

Businessman evicted from US Mall for Anti-Obama Merchandise

Monday, 28 September 2009

Dan Fuchs said business was just starting to pick up at his kiosk in the Mall at Johnson City.

Fuchs' business, the Graphic Edge, printed slogans and pictures on items such as coffee cups, bumper stickers and T-shirts.

He said more than half of his business came from the sale of anti-Obama merchandise. Bumper stickers with slogans such as "SOS: Stop Obama's Socialism," "Nobama," and "Chicago got the party, but the country got the hangover" were displayed around the small stand.

Now it appears Fuchs is out of business at the mall, but mall officials say this decision was not based upon 'political views'.

Friday afternoon, Fuchs was handed a lease termination notice by mall officials and signed by Mall General Manager Tembora Aldridge. The letter states that the option to terminate the lease agreement is effective 11:59 p.m. today and that he must vacate the mall premises and remove his property before then.

Fuchs said he was given no reason for this termination and was shocked and upset. Thursday evening, Fuchs said mall officials met with him and told him to take down the anti-Obama items on display by closing time or face immediate eviction.

"I was upset about it, of course," he said Friday prior to receiving the notice. "That's my livelihood."

Fuchs had been in business at the mall for around two months and hadn't initially set out to create anti-Obama items. One day, he said a customer asked for an anti-Obama shirt to be printed. A few days later, he said another customer asked for another similar item.

The some of these items were put on display and most were completed upon customer request, Fuchs said. He said that around 60 percent of items being sold out of the kiosk was anti-Obama merchandise.

By Friday morning, Fuchs said these items had been take down.

Marsha Hammond, the mall's marketing director, has a different take on that meeting. She said that Aldridge and Melinda Davis, the mall's specialty leasing representative, suggested that Fuchs also display items in support of Obama. The mall had received several complaints from customers regarding the anti-Obama items, she said. Hammond also said that it was Fuchs' decision to remove the items completely from display.

"That is not true," Fuchs said. "I was given no choice. I was given, (Thursday) night at about 4:30, the option of taking it down or get out, receive an eviction at closing time."

Fuchs said that while he never anticipated any, he was aware of customer complaints prior to Thursday's meeting. Hammond said, and Fuchs confirmed, that several weeks prior to Thursday's meeting, Davis came by the kiosk to suggest Fuchs display pro-Obama items which would allow him to continue to display anti-Obama items. Friday, prior to receiving the termination notice, Fuchs said he would comply with this suggestion.

The anti-Obama merchandise sold at the kiosk is not necessary his viewpoint, Fuchs said. He again said most were completed upon customer request and were displayed as work samples.

"I support his office," he said "I might not like him, but I support his office."

Fuchs also said that he would have printed anti-Republican items at customer request and has refused to print some vulgar items. He said that his stand wasn't exclusive to the display of anti-Obama items, but bumper stickers with slogans such as "Support Our Troops" and "ETSU Pride" were also on display. Still, he said the anti-Obama items typically got a good response from mall patrons passing by.

"People would look at them and laugh or whatever, and I would always ask 'what do you think about it? Do you approve?' or some silly little remark," he said. "And I would say that probably 95 percent were positive, only 5 percent were not."

While Hammond said the mall is a private property and officials do not wish to see it used as a political forum, she said

the mall does not conduct its business based on political views and that the termination of Fuchs' lease is due to a matter between him and the mall.

Before he received the lease termination, Fuchs said his lease was set to expire Dec. 31 and that he planned to be around for the holiday season.

"I certainly hope I'm here to take care of the Christmas business," he said.
Since receiving the notice, however, Fuchs said he now intends to continue to sell anti-Obama items via the Internet.
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