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Mr. Roger Ailes  
Chairman and CEO, Fox News Channel  
1211 Avenue of the Americas  
15th Floor  
New York, NY USA 10036

Dear Mr. Ailes:

### **Why Did Fox News Rehabilitate a Communist Terrorist?**

The “Kelly File” treatment of communist terrorist Bill Ayers by your correspondent Megyn Kelly was more of an audition than an interview. As my associate, America’s Survival TV producer Jerry Kenney says, the result was “ratings-driven entertainment TV masquerading as news.” It had the effect of rehabilitating Ayers for a national television audience, making him out to be a mere “radical” supposedly opposed to a murderous Vietnam War rather than the Communist terrorist with foreign connections to North Vietnam and Cuba that he was.

Fox News made Ayers into a “respectable” figure safe from criminal charges. In this charm offensive, he appeared jovial, even friendly.

“You sound like – with respect – Osama bin Laden,” Kelly said to Ayers. With respect? There is no respect due to this terrorist.

Ayers is an advocate of a foreign ideology that the *Black Book of Communism* says has killed about 100 million people. This basic point was never made on the show by Kelly or Dinesh D’Souza, who “debated” him. Instead, Ayers was allowed to claim he was in the tradition of the anti-slavery and civil rights movements. In fact, communism is still the largest system of slavery in the world today. But there wasn’t one question about the slavery that Ayers and his ilk brought to Vietnam and other countries in the world.

## **Ayers Smeared FBI Informant Larry Grathwohl**

Ayers smeared by name the late FBI informant Larry Grathwohl, a Vietnam veteran, as a liar who was in the SDS, not the Weather Underground, an off-shoot from the SDS. There is no question about Grathwohl infiltrating the Weather Underground. In fact, the Weather Underground put out a “Wanted” posted on Grathwohl because of his successful penetration of the organization. Grathwohl was a Vietnam Veteran hero who fought the communists here and abroad and testified truthfully under oath about the roles of Ayers and his wife, fellow Communist terrorist Bernardine Dohrn, in the 1970 bombing murder of San Francisco Police Sergeant Brian V. McDonnell.

The original testimony about this bombing came during a hearing by the Senate Internal Security Subcommittee on October 18, 1974. On that date, Grathwohl testified at length on his penetration of the Weather Underground and how he learned firsthand of its violent aims on America.

Under questioning from the panel’s veteran counsel J.G. “Jay” Sourwine, Grathwohl testified that with the Weathermen, “it was no longer a question of changing the system from within. It was to destroy the system, completely destroy it, and that is what they said the first time I met them, and that is what they said the last time I was with them.”

Grathwohl also testified about a specific bombing:

“When he [Bill Ayers] returned, we had another meeting at which time—and this is the only time that any Weathermen told me about something that someone else had done—and Bill started off telling us about the need to raise the level of the struggle and for stronger leadership inside the Weathermen ‘focals’ [cells] and inside the Weatherman organization as a whole. And [what] he cited as one of the real problems was that someone like Bernardine Dohrn had to plan, develop and carry out the bombing of the police station in San Francisco, and he specifically named her as the person that committed that act.”

Grathwohl added that Ayers “said that the bomb was placed on the window ledge and he described the kind of bomb that was used to the extent of saying what kind of shrapnel was used in it.” The bomb used heavy metal staples as shrapnel.

He was asked, “Did he say who placed the bomb on the window ledge?” He replied, “Bernardine Dohrn.”

Asked if Ayers said that he had personally witnessed Dohrn placing the bomb, Grathwohl responded, “Well, if he wasn’t there to see it, somebody who was there told him about it, because he stated it very emphatically.”

Grathwohl described another case of Ayers involvement in bomb-making:

“One of my assignments was Detroit, Michigan, and I arrived there in late January of 1970. Shortly after my arrival I was assigned to a cell with four other people and during the meeting with Bill Ayers we were told that our objective would be to place bombs at the Detroit Police Officers Association (DPOA Building) and at the 13th precinct. Furthermore Bill instructed us to determine the best time to place these explosive devices that would result in the greatest number of deaths and injuries. He also directed that the bombs should be set to go off at the same time.

“While we were gathering information regarding these two targets I noted that the DPOA building was a converted single-family brownstone that had been built prior to World War II. A walkway along the side of the building went from the main street to an alley in the back. Next to the DPOA building there was a Red Barn restaurant which was a new structure designed as a fast food outlet. This location was in a predominantly black neighborhood which meant that most of the customers in this Red Barn restaurant were black. After a week of information gathering we had another meeting with Bill Ayers and at this time I suggested to Bill that if we placed the bomb in the walkway between these two buildings the DPOA building would suffer little if any damage while the Red Barn restaurant would most likely be destroyed. I also concluded that customers in that restaurant would die.

“Bill Ayers responded by telling me, ‘sometimes innocent people have to die in a revolution.’ I was shocked. I couldn’t believe that a person who had so eloquently spoke of the black liberation movement could be so callous when it was obvious that the resulting explosion would kill many of the people he claimed to be so concerned about.”

Larry Grathwohl said about Ayers and Dohrn: “They saw themselves as part of an international revolution with connections in Cuba, China and North Vietnam. They believed they were going to be part of a revolution that would cause the collapse of the United States. Plans for the creation of camps for “re-educating” Americans—and the elimination of 25 million people—were discussed with the belief that protecting the NEW order from a counter-revolution justified wholesale murder.”

These foreign connections were not just alleged by Grathwohl; they were documented by the FBI in a section of the FBI file on the organization found on the FBI website. The section is titled “Foreign Influence – Weather Underground Organization (WUO) – and documents travel by members of the group to Cuba and North Vietnam. My group, America’s Survival, Inc. released an additional 17 pages of official material on the foreign connections of the Weather Underground, including Weather Underground member Kathy Boudin’s travel to Moscow and her funding by the Russian government.

A true patriot, Larry had joined the Army in 1964, wanting to go to jump school and be assigned to the 101st Airborne Division. He got his wish, was assigned to the 2/502

Infantry and sent to Vietnam in July of 1965. After completing his tour he was assigned to Ft. Knox, Kentucky, and became a drill instructor. Later, he worked in various private sector jobs.

Tina Trent, who helped Larry re-publish his book, wrote after his death, "Larry was a sweet and decent and very wise man. He risked his life to protect us from murderous adolescent Marxists like Bill Ayers and Bernardine Dohrn. Doubtlessly there would be family members of police and soldiers who would be without their loved ones tonight if Larry had not infiltrated the Weather Underground and exposed their crimes."

Larry's daughter, Lindsay, is outraged over the lies told about her father on the Fox News Channel. She has a right to be upset. Why wasn't she on the air to defend her father? Fox News owes Larry Grathwohl a tribute, not lies and smears.

### **Fox News Sets the Stage for Presidential Pardons**

The Ayers appearance on Fox News is a terrible precedent which constitutes the rehabilitation of a communist terrorist, setting the stage for President Obama to use his pardon power to release some of Ayers' comrades from prison. Indeed, Weather Underground terrorist Linda Evans, who was pardoned by President Clinton and released from prison, recently spoke at a pro-Castro event in Washington, D.C. and talked openly of a campaign to get other terrorists released from prison.

In fact, Obama's Attorney General Eric Holder was deputy attorney general in the Clinton administration and was involved in pardons for members of the Puerto Rican FALN and the Weather Underground, including Evans. Under Obama, the Holder Justice Department granted early release to Weather Underground terrorist Marilyn Buck.

This campaign was also evident in a January 12, 2012, New York Times Magazine article advocating the release of Judith Clark from prison. A member of the Weather Underground and its May 19 Communist Organization spin-off, Clark was involved in a terrorist assault that left Nyack, New York Police Sgt. Edward O'Grady, Patrolman Waverly Brown and Brinks guard Peter Paige dead.

David Gilbert of the Weather Underground is still in prison for his involvement in the Brinks robbery and still completely committed to communism.

The far-left is also asking President Obama to grant clemency to Leonard Peltier, an American Indian activist who was convicted of the execution-style murders of FBI Special Agents Jack Coler and Ronald Williams.

### **Falsely Depicting Ayers As An "Anti-War" Activist**

In terms of the substance of the show, Kelly claimed Ayers was "deeply offended by the Vietnam War," a claim that is demonstrably false. What he was "offended by" was

American involvement to help save South Vietnam from an invasion by the Communist North. She would later claim his bombings were “to protest the Vietnam War.” Wrong again. Ayers was-- and still is – a Marxist revolutionary. He was pro-war from the start. He wanted the communists to win.

As we reported in our exclusive report on a Weather Underground bomb factory discovered in San Francisco, FBI agents found dozens of copies of Marxist-Leninist books and pamphlets in the bomb factory, but they did not locate any “anti-war” literature. Again, the point is that Ayers and Dohrn were not anti-war activists. They were communist revolutionaries dedicated to the destruction of America and its allies. Their ideology has never changed.

Mr. Ailes, Ayers is a communist, not a “radical” who was opposed to war.

Over 58,000 brave Americans gave their lives to keep South Vietnam free from communism. Fox News gave communist Bill Ayers, a supporter of the North Vietnamese Communists, an opportunity – over and over again – to smear those American soldiers.

The distinguished German journalist, Uwe Siemon-Netto, a former Vietnam correspondent, has written a book, *Du’c: A reporter’s love for the wounded people of Vietnam*, which notes the death toll was 58,272 American, 4,407 South Korean, 487 Australian, 351 Thai and 37 New Zealand soldiers.

Siemon-Netto’s book also notes:

- The hundreds of thousands of men, women, and children massacred by the communists in villages and cities, especially Hue.
- The hundreds of thousands of South Vietnamese soldiers and officials who were executed, tortured or imprisoned after the end of the war.
- The millions who were driven from their country and the hundreds of thousands who drowned in the process.

The Black Book of Communism puts the number of dead at the hands of the communists in Vietnam and Cambodia at three million.

Ayers and Dohrn helped bring that about. The communist “war of liberation,” as Ayers and Dohrn called it, brought no liberation.

### **Kelly’s Legal Analysis Was Flawed**

Kelly also conveyed a false impression of the legal nature of the proceedings involving Ayers and his wife Bernardine Dohrn, leading viewers to think that there is no way prosecutors today could bring murder charges against the pair and that the case against them was botched by the FBI. In fact, the Park Station bombing murder case, involving the death of San Francisco Police Sergeant Brian V. McDonnell, can still be pursued by

federal law enforcement authorities, acting in concert with state and local officials. There is no statute of limitations on murder.

The Biennial Report (2007-2008) of the California Department of Justice reported:

“In 2000, the SFPD [San Francisco Police Department] reopened its investigation into the bombing of the Park Police Station and requested investigative assistance from the DOJ. The DOJ’s Bureau of Forensic Services was also assigned to identify a latent print collected from the original crime scene.”

A law enforcement entity called the Phoenix Task Force was established to examine the case.

Megyn Kelly could have performed a real public service by researching the conduct or course of this investigation. But the “Kelly File” failed to break new ground. Instead, it treated the investigation as dormant, or impossible to conduct, based on alleged FBI misconduct. That is not true, as former FBI agent William Reagan tried to tell Kelly in a brief follow-up segment featuring former law enforcement personnel.

In the brief interview with the former law enforcement personnel who investigated the Weather Underground, former FBI agent William Reagan tried to bring up the Park Station bombing case and was cut off. Here is a partial transcript:

Kelly: Willie, why couldn’t the case be made against these two?

Reagan: if you’re talking about...Which case?

Kelly: Why are they free? ...Why couldn’t the prosecutors prosecute them?

Reagan: Okay, there are two cases that they took a good look at. One was the Park Station case in San Francisco. A lot of effort was put into that case. There were a lot of eyewitnesses that described people who bore a resemblance to people who allegedly cased the place.

Kelly: But bottom line it for us, sir, with respect, cause we don’t have a lot of time so bottom line it for us. Why couldn’t the prosecutor make a case against Bernardine Dohrn and Bill Ayers? We were told it was FBI misconduct.

Reagan: No, not in the Park Station. Not at all. What you’re talking about is the Detroit case that Larry Grathwohl was involved in. In the Park Station case the prosecutor made a decision not to give immunity to one of the key witnesses. They were afraid she was coming forward to admit to everything under immunity and therefore get her friends off. I know the woman very well, I don’t agree to that as well. I truly believe that Bernadine had something to do with it. Ayers – he must have known about it.

Kelly: Well a lot of people have these ideas...

The correct thing to do would have been to give more time to Reagan. But Ayers was the “celebrated academic,” as a Fox News story referred to him. He was the ratings draw.

Fox News missed a tremendous opportunity to put public pressure on the Obama/Holder Administration to seek justice in the case. The evidence shows that Obama’s Attorney General, Eric Holder, and the FBI, could work with state and local law enforcement officials to bring justice in the Park Station case. That is the story that needs to be told.

In this real life Fox News version of “Forensic Files,” a popular TV show about crime-solving, your channel let the guilty go free.

Despite some give-and-take, giving the impression that Kelly was a tough questioner, she in effect gave Ayers a clean bill of health. Her failure to mention that there is no statute of limitations on murder and that a case can still be made against Ayers and Dohrn was perhaps the most disappointing aspect of the show. She should know better, since she is herself an attorney. Sadly, Ayers wanted exoneration for his crimes, and Fox News gave it to him.

### **Ayers Used Fox News to Smear Vietnam Veterans**

Ayers’ smears of our Vietnam veterans – about their involvement in a “genocidal” war and 6000 being murdered by U.S. forces every week – were some of the most objectionable claims. None was rebutted on the show.

He insisted that “6,000 people a week were being murdered by our government,” a reference to America’s troops.

On another occasion he claimed, “... the reality is we were never terrorists...Because terrorism, even if you take Webster's definition, is force and coercion intended to spread fear and panic to make your point. And it often involves killing civilians. We never killed anyone, we did noisy, loud, very open destruction of property at a time when 6,000 people a week were being murdered by our government. Six thousand a week.”

Again, this claim of 6,000 a week being “murdered,” repeated over and over again, is not only a distortion of truth but a gross insult

This is an insult to America’s fighting forces that was never -- not once -- countered by Kelly.

Megyn Kelly owes Vietnam vets an apology -- on behalf of Ayers -- for not refuting Ayers’ lies and smears.

## **Unethical Pre-conditions for the Interview?**

Kelly could have helped achieve justice. Instead, it looks like she was after ratings. Look at how Fox News itself covered the interview, with such headlines as “Exclusive: Bill Ayers on life after Weather Underground,” and “‘Kelly File’ Exclusive: William Ayers pressed on controversial past.” She went on another program “The Five,” to promote it in advance and promise big revelations.

Why is an “exclusive” interview with a communist terrorist considered so newsworthy and important when it was clear from the beginning that Ayers would never admit to or implicate himself in murder? You played into his hands.

By saying early on that he would not talk about his personal role in any bombings, he set preconditions for the interview that should never have been accepted by Fox News. In effect, a line of questioning was declared invalid in advance, in order to spare the communist bomber any embarrassment over his personal role in the carnage and suffering he caused.

## **Shilling for Terrorists**

This is the second time in several years that we have asked a company associated with News Corporation to quit shilling for terrorists. Harper Collins published Mark Rudd’s terrorist memoir, *Underground: My Life With SDS and the Weathermen*, about his days in the Weather Underground. Rudd said he got a \$50,000 advance and that while some money went to his agent, “the rest went up my nose for coke...”

Rudd describes in his book how he approved the planting of a bomb at Fort Dix, New Jersey, when a dance was going to take place for U.S. servicemen and their wives or girlfriends. Hundreds could have been maimed or killed. But that prospect didn’t bother Rudd. He says he wanted the U.S. Army to have a “taste” of what it was doing to the communists in Vietnam. The bomb prematurely exploded, killing three members of Rudd’s terrorist group. He dedicates his book to them.

“Unlike prior interviews with liberal media outlets,” stated a Fox News story, “Kelly pressed Ayers on how his own girlfriend died with two others while building a nail-filled bomb intended to rip through a dance hall filled with U.S. soldiers...”

In fact, the questioning was important but did not shed light on the Park Station case, which can be reopened.

We noted at the time of the publication of the Rudd book that one of the members of Mr. Rupert Murdoch’s News Corporation board was Professor Viet Dinh, a former Bush counter-terrorism official who had fled Vietnam as a child when Rudd’s and Ayers’ communist comrades took over South Vietnam in the wake of the U.S. military withdrawal.



As noted, of all of these lies, evasions and distortions on the part of Ayers, one of the most outrageous was his refusal to talk about his personal role in the bombings, and Kelly's willingness to accommodate him on this matter.

While Kelly did point out that other members of the Weather Underground did in fact kill people, she failed to pursue the case of the Park Station bombing, in which Ayers and Dohrn were implicated. When she brought it up, Ayers dismissed everything as a lie.

### **The Lack of Serious Preparation**

My group, America's Survival, Inc. (ASI), knows a lot about the Weather Underground, having worked with Larry Grathwohl and law enforcement over the course of five years to bring Ayers and Dohrn to justice over their roles in the Park Station bombing. We called it the "Campaign for Justice for Victims of Weather Underground Terrorism." Our efforts included conferences in Washington, D.C. and San Francisco, and several video interviews with Larry Grathwohl and law enforcement figures such as Max Noel, an FBI agent on the Weatherman Task Force in San Francisco.

Five years ago Sean Hannity of Fox News had one of his producers cover our news conference in Washington, D.C.

Yet, we were never contacted by Megyn Kelly or members of her staff for information and evidence in the case. Kelly seemed to be somewhat familiar with some of the evidence we developed, for she cited the fact that the San Francisco Police union had accused Ayers and Dohrn of responsibility for the Park Station bombing that killed McDonnell. This accusation was made in a letter our group received back in 2009.

Ayers claimed he shared "zero" ideology with President Barack Obama, another flat-out lie, and insisted he did not know the president well – another claim not effectively disputed. She claimed Ayers "even helped a president [Obama] launch his political career."

In truth, it was Illinois State Senator Alice Palmer who launched Obama's political career at the home of Bill Ayers and Bernardine Dohrn. Palmer had traveled to the Soviet Union and came back praising Soviet-style communism. All of this was discussed in our 2008 report, "Communism in Chicago and the Obama Connection." In 2012, we issued Trevor Loudon's report, "The Pro-Soviet Agent of Influence Who Gave Barack Obama His First Job in Politics."

Kelly did not bring up the fact that Christopher G. Kennedy, chairman of the University of Illinois Board of Trustees, led the effort to deny Bill Ayers the title of professor emeritus because Ayers had written a book dedicated in part to the killer of his father, Robert F. Kennedy. This means, in effect, that Ayers is no longer a "professor," as Kelly repeatedly claimed he is.

While Kelly did cite evidence of Weather Underground activities killing people, she failed to ask directly that if Ayers was so opposed to killing people, why were his fingerprints found in a bomb factory in San Francisco that included C-4, and stabbing weapons made to look like pens? And since Ayers' fingerprints were found in a Weather Underground bomb factory in San Francisco, a follow-up question should have been: What bombs were constructed there and how many people did they kill?

In 2010, we released a 7-part video interview series, "MARXIST TERROR IN AMERICA," with Max Noel, former FBI agent and member of the Weatherman Task Force, and Larry Grathwohl. Both went into detail about the bomb-making abilities of Ayers and Dohrn and how they constructed anti-personnel weapons.

At that time we also released photographs of what was found in a Weather Underground bomb factory in San Francisco.

Max Noel told us that the Weather Underground bomb factory included a "voice-activated" bomb switch. He noted, "If you're using a voice-activated switch, it would seem to me that probably someone had to be within close proximity of the bomb to activate that bomb..."

The fact that there was some give-and-take between Ayers and Kelly does not get Fox News off the hook for failing to report critical facts in this case, such as those cited above.

### **More Bad Preparation Work by Kelly**

Another questionable exchange took place regarding Dohrn praising the psychopath Charles Manson as a true "revolutionary," when she added, "First they killed those pigs [i.e., the victims, including a pregnant movie actress], then they ate dinner in the same room with them. Then they even shoved a fork into one's stomach. Wild." This exchange followed:

Ayers: This is not true.

Kelly: This is your sweetheart? This is your soul mate?

Ayers: No, no, no. This is nonsense. And this is something again that gets re-circulated.

Kelly: You deny she said it?

Ayers: Absolutely. What she said, was American culture is so obsessed with the craziness, and it still goes on today.

Kelly: That's not how the New York Times reported it. The New York Times reported it exactly as I put on the board. Did they lie too?

Ayers: The New York Times, they lie daily, are you kidding?

The Times has actually reported the full statement and adds that “Mr. Ayers has asserted that his wife’s statement was, in part, meant to be humorous.” So Ayers’ claim that the Times “lied” about the statement is another lie.

The ultimate source of this statement about Dorhn praising Manson is Larry Grathwohl’s 1976 book, *Bringing Down America*. It is apparent that neither Kelly nor her staff read it. The Grathwohl book is the source, not the Times. But Kelly permitted Ayers to smear Grathwohl and lie about him.

### **Dealing With D’Souza**

In addition to Ayers’ one-on-one interview with Kelly, which fell far short of the standards we expected, she brought Ayers back on the show for a “debate” with “America” producer Dinesh D’Souza.

D’Souza’s “America” movie, now in theaters, was the subject of the “Kelly File” program on July 4. Was this “inside look” at D’Souza’s film the price for getting Ayers on her show? That question of journalistic ethics has not been answered. We do know that his “America” movie features clips from Fox News programs featuring Kelly and Sean Hannity, to the effect that D’Souza was being politically persecuted by the Obama Administration. These clips were apparently recorded before D’Souza pleaded guilty to the campaign law violations.

D’Souza faces up to two years in prison when he is sentenced in September. Before he pleaded guilty to campaign finance violations, he resigned as the president of The King's College because of a sex scandal. In the film he simply proclaims, “I made a mistake,” as he is shown in handcuffs.

There seems to be some evidence to indicate that Ayers agreed to appear on Fox News as part of an arrangement whereby Dinesh D’Souza’s new film “America” was to be promoted on a separate Fourth of July special edition of the “Kelly File” show.

Hollywood Reporter said:

“Sitting next to Ayers in Kelly’s studio was Dinesh D’Souza, who arranged for the interview, insiders tell The Hollywood Reporter. D’Souza was invited on The Kelly File to tape what might become a one-hour special on his upcoming movie, *America*, the follow-up to his surprise hit 2016: *Obama’s America*, which was released two years ago and is the second most successful political documentary in history based on box-office returns. According to insiders, Kelly wanted to include in the special someone else from the movie, and D’Souza arranged for it to be Ayers, whom D’Souza is seen debating in the film, the premise of which is to respond to left-leaning critiques of the U.S.”

Kelly claimed on her show, "...you need to know how Ayers came to talk with us. That happened when he agreed to join filmmaker Dinesh D'Souza right here on this set for a special we will air in full this Fourth of July at 9:00 p.m. Eastern in a debate about America." But what role did D'Souza, a convicted felon with questionable ethics, play in this?

An inquiry is urgently needed into the preparation for this show, in order to understand how Fox News was duped into serving as a platform for the unrepentant communist terrorist bomber Bill Ayers and his ideology and lies.

### **Is an "Ayers-Dohrn" TV Show in the Cards?**

Knowing that you have hired liberals such as Sally Kohn, Jehmu Greene, Santita Jackson (daughter of Jesse Jackson), and cop-killer apologist Marc Lamont Hill as Fox News contributors, we can only conclude that Ayers may be in the running, based on his performance, and perhaps with his wife Bernardine Dohrn, as the co-hosts of a new Fox News "Fair and Balanced" show. After all, Ayers came across as an anti-war "liberal" or left-winger, much like Marc Lamont Hill, the Fox News analyst we exposed as an apologist for cop-killers.

It appears that in that case, as well as that of Ayers, adequate research was not done by Fox News personnel when a decision was made to feature him on the air. Even though Marc Lamont Hill was eventually fired as a Fox News contributor, in response to our protests, he was brought back on the O'Reilly show as a guest commentator. That is not a good precedent as we survey the damage done by Ayers' appearance on Fox News.

The reality is that people with little knowledge of the Vietnam War period in our history might conclude that while Ayers took some extreme measures in opposition to the killing in Vietnam, this "radical" can now be accepted as a more-or-less mainstream political figure, with a point of view that deserves to be heard, and that his "heart was in the right place." After all, he was an associate of our president, like many other people, he claimed.

Our Vietnam vets deserve an apology from Fox News in response to the channel giving Ayers a chance to spout his lies about their fight for freedom. The families of victims of terrorism also deserve justice. It is time to tell the truth and nothing but the truth about the Communist Weather Underground. Stop the razzle-dazzle; give your audience the cold hard facts about these communist killers.

Sincerely,

A handwritten signature in black ink that reads "Cliff Kincaid". The signature is written in a cursive, slightly slanted style.

Cliff Kincaid