



For Immediate Release
November 21, 2017

Lantern Fest Misleads Ticketholders & Host Cities

Goldsboro, NC— The City of Goldsboro has received many calls and inquiries from its citizens and ticketholders regarding the Lantern Fest event that was scheduled to occur within the City of Goldsboro on Saturday, November 11, 2017. The Lantern Fest Goldsboro event was cancelled due to an amended provision of the North Carolina Fire Code which prohibits the use of untethered sky lanterns anywhere in the state. Upon discovering the amendment to the North Carolina Fire Code, the City of Goldsboro immediately contacted Lantern Fest and its parent company Sack Lunch Productions to advise them that such an event would violate state law. In order to advise the public of the cancellation of the event, the City of Goldsboro issued a press release on October 13, 2017, parts of which were reported by several media outlets, that the Lantern Fest event scheduled for November 11, 2017 had been cancelled due to the amendment to the state fire code.

The City of Goldsboro has been advised that Lantern Fest continued to market the event and to sell tickets after being advised by the City of Goldsboro that the event could not legally be held within the State of North Carolina due to the amended provision of the North Carolina Fire Code. Upon being advised of this, the City of Goldsboro contacted the North Carolina Department of Justice Consumer Protection Division to report the continued marketing and selling of tickets to the event.

The City of Goldsboro is disappointed in the level of professionalism Lantern Fest has demonstrated with its customers. The company independently marketed and promoted ticket sales for their event. Goldsboro did not receive any funds from the ticket sales which were entirely retained by Lantern Fest. Since tickets sales were controlled solely by Lantern Fest, in principle, the City of Goldsboro is unable to issue refunds as it has not received any money, either through ticket sales or event fees, from Lantern Fest. Like ticketholders, Goldsboro is a customer of Lantern Fest and is also seeking reimbursement in the amount of the \$6,250, a deposit paid to the company in July 2017 as a sponsorship fee and to secure the event date and location. The city has been unsuccessful in their cordial efforts for reimbursement and will use legal means moving forward.

In order to provide more transparency and to rebut misinformation that has been circulated regarding the cancellation of the Lantern Fest event, the City of Goldsboro would like to provide its citizens with the following timeline of event.

The City of Goldsboro officially signed the contract with Lantern Fest on September 13, 2017, just a couple weeks before the cancellation of the event in Fayetteville went public. It was then that the Lantern Fest notified existing ticketholders that Goldsboro would be the “new” location, misrepresenting the city as a backup venue. Even though the City of Goldsboro initially contacted Sack Lunch Productions, the parent company of The Lantern Fest event, by email in February 2017, Goldsboro was falsely portrayed as having taken advantage of a displaced event looking for

a new host nearby.

Misinformation continued in relation to the reasons behind the cancellation of the Fayetteville event. An official from the city of Fayetteville, explained “Lantern Fest referenced a ‘new local law in the City of Fayetteville’ on their website as a reason for their event cancellation which was erroneous as (1) it wasn’t a local law, and (2) the event wasn’t in the City. We have attempted to contact the Lantern Fest/Sack Lunch Productions in an effort to get that language removed, to no avail at this point and time.”

The rumored local law that affected Fayetteville and an inquiry from outside sources naturally sparked the Goldsboro Fire Department to look into the matter, which is when Goldsboro learned of the amended NC Fire Code 308.1.6.3, prohibiting the use of untethered sky lanterns anywhere in the state. Although having had made their best efforts to work with state officials to allow the event to take place, the amended fire code would remain in effect and the City of Goldsboro refused to knowingly violate state law.

In the General Provisions section of the venue contract signed between Lantern Fest’s president, Spencer Humiston, and Goldsboro's Tourism Director, Ashlin Glatthar, the “Applicable Law” clause states that the agreement shall be governed by the laws of the State of North Carolina. The “Compliance” clause of the General Provisions section of the venue contract further states that Lantern Fest “shall abide by and conform to all federal, state, tribal, and local laws, rules and regulations.” The “Force Majeure” clause of the contract states that any action of government authorities will not be deemed as a breach of contract. “The failure or inability of either Party hereto to comply with the terms and conditions of this Agreement because of any act of God, formal declaration of war, fire, riot, earthquake, act of terrorists or other public enemies, action of governmental authorities, unavailability of power, or for any other reason not reasonably within the control of such Party, shall not be deemed a breach of this Agreement.”

As discussion between Cumberland County and the cities of Goldsboro & Fayetteville have occurred, it has become apparent that Lantern Fest was made aware of the amended fire code affecting their event from taking place in the state of North Carolina well before the contract with Goldsboro was executed on September 13, 2017. The City of Goldsboro is taking legal action working with their attorney, Fayetteville officials, and the state’s Attorney General’s office to legally hold Lantern Fest accountable for reimbursements and contractual bad faith.

The City of Goldsboro holds Lantern Fest accountable to know the laws that affect the operation of their business. The city is steadfast on their position that it is Lantern Fest’s legal duty as a company to negotiate and conduct business in good faith. On October 25th, Lantern Fest’s president responded via email denying the city’s request for reimbursement and stated, “We will shut off all ads, close our registration, and work with our customers to rectify any issues caused by this unfortunate cancellation.” Despite their statement, they continued to sell tickets and did not notify their ticketholders that the event was cancelled. Therefore, it seems unlikely Lantern Fest will act in an ethical and fair manner to provide refunds willingly to customers.

The City of Goldsboro has been in communications with the Consumer Protection Division of the North Carolina Department of Justice regarding the actions of Lantern Fest and the damages incurred by the City of Goldsboro, its citizens and event ticket holders. The North Carolina Attorney General has assigned an Assistant Attorney General to investigate this matter who is working diligently to provide assistance to those individuals that have been impacted by Lantern

Fest's refusal to provide refunds to individuals that purchased tickets to attend either the Fayetteville or Goldsboro Lantern Fest Events. Customers seeking to file a complaint are urged to do so; you may file a consumer complaint at <http://www.ncdoj.gov/getdoc/59be4357-41f3-4377-b10f-3e8bd532da5f/Complaint-Form.aspx>. Consumer complaints will be reviewed by the Attorney General's staff who will contact individuals if additional information is needed. Additional information regarding the Consumer Complaint Division and the services that they provide in may be found at <http://www.ncdoj.gov/Consumer.aspx> or by contacting the consumer hotline at 1-877-5NO-SCAM (1-877-566-7226) or 919-716-6000.

To assist ticketholders seeking a refund, the city of Goldsboro is disclosing additional contact information for Sack Lunch Productions & Lantern Fest representatives.

Spencer Humiston, President of Lantern Fest
spencer@thelanternfest.com
801-400-4842

TR Gourley, Sack Lunch Productions
tr@sacklunchproductions.com
619-550-8483

Ameera Masud, Sack Lunch Productions
ameera@sacklunchproductions.com
801-750-9577

Richard Surber, Sack Lunch Productions
richard@sacklunchproductions.com
801-575-8073

Eric Brooks, Lantern Fest
eric@thelanternfest.com

For more information, contact the Travel & Tourism Department for Goldsboro-Wayne County, (919) 734-7922 or visitgoldsboro@goldsboronc.gov.