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December 27, 2018

Jim Sweeney  
Dunes Action Co-founder

In re: special prosecutor appointment, Dunes

Dear Mr. Sweeney,

I have struggled with this case. Personally, I see great value in historic preservation. However, when I first received the materials on this case, I did not see how the allegations fit the infraction offense. Please keep in mind, that as a prosecutor, the only issue is whether there is a violation to be charged.

I have reviewed this case several times since my appointment, trying to see if the allegations might show a violation. They do not. I also visited the site to see if a personal viewing would change my perspective. It did not, and in fact, strengthened a decision not to file the charge.

I am sure this is disappointing news to you and your group. Yet the decision needs to be made, and I regret to inform you that I will not file the infraction offense.

Yours,

A handwritten signature in black ink, appearing to read "David O. Thomas".

David O. Thomas, Senior Prosecutor

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