

July 1, 2009

Dawn Hudson  
Executive Director  
Film Independent  
Los Angeles CA

Dear Dawn Hudson and Film Independent Board of Directors:

RE: Subpoena from Gibson, Dunn & Crutcher LLP dated 13. June 2009

We wanted to express our thanks to you for showing our film *BANANAS!\** at the recent Los Angeles Film Festival. As we were all under pressure amidst the controversy, we were pleased that you went ahead and screened the film.

We now understand that Dole Food has subpoenaed Film Independent for business records pertaining to our film *Bananas!\**. We respectfully urge you to reject this act of blatant intimidation, and ask you to please not assist Dole Foods and their legal representatives in attacking our film and filmmaking team.

To cede to the demands of the subpoena without fighting them would truly hurt the integrity of the organization as a supporter of the independent filmmaker, and of free speech. Further, this could very well set a dangerous precedent in how outside parties handle legal actions toward films presented at the Los Angeles Film Festival and films associated with Film Independent.

As you know Dole attacked the film early on without seeing it. As more professionals and general audiences were able to view the film, many saw Dole's counter campaign antics clearly as the intimidation tactics that they were and continue to be.

Between both our organization and yours, we collectively have strong contacts in the global, independent production community, and we intend to rally this support for our cause. We would like to talk with you at your earliest opportunity on how we can work together in fighting this subpoena.

Thank you for all your support, and we look forward to moving ahead together to stop these unwarranted attacks on us the filmmakers, and on Film Independent.

Sincerely,



Fredrik Gertten