

proposed resolution

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Date: Mon, 18 Dec 2017 11:45:56 -0500

As discussed, we have been asked to respond by 5:00 pm today.

Statement of agreement:

"Since the advertising in question is not now being circulated or distributed anywhere to the public, and has not over the past several months, the advertiser has decided not to revive the same advertising now, or in the future."

ASC Commitment:

I am authorized to tell you that on that basis, my client will close its file on this matter and not proceed further with it, except to tell the complainants that the file is now closed for the reasons noted in the immediately foregoing paragraph above.

Notes from legal counsel:

This resolution effectively terminates the matter without any public record.

- The ASC did not take issue with the MOE website other than a couple of minor sentences, which the MOE amended on October 5, 2017.
- The only requested concession is for the MOE to consult with the ASC in advance of running new commercials.
- As noted above, this is not a binding requirement, but is advisable in the circumstances to maintain goodwill with the ASC and potentially mitigate a referral of any new OFHP advertising to a Standards Council.

Happy to chat further,
Jen