

## RESPONSE TO ATTACK PIECE

Most have seen Jim Yarbrough's attack mail ad against me for what it really is: Chapter 1 of the Democrat playbook, Politics of Personal Destruction. Destroy your opponent any way you can. Impugn his integrity, his family, his career, or anything else that can potentially smear his name.

In fact, here it is, right out of their infamous strategy guide, Saul Alinsky's *Rules for Radicals*, 1971:

**13. Pick the target, freeze it, personalize it, and polarize it.** In conflict tactics there are certain rules that [should be regarded] as universalities. One is that the opposition must be singled out as the target and 'frozen.'...

“...any target can always say, ‘Why do you center on me when there are others to blame as well?’ When you ‘freeze the target,’ you disregard these [rational but distracting] arguments.... Then, as you zero in and freeze your target and carry out your attack, all the ‘others’ come out of the woodwork very soon. They become visible by their support of the target...’

However, since some have asked for my response to the ad, I'm glad to provide it.

The most serious **charge he makes is that I “cheated” the military. WRONG.** In 2005, a liberal newspaper in Louisiana ran a series of articles with “reckless disregard” for the truth. I was so outraged that I sued that newspaper, spending \$80,000 of my own money to clear my name.

A **Federal District Judge confirmed** that the newspaper stories were lies. U.S. District Judge Patricia Minaldi called it the “purposeful avoidance of the truth” and said it showed “actual malice” toward me. Yarbrough is now repeating those same lies, even though he knows the whole story.

My victory was dismissed on a legal (not factual) technicality by the 5<sup>th</sup> Circuit. But the appeals court NEVER said the case was “groundless” and it did NOT dispute the District Judge's findings that the stories in the newspapers were lies. Basically, the appeals court held that, under Louisiana law, the newspaper could not be held liable for lying. I could have appealed to the U.S. Supreme Court, but five years took a toll and **I was happy with the factual findings that Judge Minaldi made on my behalf.**

Not only have I never “hidden” this issue, I actually tried to get national Fox News to cover the injustice. Also, **I've maintained a Security Clearance in the Air Force** for 21 years, which was just renewed in 2008. This wouldn't have happened if the Defense Department had reason to question my integrity. They didn't.

He also **alleges that I had a series of failed businesses.** Again, that is flat **WRONG.**

Most of the businesses he cites simply wrapped up operations and closed. Some never even started, but were merely legal entities formed to investigate an opportunity that never materialized. There's no point in continually renewing Charter Certificates when you no longer operate the business. Charter terminations are not the same thing as business failures, a fact that Yarbrough surely knows, since a simple search of Texas Secretary of State records shows that **Yarbrough's had plenty of charter terminations** himself.

I find it odd that Yarbrough would attack me on this issue since HE's had REAL business failures. He was **President of Citizens Bank** for five years when it **failed** and went into federal receivership. He was also on the **Board of Eagle Broadband** when it **failed** and declared bankruptcy (see the details at [www.yourcountyjudge.com](http://www.yourcountyjudge.com)). On that one, Yarbrough made out like a bandit, and Galveston County got stiffed out of taxes his company STILL owes.

Yarbrough also **claims that I ran "against" Ted Poe**. But that is a **DISTORTION** and **WRONG**.

The seat was vacant, and Ted Poe and I both ran in Republican Primary. In the campaign, we developed a high professional regard for each other, and **Ted Poe IS ENDORSING ME** in this race! How's THAT a failure?

Finally, in a bizarre twist, Yarbrough **alleges I spent a lot of money** on a political campaign. But that charge **BEGS THE QUESTION**: where did I get that money? The answer is easy: from building and running the businesses that Yarbrough claims were such failures. One of the businesses on Yarbrough's list of alleged "failures" cost me about \$10,000 to start, and I sold it for over \$1 million. I've worked hard in business and been successful. And I've been blessed. And as I've made money, I've reinvested it into local business, including my Dickinson-based Talon Air, employing scores of local residents.

These attacks are baseless, but there will be more of them. Yarbrough raised \$360,000, almost all from county contractors and vendors. He will attack and attack and attack. I can only assume he'll attack my 21-year Air Force career next.....or maybe my children.....

Yarbrough is desperate to keep his government job so he can keep his high-paying, part-time job at ANICO. (In contrast, I have pledged to refuse such conflicts of interest once elected.) The facts about ANICO and your County Judge's other abuses of office are posted online by the Galveston County Republican Party at [www.yourcountyjudge.com](http://www.yourcountyjudge.com). Unlike the charges made by Yarbrough, the information there is factually based and documented with public records.

Thank you for taking the time to read my response.

Mark