

March 25, 2019

Justin M. Grow, Vice-President of Administration,
General Counsel and Secretary
Delta Apparel, Inc.
322 South Main Street
Greenville, South Carolina 29601

**RE: REQUEST TO CEASE AND DESIST
DEFAMATION, SLANDER, AND LIBEL**

Dear Mr. Grow:

Delta Apparel is hereby notified and requested to **cease and desist from all defamation, slander, and libel against the Worker Rights Consortium (WRC)** with regards to your false and malicious claim that the WRC has solicited payment from Delta Apparel (“Delta”) in return for favorable treatment from the WRC, as evidenced by the attached email sent by Delta on March 19, 2019 to the company, South by Sea LLC (“South by Sea”).

In the attached March 19, 2019 email to South by Sea, Delta’s representative, Julie Birch, writes, referring to the WRC, that: “I spoke with my boss who is well aware of th[e] [WRC’s] letter that went out [and] [w]hat this is, is an organization [the WRC] that works with the universities, [and] they have asked us to pay to be on the good side of the list.”

As you are well aware, this is a completely false and malicious statement by Delta to a collegiate apparel licensee. As you know, the WRC has *never* requested any payment from Delta Apparel for *any* purpose. In fact, the WRC is nearly unique among garment factory monitoring organizations in that the WRC has *never* solicited or accepted payments or funding of any kind from *any* apparel company. Moreover, the WRC does not maintain a “list” of factories with a “good side” (or, for that matter, a “bad side”) – all of which makes Delta’s false statements about the WRC even more inaccurate. The statements have the effect of harming WRC’s reputation, standing and effectiveness, and are defamatory.

As you know, the *only* payments that the WRC has ever recommended that Delta make are to *properly compensate your own workers* in accordance with the requirements of Honduran labor law, the directives of the Honduran government, and the standards of university codes of conduct – something which Delta repeatedly has failed and refused to do. In your representative’s email, Delta makes a further misleading statement in this regard, claiming that, “We work with the union in Honduras to make sure we are in

compliance with all laws.”

As you are well aware, this is a misleading statement. In reality, the union in Honduras has made numerous complaints over a period of several years to the WRC, the Honduran government, and other entities that Delta has *violated* Honduran labor laws. Delta should not misrepresent the WRC’s actions or Delta’s own practices to university licensees.

The WRC has spent nearly 20 years developing a reputation for integrity and, crucially, independence from garment factory owners in our factory monitoring work for universities and our other stakeholders. Our ability to carry out this work depends on the WRC maintaining a reputation for probity among not only universities, but also the companies that are their apparel licensees – the direct recipients of Delta’s defamatory statements about our organization.

Delta’s defamatory statements seek to recklessly and willfully damage this valuable reputation. Accordingly, the WRC demands that Delta:

- Immediately cease and desist from any and all defamatory, libelous, and slanderous statements concerning the WRC;
- Maintain, preserve, and provide copies to the WRC of all documents, records of and other communications containing or related to any communications asserting or alleging in any way that WRC has sought money from Delta;
- Identify to the WRC the Delta manager or executive to whom Ms. Birch refers in her communication as “my boss,” – who, apparently, personally has disseminated such defamatory remarks – and any other Delta managers or executives who have made, directed, and/or encouraged such defamatory statements, and inform us what actions Delta will take to prevent and deter such misconduct in the future;
- Provide, for the WRC’s review and prior approval, a draft letter of retraction which Delta proposes to send to all of its customers that are collegiate licensees, with copies to the WRC, that disavows, acknowledges the falsehood of, and apologizes for all defamatory statements concerning the WRC, and all of Delta’s false statements concerning Delta’s labor practices in Honduras; and
- Issue the WRC a written apology and a commitment that Delta will cease and desist from further defamatory statements and injury to the WRC’s reputation.

As we are not yet aware of the full extent and impact of Delta's defamatory statements, nor Delta's willingness to undertake the remedial measures listed above, the WRC reserves at this time all rights and claims for legal relief and remedies for your defamation. We request your response to this letter by no later than April 1, 2019, so that we may determine our necessary course of action to address this misconduct on the part of your company.

Sincerely,

A handwritten signature in blue ink, appearing to read "Benjamin Hensler", with a stylized flourish at the end.

Benjamin Hensler
General Counsel
Deputy Director for Research and Policy

cc: Barbara Chisholm, Partner
Altshuler Berzon LLP

attachment

From: Julie Birch [<mailto:Julie.Birch@deltaapparel.com>]
Sent: Friday, March 08, 2019 11:25 AM
To: South By Sea Licensing
Cc: Jessica Champagne
Subject: RE: Workers' Rights Violations at Delta Apparel

Hi Victoria,

I spoke with my boss who is well aware of this letter that went out.

What this is, is an organization that works with the universities, they have asked us to pay to be on the good side of the list and we have refused.

We work with the union in Honduras to make sure we are in compliance with all laws.

We pride ourselves in having the platinum WRAP certification which only 10% of apparel companies achieve.

[https://www.deltaapparel.com/media/wysiwyg/2018-12-07 Certificate 4276 Platinum Delta Apparel Honduras S.A.pdf](https://www.deltaapparel.com/media/wysiwyg/2018-12-07%20Certificate%204276%20Platinum%20Delta%20Apparel%20Honduras%20S.A.pdf)

I understand the reputation that you have with the universities and how this might impact you doing business with us, we hope to get this cleared up soon, please let me know if you have any questions.

Thank you,

Julie Birch

*Mill Direct Rep
WA, OR, ID, MT, AK, Northern CA.*

Delta Apparel

<http://www.deltaapparel.com/>

*Cell 206-719-7086
inside sales Josh Mitelman josh.mitelman@deltaapparel.com 800-588-4331
Customer Service 1-800-285-4456*