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November 6, 2008

Daniel C. Kogovsek, Esq.  
Pueblo County Attorney's Office  
215 W. 10<sup>th</sup> Street, Room 312  
Pueblo, CO 81003

**RE: Your letter dated October 14, 2008**

Dear Mr. Kogovsek:

This firm is in receipt of your letter dated October 14, 2008. In it you stated a belief that I misinterpreted the Sheriff's earlier correspondence and provided a copy of a clarification letter sent to you by the Sheriff, which was dated October 10, 2008.

The Sheriff's earlier correspondence dated September 22, 2008 contained an order that the Fraternal Order of Police (F.O.P.) not only pledge to refrain from exercising its own freedom of assembly and free speech rights but also to refrain from using any communication networks to do so. Your letter in response suggests that I and the F.O.P. misinterpreted it and that this was not the intended message. While the Sheriff's correspondence did not appear to us as being so ambiguous that it could create such a misunderstanding, we are willing to hear the Sheriff out as to the specifics of how exactly we misconstrued his message.

On behalf of the F.O.P. we therefore request that the Sheriff clarify what specific portions of his September 22, 2008 correspondence were ambiguous and outline a more plain statement of steps he is ordering the F.O.P. to undertake as well as what F.O.P. acts he is seeking to prohibit. We believe this is necessary so that our members in Lodge 7 may exercise their constitutional rights without concerns for violating policy and potentially being subjected to disciplinary proceedings. The Sheriff's October 10, 2008 letter only serves to confuse the issues, and we therefore request adequate clarification.

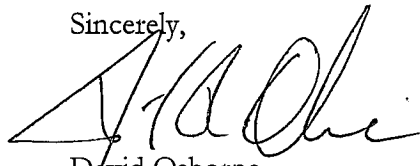
While we appreciate that the Sheriff is able to pinpoint the various constitutional rights held by our members, what we are concerned about is whether the Sheriff is willing to uphold those rights in light of his proposed policy. As we set forth in our original letter, it

seemed apparent that the Sheriff's policy contravened the freedom of assembly and free speech rights of our F.O.P. members. We therefore offer this chance for the Sheriff to clarify his demands to the F.O.P. organization and outline the activities that he seeks to forbid.

It is our utmost belief that the relations between the F.O.P. and the County of Pueblo can be very strong, especially because the interests of both organizations are mutual. Unfortunately, the Sheriff's September 22, 2008 correspondence appeared to assume that the relationship between his office and the F.O.P. was a direct conflict, a zero-sum game. That belief is not shared by our organization.

As a result, we look forward to your response on the clarification issues outline above.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Osborne', written over a horizontal line.

David Osborne  
General Counsel, Colorado F.O.P.

CC: Mike Violette  
Executive Director  
Colorado F.O.P. State Labor Council

Frank Gale  
President  
Colorado F.O.P. State Lodge