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August 17, 2016

**Via Email (skatteraw@yahoo.com)
and First Class Mail**

Patrick Welch
910 M Street, NW #1130
Washington, DC 2001-6337

**Re: Request for Preservation of Evidence Relating to Alexandria Corporate Park
and Threatened Litigation**

Dear Mr. Welch:

This law firm represents B&B Realty Investments, LLC ("Realty Investments"), B&B Alexandria Corporate Park, LLC ("ACP"), B&B Alexandria Corporate Park Management, LLC ("ACP Property Manager") (collectively "B&B Realty"), and individuals David H. Bralove ("Bralove") and Richard W. Brown ("Brown"), (collectively the "Former Defendants"), who were all named as defendants in a recently dismissed lawsuit that was brought against them in Montgomery County Maryland Circuit Court by B&B Alexandria Corporate Park TICs 3 – 6 and Welch Family Limited Partnership Ten ("Former Plaintiffs") (Case No. V421480).

It appears to us that you have had communications with, and/or provided information to Craig Nelsen concerning the Alexandria Corporate Park Investment ("ACP Investment") and the Former Plaintiffs' complaints about the Former Defendants' management of the ACP Property. Mr. Nelsen has published a lengthy writing on the website ffinalysis.com advocating, among other things, for commencement of litigation against Bralove and Brown, and providing false and misleading legal advice to the public. Mr. Nelsen's website claims that Alexandria Corporate Park Tenants in Common ("ACP TICs") have viable claims for breach of fiduciary duties against Bralove and Brown; however he is not qualified to draw such a conclusion and his legal analysis is completely wrong. Mr. Nelsen's website also makes numerous defamatory statements about Bralove and Brown that are harming their reputations. Mr. Nelsen expressly states that his investigation and publication is motivated by his "hatred of predators like . . . Bralove, and Brown" Mr. Nelsen also appears to be attempting to solicit a group of prospective plaintiffs to commence new litigation against Bralove and Brown related to the ACP Investment.

In his publication, Mr. Nelsen states that he is not an attorney but, “became interested in this particular case through [his] friendship with the *son of one of the TIC owners.*” (Emphasis added). The TIC 34 Purchase Agreement has been uploaded to the “Appendix” on the site. TIC 34 is owned by at least one of your father’s Welch Family entities, and you are the only son of a TIC owner we are aware of that may plausibly be providing Mr. Nelsen the type of information that appears in his publications. His defamatory remarks echo many of the complaints made by the Former Plaintiffs in the Maryland litigation, which you are aware of as evidenced by your attendance at the June 23, 2016 hearing on the Former Defendants’ Motion to Dissolve the May 12, 2016 Attachment Order. Your involvement in these activities has necessitated the Former Defendants’ issuance of this Preservation Request.

It is our expectation that you are in possession of electronic and other evidence relating to Alexandria Corporate Park (“ACP”), the allegations made by the Former Plaintiffs against the Former Defendants and the information and solicitation published by Mr. Nelsen on ffinalysis.com. The purpose of this letter is to advise you that you have an obligation to preserve hard copy, electronic and other evidence that may be subject to discovery in any future litigation related to ACP, or litigation incited by, or brought in response to, Mr. Nelsen’s publications (“Anticipated Litigation”). We encourage you to consult a lawyer concerning your obligations in response to this Preservation Request.

Electronically stored information is an important and irreplaceable source of discovery in litigation. The laws and rules prohibiting the destruction of evidence apply to electronically stored information in the same manner as they do to other evidence. Due to its format, electronically stored information is easily modified, deleted, or corrupted. As such, you are required to take every reasonable step to preserve such information until the final resolution of the Anticipated Litigation.

Please ensure that all electronic data and related information, *e.g.*, system usage logs, on any computer, device, tablet, smart phone or media in your possession or control, including personal or other computers or media used by you that may contain electronic information that relates to this matter, is preserved immediately in its native format. The electronic data to be preserved includes, but is not limited to: all originals and copies of e-mail; text messages; activity listings of e-mail receipts and transmittals; voice mail; audio or video recordings of any kind; output resulting from the use of any software program, including word processing documents, spreadsheets or presentations; database files, charts, graphs, and outlines; operating systems; source code of all types; TIF files; batch files; ASCII files; and all miscellaneous electronic files and file fragments, regardless of the media on which they are stored or whether the data resides in an active file, deleted file, file fragment. It also includes all information stored by third party web based storage services (*e.g.* Dropbox), cloud-based storage, hard disks, floppy disks, CD-ROM disks, USB memory sticks, Bernoulli disks, and their equivalents, magnetic tapes of all kinds, and computer chips (including EPROM, PROM, RAM, and ROM), in addition to the files, folder tabs, containers, and labels appended to any storage device containing electronic data.

You have an affirmative obligation under the law to take immediate steps to protect against the destruction of any evidence relevant to the Anticipated Litigation or that is otherwise likely to be subject to discovery. The discovery requests in the Anticipated Litigation will seek information about any computer and communications systems, including, iPhones, iPads, Blackberries, smart phones, and other PDAs, including any personal or third-party computers, devices, removable electronic media, and their location(s). Specific categories of information that should be preserved include:

1. All communications with Craig Nelsen, or any other person affiliated with ffinalysis.com or representing Mr. Nelsen.
2. All communications with any ACP TICs related to Mr. Nelsen's publications, ACP or the Former Plaintiffs' claims against the Former Defendants.
3. All documents related to any communications between you and Kenneth Welch, or any other member of the Welch family, related to Mr. Nelsen's publications, ACP or the Former Plaintiffs' claims against the Former Defendants.
4. All documents related to any communications between you and Anthony Kritt, Todd Lewis, Benny Kass or any other person related to Mr. Nelsen's publications, ACP or the Former Plaintiffs' claims against the Former Defendants.
5. All web based and social media publications made by you related to any of the information that appears in Mr. Nelsen's publications, ACP or the Former Plaintiffs' claims against the Former Defendants.

With respect to emails and text message communications, your preservation should include all sent items, deleted items, drafts and archives. We further request that you not:

1. Initiate any procedures that would alter any active, deleted, or fragmented electronic data related to the Anticipated Litigation. Such procedures would include deleting or attempting to delete any electronic information, saving newly created files to disks that already contain information, loading new software on such disks, or running data compression or defragmentation (optimization) routines on them.
2. Rotate, alter, or destroy any media that stores electronic data where such activity could result in the alteration or loss of any electronic data related to the Anticipated Litigation.
3. Dispose of any media that contains electronic data related to the Anticipated Litigation.

Any automatic deletion feature or document destruction policy or practice that you may have, whether through Outlook or otherwise, should be suspended immediately (if it already has not been suspended), and should remain suspended until these matters are resolved. Any question concerning the relevance of any document or data to the Anticipated Litigation should be resolved in favor of preservation and retention.

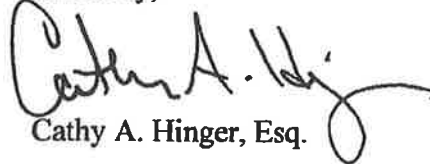
We similarly request that you preserve, and not destroy, all related non-electronically stored evidence including, but not limited to, any written correspondence, agreements, working papers, memoranda, studies, reports, notes, diaries, journals, phone logs, invoices, proposals, spreadsheets and any other documents regarding ACP, the Former Plaintiffs' claims against the Former Defendants, or your relationship and communications with Mr. Nelsen.

If we should discover that appropriate steps have not been taken to preserve this crucial data that is lost as a result, we will seek appropriate relief from the court, including sanctions, in the Anticipated Litigation.

Please provide a copy of this letter to any person who may be in control of any media on which electronic information may be stored, or other evidence, relating to the Anticipated Litigation, including your employers, assistants or any other person who controls or has access to your documents or electronic data. If you should have any questions regarding this matter, please call me, and if you are represented by counsel with respect to these matters, please forward this letter to your counsel and have your lawyer identify themselves to me so that we may correspond with your counsel, to the extent necessary, in the future.

Finally, we encourage you to cease communicating with Mr. Nelsen about ACP or our clients. He has nothing to do with the Former Plaintiffs' dismissed claims against the Former Defendants, he was not an investor, his rhetoric is defamatory and causing harm to Bralove, Brown and B&B Realty, and his professed "hatred" of our clients is exceptionally troubling, especially given the vitriolic expressions of hatred he posts on other sites.¹ Any continued collusion by you with Mr. Nelsen to harm the reputations of our clients will be construed in the Anticipated Litigation as evidence of intentionality and malice.

Sincerely,



Cathy A. Hinger, Esq.

cc: Todd Lewis, Esq.
Benny Kass, Esq.
Christopher Jones, Esq.
David Bralove
Richard Brown

¹ See e.g. www.craignelsen.com/fundamentalator/gate.php; or twitter.com/ravishahuja/status/751432560060862466.