

To: Home Child Care Providers Opposed to Unionization

From: Hollee Saville, Becky Swanson, Attorney Doug Seaton and
9 Other Home Child Care Provider Lawsuit Plaintiffs

Date: June 26, 2013

Re: Help Us Help You!

On July 18, 2013, we will ask Federal District Court Judge Michael Davis in Minneapolis to stop AFSCME's (the American Federation of State, County and Municipal Employees) election procedure under the so-called Family Child Care Providers Representation Act passed by the Legislature, as the first step in striking down the law permanently. We need your help to do this and to keep up the fight after this first hearing.

As most of you know, the Plaintiffs and the Seaton, Peters & Revnew law firm successfully stopped Governor Dayton's attempt to unionize us by Executive Order in 2011 in state court. The Governor did not appeal the case. The Minnesota Court of Appeals recently said he had to pay attorneys' fees to us because he wasn't just wrong, but had no "substantial justification" for issuing the Order at all. Although several contributors, including Childcare Freedom, Minnesota Associated Builders & Contractors, and Doug Seaton, personally, helped fund that case, we are still short of paying even Seaton, Peters & Revnew's discounted bill, and hope the Court's Order will help us do so.

The current case is different. We are in Federal Court and are asking the Court to rule that private home child care provider business owners can't be labeled "state employees" subject to public sector union procedures, just because we may receive CCAP funds. Federal labor law covers our situation as private businesses and is "supreme" under the United States Constitution. The earlier case said the Governor had no Minnesota constitutional authority to issue the Order, but the legislation overcomes that objection, so only this federal Supremacy Clause Constitutional argument (and First and Fourteenth Amendment Constitutional arguments in our case and a related case) have the ability to stop the unionization law.

This case takes money to pursue. The Plaintiffs are volunteers. Doug Seaton personally, and his firm, through a fee discount, will again help cover the attorney fees and court costs, and we may get some "seed money" from the earlier attorneys' fee award when final, if it's sufficient, but we need your help too.

Please stand up for your own rights by making a contribution (your accountant should confirm this, but this should be deductible as a business expense for legal fees to protect your own business). You can contribute via check or credit card and any amount is welcome, although we urge you to consider \$100, \$250 or more if you can. Contributions can be made online at www.ChildcareFreedom.org or by sending a check made payable to "Childcare Freedom" at 1730 New Brighton Boulevard (PMB 233), Minneapolis, Minnesota 55413; or by sending a check made payable to "Seaton, Peters & Revnew, P.A." at 7300 Metro Boulevard, Suite 500, Minneapolis, Minnesota 55439, whichever you prefer.

We will also collect checks at our Town Hall meetings throughout the state over the next few months. Please help us to help you stop this shameful attempt to force unionization and increased costs on our industry.

Please visit www.MinnesotaFamilyChilcare.com for more information.