

HANSEN, JACOBSON, TELLER, HOBERMAN,
NEWMAN, WARREN & RICHMAN, L.L.P.

ATTORNEYS AT LAW

STEWART S. BROOKMAN
JOHN M. FARRELL
DANIEL S. FOX
THOMAS HANSEN
JASON P. HENDLER
THOMAS H. HOBERMAN
CRAIG A. JACOBSON
ADAM KALLER

BARRY G. LITTMAN
JOHN V. MEIGS, JR.
JEANNE NEWMAN
KENNETH M. RICHMAN
SAM E. ROGOWAY
TARA A. SENIOR
DONALD W. STEELE
WALTER S. TELLER
STEPHEN P. WARREN

VIA EMAIL

January 7, 2010

Michael Meath
President
Strategic Communications, LLC
3532 James Street, Suite 106
Syracuse, NY 13206

Re: **"Extreme Makeover: Home Edition" / National Oilheat Research Alliance (NORA)**

Dear Mr. Meath:

Further to our several conversations over the past few weeks, please accept this letter as our formal response, on behalf of my client Lock and Key Productions (producer of "Extreme Makeover: Home Edition"), to John Huber's September 30, 2009 letter to Demitrius Moore and Anthony Dominici. This letter also responds to your client's letter to ABC (which ABC has referred to our client as the production entity for this television series).

First, I want to convey that our client values NORA's input and insights.

Second, without acknowledging any obligation on the part of our client to do so, I wanted to advise you and NORA of the steps that our client is prepared to take (and has already undertaken) in response:

1. As we have discussed, our client is in the process of re-editing the episode (for purposes of repeat network and cable exhibitions) to remove and/or alter certain segments to take into account the concerns raised by NORA. In particular, the statement made by Ty Pennington that is quoted in Mr. Huber's September 30 letter is being removed from the repeat version.
2. On a prospective basis, while our client cannot make any specific commitment, they are willing to consider in good faith, based on the needs of future episodes that have not yet been cast, the potential of working with the oilheat industry, in the event that our client casts a family/household that has an existing oilheat system that may be in need of an upgrade. In such event, our client is open to contacting NORA and/or other trade groups about one or more of such groups making themselves available to provide its expertise in the oilheat arena. Such discussions, should the opportunity arise, might include the possibility of NORA (or a constituent

Michael Meath
Page 2
January 7, 2010

member of NORA) furnishing an oilheat system to be installed in such house. As we've discussed, "Extreme Makeover: Home Edition" is an extremely difficult show to cast, and there are certainly no guarantees that a future episode will feature a family with an existing but deficient oilheat system; however, should such an occasion arise, our client is willing to be in touch.

As a formal legal matter, I must say that the foregoing is not intended as a complete recitation of our client's or ABC's position, nor should anything contained herein, or any of our other communications, be construed as an admission of liability or any obligation on the part of our client or ABC.

Thank you for your patience during the time that we have been working with our client and ABC to construct this response and reach consensus regarding the steps outlined above.

Sincerely,



John M. Farrell
JF:as

cc: Anthony Dominici
Rob Day
Jeanne Kazumi Petrone
David Cohen/ABC
Jeanne Newman
(all via email)