

GIBSON, DUNN & CRUTCHER LLP

LAWYERS

A REGISTERED LIMITED LIABILITY PARTNERSHIP
INCLUDING PROFESSIONAL CORPORATIONS

2029 Century Park East Los Angeles, California 90067-3026

(310) 552-8500

www.gibsondunn.com

SEdelman@gibsondunn.com

May 14, 2009

Direct Dial
(310) 557-8061

Fax No.
(310) 557-7061

Client No.
[22695-00040]

VIA E-MAIL AND FED-EX

Mr. Fredrik Gertten
Ms. Margarete Jangård
Mr. Bart Simpson
WG Film AB
Västergatan 23
SE-211 21 Malmö, Sweden
E-mail: film@wgfilm.com

Dear Mr. Gertten, Ms. Jangård, and Mr. Simpson:

As of this date we have received no response from you or your production company, WG Film AB, to our letter of May 8, 2009, whereby we formally notified you of the numerous and glaringly false, defamatory statements of purported fact concerning our client, Dole Food Company, Inc., and certain of its current and former officers and employees, incorporated in your documentary film *Bananas!*^{*} and the promotional materials associated with it.¹ Nor, to our knowledge, has there been any action taken by you with respect to our demands that you immediately cease and desist making false, defamatory statements about Dole Food Company, Inc. and its former or current officers or employees in connection with the film *Bananas!*^{*}, remove any false statements of fact currently published on the promotional website for the film *Bananas!*^{*}, and/or in any other promotional material, and immediately publish, in a conspicuous manner on the film's promotional website, <http://www.bananasthemovie.com/>, an unequivocal and conspicuous retraction of those false statements.

¹ We have enclosed an additional copy of our May 8, 2009 letter, with attachments, for your convenience.

GIBSON, DUNN & CRUTCHER LLP

May 8, 2009

Page 2

As you are undoubtedly aware, since the date of our letter, Michael Axline of the law firm of Miller, Axline and Sawyer—the law firm that was co-counsel with Mr. Dominguez and that is prominently featured in your film—has also written to you raising concerns about the factual inaccuracy of *Bananas!** and the substance of your campaign to promote it.² We would expect that this unanimity of concern regarding the patently false, defamatory allegations of purported fact set forth in your film, and accompanying promotional materials, would at the very least give pause to someone who, through his publicist, touts himself as one of “Sweden’s pre-eminent documentarians and investigative journalists.”

I have been in contact with the Los Angeles Film Festival’s counsel and have provided him with information about the recent proceedings and rulings in the Los Angeles Superior Court that demonstrate the false and defamatory statements of fact contained in *Bananas!** I am forwarding to you those same materials³ so that you also may evaluate them. We fully expect that after reviewing the materials, the Los Angeles Film Festival will decide not to show the film, and expect that once you have reviewed them you, too, will decide to do the same.

This film is a high priority for my client and I will call you to discuss it with you at the

///
///
///

² A copy of this letter is enclosed for your convenience. Also enclosed is a copy of a recent press accounts relating to the April rulings made by Los Angeles Superior Court Judge Victoria G. Chaney in connection with the Nicaraguan DBCP litigation that is the subject of the film *Bananas!**

³ In addition to the other materials you have received, I have enclosed copies of the transcripts of proceedings held on April 21, 2009 and April 23, 2009. The proceedings held on April 22, 2009 were closed to the public in light of grave concerns about the safety of witnesses who agreed to offer testimony about the fraud being perpetrated by plaintiffs’ and their counsel. The transcript of those proceedings is thus sealed and subject to a protective order, and as a result I am unable to provide it to you. In addition, I have enclosed with this letter a copy of the May 8, 2009 transcript of proceedings in which Judge Chaney, after reviewing the trailer for the film *Bananas!** commented on the record about a number of its obvious factual inaccuracies. I have also enclosed our most recent press packet, which includes a May 13, 2009 *Wall Street Journal* editorial, entitled a “Blatant Extortion,” which identifies the Nicaraguan DBCP cases dismissed by Judge Chaney as prime examples of “the ‘torts-for-imports’ business, whereby U.S. tort lawyers travel abroad, join with local lawyers to manufacture claims, and then engage in client recruitment practices that are blatantly illegal in the U.S.,” and champions Judge Chaney’s dismissal of these fraudulent cases as a “welcome act of legal hygiene.”

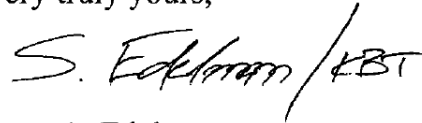
GIBSON, DUNN & CRUTCHER LLP

May 8, 2009

Page 3

earliest opportunity. Of course, please feel free to call me at (310) 557-8061.

Very truly yours,

A handwritten signature in black ink, appearing to read "S. Edelman / KBT". The signature is written in a cursive, somewhat stylized font.

Scott A. Edelman

cc:

Daniel Boone, Esq.

Duane Miller, Esq.

Juan J. Dominguez, Esq.

Independent Television Service (ITVS)

David Magdael & Associates – Los Angeles

Michael Donaldson, Esq.

Attachment(s)