

IN THE CIRCUIT COURT FOR PINELLAS COUNTY, FLORIDA
CIVIL DIVISION
CASE NO. 08-3597CI-15

ROGER AKIYAMA, REV. HEBER
JENTZSCH, PAUL KELLERHALS
and CHURCH OF SCIENTOLOGY
FLAG SERVICE ORGANIZATION,
INC.,

Petitioners,

vs.

AN ASSOCIATION OF PEOPLE
KNOWN AS "ANONYMOUS",
MATT BAKER, JOSHUA NUSSBAUM,
JAMES ROBERT SHUMILAK,
SHAYN ANTHONY EICHHORN,
JOSEPH RUBALCAVA,
TY GELDNER, ADAM MOLLINEDOR,
DANI KIERNAN, STUART B. JOHNSON,
MATTHEW ANTOLOVIC,
DANIEL MARK SIKTBERG,
CHARLES LOUBENTZ LOUIS,
BRYAN MATTHEW ANDERSON,
KATHRYN MARIE NORDMAR,
GWENDOLYN JANE WEBBER,
ROSALIE DAWN FAIR, KYLE ARNOLD,
CRYSTAL LYN CHAMBERLAIN,
MATTHEW BURTON DAKAN,
ASHLEY DEANNA HAYES,
TYLER RANDOLPH HARRISON,
JOHN BENJAMIN SUDDETH,
WILLIAM DAVID NEAL MARDIS,
GUY ALLEN PETTINGILL,
BRIAN MATHEW PARKS
WILLIAM BECK,

Respondents.

ORDER DENYING MOTION FOR TEMPORARY INJUNCTION

THIS CAUSE COMING ON TO BE HEARD upon the Petitioner's Motion for Temporary Injunction without Notice and the Court having reviewed the same finds as follows:

This Petition has been filed against twenty-six individuals alleged to be associating as a group referred to as "Anonymous". The Petition contains no specific allegations of wrongdoing against the individuals named as Respondents, nor is it alleged that any of the said named Respondents are responsible for any threats, phone-calls, or specific wrongful acts sought to be enjoined. The Petition fails to allege that any of the Respondents have interfered with or have attempted to deprive the Petitioners of any cognizable right. Further, the Court finds that the Petitioner's certification of notice is insufficient to justify the issuance of an injunction without notice to Respondents. Indeed, the certification affirmatively admits that the Petitioner is unaware of who the individuals are who are sought to be enjoined. This Court is mindful of the anxiety that may be caused by anonymous threats of violence, or a series of seemingly unconnected incidents, be they on the internet or otherwise. However, the jurisdiction of the court must only be exercised to specifically restrain those known individuals that are shown to have some reasonable nexus to the actual

threats complained of in the Petition. Here, as alleged in the Petition, there appears to be a number of individuals who more or less refer to their cause as "Anonymous", but there is no allegation of the existence of any organization or hierarchy of command that exercises any form of collective or coordinated action that results in the systematic deprivation of the Petitioner's rights. Under these circumstances, when threats from unknown individuals are received, or when incidents such as the various YouTube or MySpace postings are interpreted as threatening, the matter is more properly one for local law enforcement rather than the constitutionally extreme remedy sought by injunction without notice against these individuals. Under these circumstances, the Petition is not well taken and it is,

THEREFORE ORDERED AND ADJUDGED that the Petition for Temporary Injunction without Notice be and the same is hereby **DENIED**.

DONE AND ORDERED in Chambers at Clearwater, Pinellas County, Florida
this 13 day of March, 2008.


W. DOUGLAS BAIRD, CIRCUIT JUDGE

cc: F. Wallace Pope, Esq.

