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April 15, 2004

VIA CERT. MAIL - R.R.R.  
and REGULAR MAIL

Yahoo! Inc.  
Custodian of Records  
701 First Avenue  
Sunnyvale, California 94089

Dear Madam/Sir:

This firm represents The Galaxy Towers Condominium Association, the corporate entity authorized and empowered to govern, administer, and operate The Galaxy Towers Condominium, a mixed-use condominium, consisting of 1,075 residential units and a retail mall, located in Guttenberg, New Jersey.

The Board of Directors of the Association has known for some time that a unit owner or group of unit owners at The Galaxy Towers has maintained and moderated a YahooGroups bulletin board, known as "GalaxyFacts", with the web page address of <http://groups.yahoo.com/group/GalaxyFacts>. The group alleges that it is a private forum for Galaxy residents. Membership in the group is apparently conditioned upon the approval of the moderator or moderators. The criteria for becoming a member is not clear.

The Board has become aware of the increasing vitriol permitted on GalaxyFacts' message boards in the form of messages and cartoons that cross the line of fair debate and opinion, and

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become defamation of the Board of Directors, collectively and individually, and of the Association's General Manager, professionals and contractors. One recently posted cartoon in particular clearly and unambiguously accuses the Board of receiving graft from municipal officials and from a major real estate developer. A copy of that cartoon is enclosed. The Board has no fair opportunity to respond or demand a retraction within the closed GalaxyFacts group.

The Board of Directors and this law firm believe that GalaxyFacts and its moderator or moderators, by allowing this cartoon to be posted, have violated the Terms of Service provisions of YahooGroups, specifically paragraph (a), which prohibits the

upload, post, e-mail, transmit or otherwise  
make available any Content that is unlawful,  
harmful, threatening, abusive, harassing,  
tortious, defamatory, vulgar, obscene,  
libelous, invasive of another's privacy,  
hateful, or racially, ethnically or otherwise  
objectionable

The enclosed cartoon constitutes harassment and defamation of the Association's Board of Directors, collectively and individually, and tortiously interferes with the ability of that Board to govern the Association. The Association demands that YahooGroups provide us with the names and addresses of the moderator or moderators of GalaxyFacts and of the person or persons who posted the offending cartoon on the group's message board. On receipt of the requested information, we intend to demand an immediate and unequivocal retraction of the defamatory posting.

The Association further demands that YahooGroups notify the GalaxyFacts moderator or moderators of this complaint and that it

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direct those moderators to cease permitting postings of a libelous, harassing or tortious nature, and that it shut down GalaxyFacts if postings of that nature continue to be permitted.

Very truly yours,

BUCKALEW FRIZZELL & CREVINA

  
Robert J. Buckalew

RJB:bb

Enclosure

cc Susan Fitzpatrick [for dist. to Board]