

October 2, 2014

VIA UNITED STATES MAIL

Thomas R. Nathan
Senior Deputy General Counsel
Comcast, Inc.
One Comcast Center
Philadelphia, PA 19103-2838

Re: Our Client, Conal O'Rourke

Dear Mr. Nathan:

We write in response to your reply to our demand letter regarding our client, Conal O'Rourke. Mr. O'Rourke was overcharged by Comcast, at one point for almost \$2,000 for equipment he did not order. Comcast does not deny this. To date, Comcast still owes him \$312.50 and two unpaid \$20 credits, a fact that Comcast neither denies nor seems to have investigated. Comcast also does not offer to reimburse Mr. O'Rourke, nor does Comcast show any remorse for the fact that if Comcast had simply followed reasonable customer service practices, none of this would have happened. Instead, you conclude your letter with boilerplate that is a masterpiece of understatement and irrelevance: "It is plain from your letter that Mr. O'Rourke was unhappy with the service we provided, believed the bills he received were inaccurate, attempted to get the situation corrected and that the company was unable to do so to his satisfaction. . . . Comcast apologizes to Mr. O'Rourke for any shortcomings in our services he experienced."

However, as Comcast well knows based on its own recordings, Mr. O'Rourke's injury exceeds the \$312.50 that he was overcharged, and the two missing \$20 credits. After Mr. O'Rourke made his complaints clear, and expressed concerns that Comcast's failure to properly bill was widespread and should therefore be investigated by the Public Company Accounting Oversight Board ("PCAOB"), Comcast finally sprang into action. However, instead of returning Mr. O'Rourke's money to him and correcting the billing error, Comcast employees gleaned from Mr. O'Rourke's reference to the PCOAB that he was an accounting professional, researched him online, and falsely stated to Mr. O'Rourke's employer Pricewaterhouse Coopers ("PWC") that Mr. O'Rourke had attempted to use his position with PWC as "leverage" with Comcast when

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“negotiating” over his bill. These statements were false, malicious, and made with the intent to tarnish Mr. O’Rourke’s good name and cause him to lose his job with PWC. In fact, it was Comcast who was using its “leverage” as a major client of PWC’s, worth upwards of \$30 million a year, to cause Mr. O’Rourke to be fired.

In your letter, you also admit that Comcast “communicated” with Mr. O’Rourke’s employer, and accused him of misusing his position at PWC while speaking with your staff. You claim that your employees’ actions are privileged because the statements they made are “true.” However, we are confident that Comcast’s own recordings of the phone calls with Mr. O’Rourke will reveal that Mr. O’Rourke did not mention his position with PWC and simply requested, for the twentieth time, that Comcast stop overcharging him and correct his erroneous bills.

You also do not deny that a customer relations employee named “Evelyn” contacted Mr. O’Rourke, berated him regarding whether or not a technician had kept “the appointment,” bizarrely demanded that Mr. O’Rourke tell her the color of his house (incidentally, he lives in an apartment) and became angry when Mr. O’Rourke tried to discuss his actual complaints, demanding that he “just answer the question.” You doubtless have a recording of this call, and we are confident that the recording reveals how our client was mistreated and berated. Your discussion of Mr. O’Rourke’s interactions with “Evelyn” reveals that Comcast has failed to investigate this matter, because you accuse Mr. O’Rourke of informing “Evelyn” both that he was a PWC employee and that he intended to report Comcast to the PCOAB, when he discussed the PCOAB with an employee at the Controller’s office, not Evelyn, as our first letter makes clear and as a simple review of the tapes of these calls would reveal.

We encourage Comcast to investigate this matter, or to at least review the taped recordings of Mr. O’Rourke’s phone calls, as that will doubtless be faster and more efficient than litigation. Mr. O’Rourke’s offer to settle this matter for a full retraction and apology, his reemployment with his former employer, and \$100,312.50 shall remain open until **Tuesday, October 14, 2014.**

Best regards,



Maureen Pettibone Ryan

cc: Charlie Herrin; Caroline Nolan