

PATENTS,
TRADEMARKS,
COPYRIGHTS
AND RELATED MATTERS

LAW OFFICES
FERENCE & ASSOCIATES LLC
409 BROAD STREET
PITTSBURGH, PENNSYLVANIA 15143
WWW.FERENCELAW.COM

TELEPHONE
(412) 741-8400
FACSIMILE
(412) 741-9292

April 28, 2015

**URGENT COMMUNICATION REQUIRING IMMEDIATE ACTION
NOTICE TO CEASE AND DESIST**

VIA Electronic Mail Delivery
And U.S. Mail Certified Return Receipt

Dahn Shaulis <dahnshaulis@gmail.com>
PO Box 632
Rancocas, NJ 08073-0632

Dear Mr. Shaulis:

My name is Brian Malkin and I am the legal counsel for Victory Media, Inc. (“Victory Media). I am writing to you because you seem to be confused about Victory Media’s background and the services that it provides to veterans and their families. Your recently published and unsubstantiated allegations of misconduct against Victory Media have a negative impact on the military community collectively served by Victory Media and yourself. As a fellow veteran, Victory Media implores you to read the facts below and take corrective action.

The founders of Victory Media left the Navy in the late ’90s only to discover a lack of good resources to help them transition into civilian careers. The government’s Transition Assistance (TAP) Program was around then, but limited in scope. The co-founders knew there was an opportunity to create cutting edge, civilian-produced resources for the hundreds of thousands of people who leave military service each year—and to create a more efficient way for schools and employers to reach this group of talented candidates.

In 2001, Victory Media was founded, launching G.I. Jobs®, its flagship brand, as a monthly print magazine and website. Today, Victory Media is a veteran-owned, rapidly-growing, privately held and financially strong business headquartered in Pittsburgh with 75 full-time professionals. Approximately one-third of Victory’s current employees are military veterans, spouses or grew up in a military household.

Victory Media’s Military Friendly® designations and ratings, now in their 12th year for Employers and 6th year for Schools, provide rigorous, data-driven guidance to service members, veterans and their families on which companies and educators employ leading industry practices in support of military candidates and prospective students.

Mr Shaulis
April 28, 2015
Page 2 of 3

The Military Friendly® Schools list, of which you have raised allegations of unethical conduct, is created annually from an analysis of responses to approximately 100 survey questions that Victory Media and its independent academic advisory board, comprised of academic leaders in their fields, have determined represent best practices to successfully attract and support military students on campus. The Military Friendly® methodology and survey process are independently tested each year by Ernst & Young LLP, a global auditing, accounting and advisory firm.

The Military Friendly® Schools survey is delivered as a free service, along with qualifying schools' right to use the basic Military Friendly® Schools logo, and to receive a basic listing in our annual *Guide to Military Friendly® Schools* and our online Schools Matchmaker tool. A complete description of our ratings methodology and complimentary services can be found at MilitaryFriendly.com/FAQ.

Against these facts, I am concerned that you have published certain inaccurate and unchecked information in an irresponsible fashion. My client advises that you posted several Linked-In and Twitter posts that are factually incorrect. Regrettably, you have also taken it upon yourself to write to at least one member of the Victory Media advisory board urging that member to resign alleging that Victory Media is involved in wrongdoing related to government contracts. This allegation is patently false and constitutes slander as a matter of law.

While Victory Media is pleased that you are interested in its services, Victory Media must insist that you refrain from posting, publishing, and otherwise publicizing factually incorrect information. Your unfounded claims of wrongdoing hurt the military community and those collectively served by Victory Media. **We ask that you immediately remove all related postings within social media services and cease and desist all activities related to this matter within 24 hours of receipt of this correspondence.**

Allow this letter to place you on notice that Victory Media will take any and all legal measures necessary to protect its good name and reputation. Please understand that this letter is not intended to act as a waiver of any legal rights or remedies that Victory might possess but rather is a good faith effort on the part of Victory Media to resolve this matter without additional legal proceedings.

Mr Shaulis
April 28, 2015
Page 3 of 3

On behalf of Victory Media, I thank you for your time and understanding. Should you have any questions about your legal rights in this matter, please consult with legal counsel.

Wishing you all the best,

A handwritten signature in black ink that reads "Brian Samuel Malkin". The signature is written in a cursive style with a large initial "B".

Brian Samuel Malkin
Legal counsel for Victory Media, Inc.