



TEXAS ADVOCACY GROUP, INC.

July 16, 2008

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P.O. Box 404
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Dear David,

First, let me thank you for contacting me about your Legislative needs. I would love to represent your group in the upcoming session.

After reading the appellate court brief and doing a little independent research, I believe we can draw a vivid distinction between assisted openers and switchblades as defined by the Texas Penal Code. I have spoken to a few of the interested parties, and I believe we can put together a coalition of groups that will assist in this effort.

Let me specifically address the questions in your note:

1) Can you provide background info on your ability to address this issue?

My Legislative experience directly relates to this issue. After spending two sessions as a staff member in the Texas House and serving as Deputy Policy Director and the Research Director for the Bush for Governor Campaign, I was asked by then Gov. George W. Bush to go to work in the Texas Senate to help pass the Concealed Handgun Law. I spent two sessions working for Senator Jerry Patterson, successfully passing the Texas Right to Carry Bill in the first session, and significantly amending it in the second. During that period, I cultivated relationships I maintain to this day, which speak to your next question...

2) Can you enumerate key law enforcement, hunting/fishing, and construction trades groups that you have strong connections to, as well as key lawmakers pertinent to this issue?

Our work on the Texas CHL required us to reach out to many groups. We worked directly with the administration of the Texas Department of Public Safety, the Texas Sherriff's Association, the District Attorney's Association, and the various law

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enforcement professional organizations around the state, including the State Troopers Association, the Game Warden's Association, and the Police professional organizations.

The Texas State Rifle Association (TSRA) and the Texas Gun Dealers association were key players, and I have already reached out to these two groups on your issue and have found strong support. The Texas NRA lobbyist, Tera Reilly-Mica, and the TSRA contract lobbyist, former Speaker of the House Gib Lewis, have both volunteered to serve as references for me if you would like to contact them. In fact, I now office with Speaker Lewis.

The construction trades are not quite as strong in Texas as in the rest of the country, as we are a non-union state. The stronger organizations on this issue will be the TSRA, the Texas Coastal Conservation Association, which is a sportsman's organization that is active in hunting and hishing regulation and legislation, and the various public safety professional organizations.

I currently represent the Texas Firefighters Association, and they will be in full support.

In the Legislature, I have excellent relationships with the Chairmen and members of the jurisdictional committees that will consider your proposal, and will be working to identify bill sponsors and also cultivate opportunities for amendments which will accomplish your goals.

On the regulatory side, I believe I have a unique relationship with the Department of Public Safety that will facilitate an open line of communication and cooperation.

3) Is our proposed amendment reasonable and rational, in your view?

I believe your proposal will be seen as rational and quite reasonable, as long as the bright line distinction can be made between a switchblade and an assisted opener. I would ask DPS to provide a demonstration showing the difference.

4) What are our chances to success?

Legislative Sessions are difficult to predict, but unless a major Public Safety group opposes you, I believe your chances to be good.

5) What would be your retainer and/or expense estimates to represent us?

I don't charge expenses, unless I have to travel out of state on your business (in that case I pay half and you get billed for half) – I do not bill clients for entertainment or clerical expenses.

My fee for this would be a total of \$32,500. That would cover the next year's work in the interim, the session, and the veto period (60 days after session).

We would split that up into an initial payment of \$5,000 and 11 subsequent monthly payments of \$2,500 per month.


Obviously, we can negotiate on these terms, but I feel this amount is fair and very much the market rate for representation in Texas. Since we meet every other year, our fees are a little higher than some states that have annual sessions.

I have attached my biography and a client list. Please feel free to contact me at your earliest convenience. If we decide to move forward, I will provide a detailed plan of attack in the first month on the job, and will begin to engage your grassroots organization in that time frame.

We have 5 months to educate members, draft our legislation, and form our alliances before the Session begins.

I look forward to working with you and look forward to speaking with you soon.

Yours truly,

A handwritten signature in purple ink that reads "Mark Seale". The signature is written in a cursive, flowing style.

Mark Seale

Attachments