



Elliott Benjamin, LL.B, LL.M  
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February 12, 2016

**VIA E-MAIL AND OVERNIGHT COURIER**

Thunder's Place  
15184 West Saint John Road  
Phoenix, Arizona 85308  
E-Mail: [thunderss1@cox.net](mailto:thunderss1@cox.net)

CloudFare, Inc.  
101 Townsend Street  
San Francisco, California 94107

CloudFare, Inc.  
Legal Department  
665 3<sup>rd</sup> Street, Suite 207  
San Francisco, California 94107

**Re: Dr. James Elist**

Dear Sir or Madam:

This law firm represents Dr. James Elist and James J. Elist, M.D., a medical corporation in connection with disparaging and misleading comments about him posted by one of your members identified as "txhog" under the heading "My Elist Implant Experience" on the penis enlargement forum on thundersplace.org (the "Website").

You have permitted these inaccurate and negative postings to appear on the Website without seeking to verify the veracity of their contents.

The negative posting on the Website has resulted in significant damage to our client's business, which can be directly attributed to the false, misleading, erroneous and untruthful information disseminated by the author through the Website.

Dr. Elist is an urologist and an upstanding member of the medical community, who is held in high regard by other members of the profession and his patients. The derogatory statements

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regarding him on the Website (which appear each time Dr. Elist's name is searched on the Internet), have damaged his reputation and as a result his practice.

It is clear that the disparaging statements were knowingly made by the author with the intent to harm our client's reputation and damage his business, by personally attacking his professionalism, character, honesty and integrity.

As mentioned above, our client has suffered business losses as a result of the fictitious, untruthful and defamatory statements appearing on the Website with reckless disregard for the inaccuracy of such statements.

Your dissemination of the false misinformation concerning Dr. Elist has discouraged and continues to deter prospective and current patients from using Dr. Elist's services.

Consequently, on behalf of our client, we hereby demand that (1) you immediately remove the negative content posted by your member "txhog", together with all related threads and postings, from the Website, (2) thundersplace.org immediately cease and desist from any further derogatory postings of any kind about Dr. Elist, (3) you immediately provide us with the name and contact information of the user posting such disparaging comments, and (4) you post an announcement in a conspicuous place on the Website acknowledging that the defamatory statements have been removed due to your inability to verify their accuracy.

Failure to comply with the foregoing demands will leave our client with no alternative but to take action and seek all legal remedies available to him.

Nothing contained in this letter is intended to waive any of our client's rights at law or in equity, all of which are hereby expressly reserved.

Very truly yours,

A handwritten signature in blue ink, appearing to read "E. Benjamin", enclosed within a blue oval scribble.

ELLIOTT BENJAMIN, LL.B, LL.M  
Partner