



For Immediate Release

October 28, 2018

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## Dr. Tipirneni Demands Local Television Stations Pull Rep. Lesko's Ads Off Air Due To Ongoing, Intentional Falsehoods

*Lesko knows ads are misleading and deceptive regarding Tipirneni's healthcare plan*

PEORIA, AZ – Dr. Hiral Tipirneni, an emergency room physician, cancer research advocate, and Democratic candidate for Arizona's 8<sup>th</sup> Congressional District, has demanded local television stations pull Rep. Debbie Lesko's latest ads off the air for intentionally spreading false information about [Tipirneni's healthcare plan](#).

Hiral for Congress legal counsel sent letters late Saturday afternoon to ABC 15 (KNXV), 3TV/CBS 5 (KTVK/KPHO), NBC 12 (KNXV), and FOX 10 (KSAZ - copy attached for illustrative purposes) outlining the legal basis for the ads' immediate removal, thus fulfilling the stations' duty "to protect the public from false, misleading or deceptive advertising."

"Voters deserve honest discussions of the issues. That starts with simply being truthful, and for seven months, I've made it clear to Debbie that my plan is a true public option, not government-run healthcare," declared Dr. Tipirneni. "It's a Medicare buy-in, not a hand-out, which is a fiscally conservative plan that enhances public-private competition and consumer choices to drive down costs while delivering quality healthcare," Hiral added.

The ads perpetuate Lesko's claim falsely equating Tipirneni's plan with Senator Sanders' "Medicare For All" plan, a claim she knows to be untrue. Specifically, Dr. Tipirneni and Rep. Lesko discussed these distinctions during a March 26, 2018, broadcast of "Arizona Horizon" on PBS 8 (KAET), which can be viewed [here](#), with the relevant segment seen from 9:45 to 14:27.

This is not the first time Lesko has struggled with the truth during this campaign, spurring *The Arizona Republic* to write, "[Debbie Lesko is flat-out lying about Hiral Tipirneni. Is she that desperate?](#)"

Indeed, Lesko's lying [cost her the endorsement](#) of the Arizona Medical Political Action Committee, a first in its 125-year history, because of slanderous, defamatory signs regarding Dr. Tipirneni's medical degree and valid license, as well as deceptive TV and digital ads which attempted to gain political ground by [ignoring the deaths](#) of Dr. Tipirneni's mother and young nephew to obscure the reasons why Hiral left the emergency room, but not medicine.

Debbie's antics have led her to be described as "[a fake](#)," "[a sleaze](#)," and having "[Not. A. Clue.](#)"

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Dr. Hiral Tipirneni ("HERE-uhl tipper-NEH-nee"), an emergency room physician and cancer research advocate, is a candidate for Arizona's 8<sup>th</sup> Congressional District. After losing her mother and nephew to cancer, she left emergency medicine to concentrate on cutting-edge cancer research. Now she leads teams of researchers, clinicians, and patient advocates in the fight against breast cancer, prostate cancer and childhood leukemia. At the age of three, Hiral came to America from India with her family in pursuit of the American dream. Hiral and her husband met while in medical school in Ohio. They have lived in the Phoenix area, where their three children were born and raised, for more than 20 years. She is on the board of directors for the Maricopa Health Foundation.

For more information, please visit [www.hiralforcongress.com](http://www.hiralforcongress.com). Follow Hiral on Facebook at <https://facebook.com/hiralforcongress> and on Twitter at @hiral4congress.



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**VIA E-MAIL AND U.S. MAIL**

October 27, 2018

KSAZ FOX 10 & KUTP FOX 10 Xtra  
511 W. Adams Street  
Phoenix, AZ 85003  
[fox10.desk@foxtv.com](mailto:fox10.desk@foxtv.com)

**Re: False Advertisement by Debbie Lesko**

Dear Station Manager:

Our firm is legal counsel for Hiral for Congress, the campaign for Dr. Hiral Tipirneni (“Dr. Tipirneni”) who is running to represent Arizona’s 8<sup>th</sup> Congressional District (“CD8”) in the upcoming November 6, 2018 election. We write with regard to an advertisement approved by Congresswoman Debbie Lesko (“Lesko”), and paid for by the Arizona Republican Party and Debbie Lesko for Congress, concerning her false claims about Dr. Tipirneni’s proposed health care reform, which your station may be running.<sup>1</sup>

Lesko’s advertisement falsely claims that Dr. Tipirneni’s proposed healthcare reform could cost \$32 trillion. For the sake of both FCC licensing requirements and the public interest, your station should immediately refuse to air, or refuse to continue to air, this false and misleading advertisement.

The advertisement falsely states that, “Tipirneni supports a path to a \$32 trillion government takeover of healthcare, which eliminates Medicare advantages to seniors.” Lesko has repeated this claim in debates and in written communications being distributed to voters. The advertisement does not cite any source for this proposition – nor could it - because it entirely mis-represents Dr. Tipirneni’s position and proposal.

The \$32 trillion number appears to come from a study regarding a prior proposal from Senator and former Presidential Candidate Bernie Sanders regarding “Medicare-for-All.” Lesko’s use of this number is an obvious and unfair attempt to confuse, misinform, and prejudice voters regarding Dr. Tipirneni’s campaign.

Dr. Tipirneni’s proposal is, instead, to allow individuals to buy-in to Medicare, at their own cost, thereby allowing Medicare to become a market participant against whom other providers must compete. As

<sup>1</sup> A copy of the advertisement is available at <https://www.youtube.com/watch?v=rdhEfMps9zw>.

Appeals  
Civil and Commercial Litigation  
Employment Discrimination,  
Retaliation and Contract Review  
Family Law/  
Domestic Relations  
Termination of Parental Rights,  
Adoption  
Guardianships, Conservatorships  
Vulnerable and  
Incapacitated Adults



Tipirneni has repeatedly explained, including to Lesko directly, hers is a “fiscally conservative plan that enhances public-private competition and consumer choices to drive down costs while delivering quality healthcare.” See Exhibit A. Dr. Tipirneni’s plan in no way resembles the \$32 trillion Medicare-for-All plan, nor is such a cost attached to it.

Lesko is well aware of the false nature of her claims, but continues to willfully disseminate this false and misleading information to voters, including through television advertisement. Lesko has been present at forums and debates in which she has been confronted on this issue and the media has further demonstrated to Lesko that her claims regarding Dr. Tipirneni’s proposal lack veracity. See, e.g., Arizona Horizon Forum, March 26, 2018<sup>2</sup>, Arizona Central article dated October 19, 2018 (“Debbie Lesko is flat-out lying about Hiral Tipirneni. Is she that desperate?”)<sup>3</sup>. Dr. Tipirneni also released a Press Release clearly explaining her plan. See Exhibit A.

Licensees have a duty “to protect the public from false, misleading or deceptive advertising.” *Licensee Responsibility With Respect to the Broadcast of False, Misleading or Deceptive Advertising*, 74 FCC 2d 623 (1961). This duty is non-delegable by the licensee. *Id.* at 623. The FCC’s revocation of a license has been upheld by the Courts where violations, including but not limited to the airing of “false and misleading advertising,” were found to be “probative of an underlying abdication of licensee responsibility.” *Cosmopolitan Broad. Corp. v. FCC*, 581 F.2d 917, 926-927 (D.C. Cir. 1978).

In addition, unlike federal candidates, independent political organizations like the Arizona Republican Party do not have a “right to command the use of broadcast facilities.” See, *CBS v. DNC*, 412 U.S. 94, 113 (1973). Because you are not required to air this advertisement, and the constraints of 47 U.S.C. § 315 do not apply here, your station may be held liable for its content when you do grant access. See *Felix v. Westinghouse Radio Stations*, 186 F.2d 1, 6 (3rd Cir.), *cert. denied*, 314 U.S. 909 (1950).

Lesko’s advertisement is false, misleading, and deceptive. Airing and/or continuing to air it violates FCC Rules and your duty to protect the public. As a result, we demand that you refuse to air it or, if you have aired it, that you cease and desist from further airings.

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<sup>2</sup> <https://www.pbs.org/video/special-election-debate-face-off-1yigrf/>

<sup>3</sup> <https://www.azcentral.com/story/opinion/op-ed/laurieroberts/2018/10/19/debbie-lesko-flat-out-lying-hiral-tipirneni/1696101002/>



Please contact us to inform us immediately of your decision or to request further information. We are hopeful that this letter will resolve the issue and avoid the need for any further legal action. Thank you for your attention to this matter.

Very truly yours,

*Lynda R. Vescio*  
Lynda R. Vescio

Encl.

# EXHIBIT A



**For Immediate Release**

September 24, 2018

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## **Dr. Hiral Tipirneni Calls Out Congresswoman Lesko's Lies, Renews Challenge for Timely, Public Forums**

*Tipirneni's Healthcare Plan is Distinct from "Medicare for All" ... and Lesko Knows It*

**PEORIA, AZ** – Today Dr. Hiral Tipirneni, an emergency room physician, cancer research advocate, and Democratic candidate for Arizona's 8<sup>th</sup> Congressional District, called out Congresswoman Debbie Lesko for intentionally spreading false information about Tipirneni's healthcare plan.

"From many public forums without Debbie to on-camera forums with her, I've made it clear that my plan is a true public option, a Medicare buy-in and not a hand-out," stated Dr. Tipirneni. "It's a fiscally conservative plan that enhances public-private competition and consumer choices to drive down costs while delivering quality healthcare," Hiral declared.

Over the weekend, Lesko literature falsely equated Tipirneni's plan with Senator Sanders' "Medicare For All" plan. However, Dr. Tipirneni and Rep. Lesko discussed these distinctions during a March 26, 2018, broadcast of "Arizona Horizon" on PBS 8 (KAET-TV), which can be viewed here, with the relevant segment seen from 9:45 to 14:27.

Hiral also renewed her call for Congresswoman Debbie Lesko to participate in timely, community forums open to the public.

"This false claim actually highlights the need for the public to have direct access to candidates so that they can have as much information as possible before they vote," said Dr. Tipirneni. "Here in Arizona, we all know that begins almost the minute early ballots arrive in our mailboxes, so those of us running for office should respect voters by engaging with them often and early," added Hiral.

Honoring Hiral's commitment to public access, the campaign is hosting a series of town halls from September 11 through October 9 throughout the district to speak with voters about issues affecting them, including healthcare, education, and retirement security.

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Dr. Hiral Tipirneni ("HERE-uhl tipper-NEH-nee"), an emergency room physician and cancer research advocate, is a candidate for Arizona's 8<sup>th</sup> Congressional District. After losing her mother and nephew to cancer, she left emergency medicine to concentrate on cutting-edge cancer research. Now she leads teams of researchers, clinicians, and patient advocates in the fight against breast cancer, prostate cancer and childhood leukemia. At the age of three, Hiral came to America from India with her family in pursuit of the American dream. Hiral and her husband met while in medical school in Ohio. They have lived in the Phoenix area, where their three children were born and raised, for more than 20 years. She is on the board of directors for the Maricopa Health Foundation.

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