d 1045 (1973) (same). Because the advertisement sponsored by the Republican Party of Florida contains false, misleading or deceptive statements, you can and you should pull it from the airwaves.

For these reasons, your station should immediately refuse to disseminate this advertisement and deny any future sale of time for its dissemination. Knowing that the sponsor of the advertisement is deceiving the public, your station, consistent with its overriding duty to protect the public from false, misleading or deceptive advertising, should exercise its authority to refuse to disseminate it.

Sincerely,



Richard E. Coates