

IN THE CIRCUIT COURT FOR THE SIXTH JUDICIAL CIRCUIT  
IN AND FOR PINELLAS COUNTY, FLORIDA

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

Petitioners,

v.

CASE NO. 08003508 CE 020  
50008CA003508NECC

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 ANTOLOVICH,  
DANIEL MARK SIKTBERG,  
CHARLES LOUBENZ LOUIS,  
BRYAN MATTHEW ANDERSON,  
KATHRYN MARIE NORDMARK,  
GWENDOLYN JANE WEBBER,  
ROSALIE DAWN FAIR, KYLE ARNOLD,  
CRYSTAL LYN CHAMBERLAIN,  
MATTHEW BURTON DAKAN,  
ASHLEY DEANNA HAYES,  
TYLER RANDOLPH HARRISON,  
JOHN BENJAMIN SUDDETH,  
and JOHN DOES, 1-500-<sup>RVP</sup>

Respondents.

FILED  
CIVIL COURT REG DEPT  
2008 MAR 11 PM 3:09  
KEN BURKE  
CLERK OF CIRCUIT COURT

**PETITION FOR INJUNCTION FOR PROTECTION  
AGAINST REPEAT VIOLENCE**

Before me, the undersigned authority, personally appeared Petitioners, Roger Akiyama, Rev. Heber Jentzsch, Paul Kellerhals, and Church Of Scientology Flag Service Organization, Inc., who have been sworn and state the following:

FOR INFO, DEK 97 14 0301  
FILING OFFICE, PINELLAS COUNTY, FLORIDA (727) 644-2207  
3017250 05-11-2008 15:08:17 3M  
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1. Petitioners, Roger Akiyama and Paul Kellerhals, are members and officials of the Church of Scientology Flag Service Organization, Inc. ("Church"), and have personal knowledge of the facts set forth below. Rev. Heber Jentsch is the President of the Church of Scientology International. Roger Akiyama works in the security area for Church of Scientology Flag Service Organization. Paul Kellerhals is head of security for the Church of Scientology Flag Service Organization and is responsible for the safety of its staff and parishioners in Clearwater, Florida.

2. Numerous threats of violence have recently been made against us, against Scientology parishioners, and against the buildings and facilities of the Church where our parishioners regularly congregate. We have a genuine fear for the safety of ourselves and our parishioners. Some of the threats are particularly focused on March 13<sup>th</sup>, 14<sup>th</sup> and 15<sup>th</sup> and the annual religious events which occur on or around those dates, but others are general and continuing in nature.

3. The threats have been made by a group of people using the name of "Anonymous." Anonymous is a decentralized group of individuals who have banded together to oppose, picket, harass, and threaten various groups, entities, and individuals such as Fox News and MySpace users. They hacked into MySpace sites, posting pornographic pictures and sent viruses to crash MySpace users' computers. Recently, the group has focused its attention on the Churches of Scientology, its leaders and parishioners. Originally, Anonymous was primarily an internet based organization which communicated through the internet by way of bulletin boards, blogs, and chat rooms. Its initial attacks against the Church were directed to interfering with the Churches' websites and its internet communications, including a massive "distributed denial of

service" attack on the Churches' sites, causing the sites to crash and become inoperable for several days.

4. The group has also undertaken many acts of harassment and has recently begun advocating extreme acts of physical violence against the Church of Scientology, its leaders and parishioners. The threats have included a "formal declaration of war" and specific threats to assassinate or execute Rev. Heber Jentzsch, the president of the Church of Scientology International on or about March 13, 2008.

A separate personal attack on Heber Jentzsch will be launched on the 13<sup>th</sup> of March 2008 at an undisclosed time. His execution along with the deaths of other countless Scientologists will strike fear into the hearts of every member...

(See Exhibit 1.) Rev. Jentzsch's office at the Church of Scientology International has also received several specific threats of violence, including a fax to his office saying "Die, fucking cult," a call to his office on February 23, 2008, stating over and over, "Death will come" and a threat to "throw a bomb." (See Exhibits 2 and 3.)

5. Other Churches of Scientology have also received numerous threats of violence. Various members of the group have encouraged the use of attacks, raids, bombs, hand grenades, machine guns and executions of Church leaders. Much of the violence has been encouraged and promoted through the posting of animated videos on the internet website known as youtube.com. A DVD disc containing a sample of those videos is attached as Exhibit 4.

6. The complete membership of Anonymous is unknown. However, the named Respondents have been identified, on information and belief, as leaders and/or supporters of the organization's efforts against the Church of Scientology Flag Service

Organization in Clearwater within the last 30 days.

7. Each year on March 13 and the surrounding dates, the Churches of Scientology celebrate the birthday of L. Ron Hubbard. This occasion is the equivalent of Christmas for members of the Christian faith, Rosh Hashanah for members of the Jewish faith, Mawlid al-Nabi for members of the Islamic faith, and Vesak for members of the Buddhist faith. Various meetings, religious services, and events are held to mark this occasion. Parishioners, officials, and leaders come to Clearwater and gather in large numbers at numerous events and services for this purpose. It is at this event that Anonymous has declared that it is their plan to assassinate or execute Rev. Heber Jentsch.

8. Anonymous is promoting March 13, 14 and 15 as "phase 2" of the "War on Scientology" and as particular target opportunities for its members and supporters to protest, harass, intimidate, threaten, and kill Scientologists and Scientology leaders. (See Exhibits 1 and 5.) Anonymous has posted intricate and detailed plans for its "Beware the Ides of March" event in downtown Clearwater scheduled for March 15. It has instructed its members to avoid the use of masks but to instead use sunglasses, bandanas, hats, and scarves to cover their faces. (See Exhibit 6) The plans also include maps of Scientology buildings, roads, and even the division of its members into red, yellow and blue "teams". (See Exhibit 6) Petitioner Roger Akiyama monitors the activities of anti-scientology groups and individuals and attests that the only known plans or calls for protests by anti-scientology individuals or groups on March 13, 14 and 15 in Clearwater, Florida are those that are being promoted by Anonymous.

9. While recent threats of violence against the Church of Scientology Flag

Service Organization in Clearwater and its members, leaders, and facilities have focused on March 13, 14, and 15, they also represent a general increase in hostility and have begun encouraging both specific and general acts of physical violence. The ramping up of rhetoric and the general "call to arms" appears to be resulting in increased acts of physical violence and vandalism all of which has the likelihood of escalating into even more serious acts of violence. (See Exhibit 7, documentary of threats by Anonymous.) The threats and acts include the following:

i. On February 28, 2008, a 911 call was received by Pinellas County police stating that there was a man under the desk in the lobby of the Ft. Harrison Hotel shooting people. The police responded with 15 police cars and blocked off all traffic around the Ft. Harrison Hotel until it was determined that the call was a hoax. Significantly, two unidentified people were seen videotaping and monitoring the police reaction.

ii. Recently, two young males, one of whom, Adam Mollinedor, is a known member of Anonymous, pulled the main power switches at a Clearwater Church building shutting off power to the building. The act was repeated about 20 minutes later. Adam Mollinedor is reported to have recently expressed anger and threats against local Scientologists and has voiced his intent to participate in Anonymous activities planned for March 13, 14 and/or 15 in Clearwater.

iii. Within the last week a man, who identified himself as Dani Kiernan, called to proudly announce that he was a member of Anonymous, that he had registered an internet domain containing the words "deathofscientology" and that he was planning to travel from the United Kingdom to Clearwater in order to participate in

the Anonymous activities planned for March 13, 14 and/or 15 in Clearwater. (See Exhibit 8.)

iv. On February 27, 2008, an animated video was posted on youtube.com entitled "ANONYMOUS DOMESTIC TERRORIST" which proceeds to explain how one can become an "Online Computer Terrorist." The speaker wears a gas mask which hides his face and disguises his voice. A bystander wearing a mask holds a shot gun pointed at the camera. (See Exhibits 4 and 9.)

v. On February 26, 2008, an animated video titled "Anonymous VS scientology" was posted on youtube.com. The voice-over states: "We are Anonymous. We do not forgive. We do not forget. Expect us". A headless figure wearing the Anonymous black suit shoots the Scientologists with machine guns. The headless figure divides into many more headless figures. (See Exhibits 4 and 10.)

vi. On February 25, 2008, an animated video titled "Anonymous v. Scientology-gmod" was posted on youtube.com. A headless figure wearing the Anonymous black suit logo shoots Scientologists with a machine gun. Splattered blood and graphic bullet holes are shown in the heads and bodies of the victims. (See Exhibits 4 and 11.)

vii. On February 18, 2008, a phone call was received by the Clearwater Church which appeared to be recordings of movie or TV clips including a statement to the effect of "our guns, our rockets, our missiles are all pointed at you."

viii. On February 14, 2008, the scientology.net site received an email from "Anonymous" stating: "I am anon...Fuck you pansy ass little bitches im gonna cut yur thought and im gonna stick my cock down in it and ram the shit out of it. Then fuck

you in the ass." [sic] (See Exhibit 12.)

ix. On February 13, 2008, an animated video was posted on youtube.com. The video was also posted to another web site, rapidshare.com, and subsequently, to a website in Holland. The Youtube and Rapidshare versions have been removed but it is still available on the site in Holland. A computer generated female voice says:

Hello leaders of Scientology. We are an elite anonymous.

On the 13<sup>th</sup> of March 2008 at approximately 12:01 PM GSM one 5 kilogram pack of nitroglycerin will detonate in the Churches of Scientology across the United States of America...

**This will be the world's biggest terrorist attack on a religion. Lives will be lost...**

A separate personal attack on Heber Jentzsch will be launched on the 13<sup>th</sup> of March 2008 at an undisclosed time. His execution along with the deaths of other countless Scientologists will strike fear into the hearts of every member...

(See Exhibits 1 and 4.)

x. On February 10, 2008, Petitioner Roger Akiyama was observing participants of the Anonymous "raid" activity which occurred on that date. One of the picketers yelled "Motherfucker. I'm going to get you!" and began advancing. A nearby police officer intervened and stopped the advance.

xi. On February 10, 2008, a picture was posted on flickr.com depicting Scientology churches and buildings being attacked with missiles and bombs. The caption stated:

"Anonymous: Dedicated to the Destruction of the

World's Most Dangerous Cult".

(See Exhibit 13.)

xii. On February 10, 2008, an animated video was posted on youtube.com entitled "ARISE INTERNET HATE MACHINE". The speaker wears a gas mask to obscure his voice and face and states: "Anonymous. This is your call to arms". A bystander holds a shotgun. The speaker encourages its members to abandon internet terror and to instead take up arms and expand their terror to real life. (See Exhibits 4 and 14.)

xiii. On February 10, 2008, a posting was placed on scientologytoday.org from "Anonymous" that says, "YOU ALL NEED TO DIE." (See Exhibit 15.)

xiv. On February 9, 2008, a posting on scientologytoday.org from "Anonymous" that says "DIE". (See Exhibit 16.)

xv. On February 7, 2008, a video appeared on youtube.com entitled "Dear Paul Fetch Carnes", in response to a question a "Mr. Fetch" raised on the Internet. The video states:

"Mr. Fetch, I have a response to your question of how many people would die before this is all over. The answer is varied actually – 23, 42 or 34. And now I have a personal question Mr. Fetch, why do you believe in Scientology? Are you an idiot? Are you arrogant? Or are you just a fucking Jew?"

(See Exhibits 4 and 17.)

xvi. On February 5, 2008, a local parishioner in Clearwater reported receipt of a telephone call where an echoing voice states "you and your family are going to die".



xvii. On January 31, 2008, a cartoon was posted on a site frequented by Anonymous depicting an Atheist and a Christian finding common ground in the beating of a Scientologist with a fist and a baseball bat. (See Exhibit 18.)

xviii. On January 26, 2008, another video was posted on youtube.com which contained a formal declaration of war against the Church of Scientology by Anonymous. It states:

...Anonymous is hereby authorized and directed to employ the entire force of Anonymous and the resources of the Internet to **prosecute war against the Church of Scientology**; and to bring the conflict to a successful termination, all of the resources of Anonymous are hereby pledged”.

(See Exhibits 4 and 19.)

xix. On January 21, 2008, an animated video was posted on youtube.com entitled “Message to Scientology”. The video consists of a computer-generated voice announcing an attack on Scientology and proclaiming:

...Anonymous has therefore decided that your organization should be destroyed...

You will find no recourse from attack because for each of us that fail, ten more will take his place...

We are Anonymous.

(See Exhibit 20.)

xx. In late January 2008, the Church of Scientology Mission of Belleair, Florida reported receipt of a phone message from “Anonymous” stating it was time for Scientology to be annihilated.

10. In addition to these threats directly addressed to the Church of Scientology Flag Service Organization and its members, other Churches of Scientology

and their members have received both an increase in threats and physical acts which were either identified as coming from the Anonymous hate group or are believed to have emanated from their membership. This list is not exhaustive, but merely illustrative:

i. On March 4, 2004, a call was received at the Church of Scientology International which said: "you're gonna die in a fire, baby and I barbeque a lot" and "listen here, I am going to go to your house and hit your natural gas pipeline with a sledge hammer and put a fucking match to it." (See Exhibit 21.)

ii. On March 2, 2008, at the Church of Scientology in Auckland, New Zealand, graffiti was written on the building saying "Anonymous! Fuck Tom" and "Die!!! Scientology burn in hell." The graffiti also included a swastika symbol. (See Exhibit 22.)

iii. Also, on February 23, 2008, the Church of Scientology of Vancouver received three calls one after the other: "You're going down March 13<sup>th</sup>", "I might want to cut you a little and suck your blood" and "Going to rape you anally."

iv. On February 18, 2008, a dozen eggs were thrown at the Church of Scientology in Boston.

v. On February 18, 2008, someone posted a message on the website nzcan.org.nz threatening to blow up the New Zealand Church of Scientology. The message stated:

"Auckfag here, I'm keen but none of this nzfail shit, do it properly, red paint and small explosives, smash the church up or fail."

vi. On February 15, 2008, the Church of Scientology of San Francisco received a bomb threat. A person wearing a mask placed a box just inside the San

Francisco church building. The police were called and the bomb squad evacuated the building. The bomb squad shot compressed water in the package, which turned out to be filled with candy and confetti. There was a message on the box signed from Anonymous that read:

"To: All Scientologists – Sorry we're late, but we still want you to be our valentine – Anonymous."

(See Exhibit 23.)

vii. On February 9, 2008, someone who claimed to be an ex-Scientologist from Australia, who now lives in Hungary, called the Pasadena Church. He said that he saw in a confidential chat room a discussion of someone having a firebomb and that he was going to set this off at 4:00 a.m. GMT (that day) against the Pasadena Church. The caller, who did not want to identify himself, said that he could not reveal the name of the confidential chat room where he saw this threat. He then hung up.

viii. On February 6, 2008, a beer bottle was thrown through a window of the Church in Atlanta.

ix. On February 2, 2008, the words "WE ARE ANONYMOUS" were spray painted on the entire front of the Church of Scientology Mission of San Jose. (See Exhibit 24.)

x. On February 2, 2008, front windows were broken at the Church of Scientology of Denver. (See Exhibit 25.)

xi. On January 31, 2008, windows at Bridge Publications' printing facility, a Scientology organization that publishes the works of Scientology Founder L. Ron Hubbard, were broken by BB gun fire. (See Exhibit 26.)

xii. On January 30 and 31, 2008, letters containing an "Anonymous manifesto" were received by 24 Churches of Scientology and related administrative and printing offices. The letters threatened to destroy Churches of Scientology for "amusement". Each letter also contained a white powder obviously intending to provoke concerns of anthrax. (See Exhibit 27.)

xiii. On January 30, 2008, a Lausanne church window was smashed with a stone. (See Exhibit 28.)

xiv. On January 28, 2008, the New Zealand Church received an e-mail captioned "DIE IN HELL" from [anonymous@chanology.org](mailto:anonymous@chanology.org). The e-mail stated: "Arson. Next few weeks."

xv. On January 28, 2008, the Church of Scientology in Los Angeles received a call from a male who stated: "There is an explosive device outside your organization" and then hung up. (See Exhibit 29.)

xvi. On January 26, 2008, the Anonymous phrase "we are legion" was spray painted at or upon the front doors of the Church of Scientology Stevens Creek.

xvii. On January 26, 2008, a window of the Vancouver Church was broken and items were stolen.

xviii. On January 25, 2008, a cement parking barrier was thrown through a window at the Church of Scientology Portland. (See Exhibit 30.)

xix. On January 25, 2008, the Church of Scientology in Austin, Texas, received an anonymous phone call threatening to burn the Church down.

xx. On January 25, 2008, a dead cat was dumped by the door of the Phoenix Church of Scientology where Anonymous flyers had previously been posted.

(See Exhibit 31.)

xxi. On January 24, 2008, the words "Closed due to Aliens" and a face with a high collar were spray-painted on a Church of Scientology in Perth, Australia.

xxii. On January 23, 2008, a rock was thrown at the door of the Church of Scientology in Hamburg, Germany.

xxiii. On January 23, 2008, at 1:20 pm, the Church of Scientology of Pasadena received a call asking for management and security, stating: "I heard someone wants to bomb the Church of Scientology." (See Exhibit 32.)

xxiv. On January 23, 2008, a person called to alert the Church of Scientology of St. Louis that there was a bomb in the building. (See Exhibit 33.)

xxv. On January 22, 2008, the Church of Scientology Mission of Baton Rouge was vandalized with spray-paint.

xxvi. On January 22, 2008, a call was placed to the Church of Scientology Los Gatos and stated three times that "there is a bomb in the building." (See Exhibit 34.)

xxvii. On or about mid-January 2008, a window was broken at the Church of Scientology Mission of San Jose.

11. The Church has good reason to be concerned over these threats, given acts of deadly violence against Churches of Scientology in the recent past by persons who were inflamed by public statements of religious hatred. For example, in 1994, a gunman entered the Church of Scientology in Lisbon, Portugal, shooting two Church staff members, killing one of them.

12. In 1996, a man from Oregon, sent letters threatening to blow up a Church

of Scientology in Los Angeles, and to kill one of its executives. The man was stopped by police in Bakersfield, California, en route to Los Angeles to carry out his threats, where he engaged in a gun fight with the police, and set fire to his van, detonating multiple explosive devices concealed inside.

13. In September 1996, after threats against the Church of Scientology in Portland, one Jairus Godeka, carried a pistol and a can of gasoline into the building, set a fire in the lobby, then shot four staff members, one a pregnant woman who was left paralyzed. Her unborn child died as result of the shooting.

14. In 1997, a student placed a bomb outside a Church of Scientology in Angers, France after making threats against the Church. A staff member noticed the suspicious package and removed it to a safe distance where police disarmed it.

15. On December 25, 2005, Robert Trujillo walked into the Church of Scientology of Las Vegas. Trujillo had a Molotov bomb and was in the process of lighting it when a Church staff member stopped Trujillo from lighting the Molotov bomb.

16. On information and belief, the names and last known addresses of some of Anonymous's local leaders and supporters are:

Matt Baker  
Address unknown

Joshua Nussbaum  
University of Tampa

James Robert Shumilak  
781 32<sup>nd</sup> Avenue, N.  
Saint Petersburg, FL 33704-1213

Ty Geldner  
Orlando, Florida

Adam Mollinedor

Madison Street  
Clearwater, Florida 33764

Dani Kiernan  
10-16 Tiller Road  
Docklands, London E14 8PX.

Stuart B. Johnson  
Orlando, Florida

Matthew Antolovich  
11802 Meadow Branch Dr., Apt. 517  
Orlando, FL 32825-5056

Shayn Anthony Eichhorn  
68 Nicholas Dr.  
Dunedin, FL 34698-2536

Joseph D. Rubalcava  
22 New York Avenue  
Dunedin, FL 34698-8411

Daniel Mark Siktberg  
14367 87th Avenue  
Seminole, FL 33776-1927

Charles Loubenz Louis  
1709 E Navajo Avenue  
Tampa, FL 33612-7073

Bryan Matthew Anderson  
400 Pine Warbler Way, N.  
Palm Harbor, FL 3483-6104

Kathryn Marie Nordmark  
442 New York Avenue  
Dunedin, FL 34698-7887

Gwendolyn Jane Webber  
3105 W North A Street  
Tampa FL 33609-1557

Rosalie Dawn Fair  
1506 Gulf Blvd., Apt. 5  
Indian Rocks Beach, FL 33785-2734

Kyle Arnold  
2100 Nursery Rd., Apt. L19  
Clearwater, FL 33764-2634

Crystal Lyn Chamberlain  
8970 85th Street  
Largo, FL 33777-3511

Matthew Burton Dakan  
1119 32nd Street  
Sarasota, FL 34234-5823

Ashley Deanna Hayes  
1215 Newport Avenue  
Lakeland, FL 33801-5961

Tyler Randolph Harrison  
11208 Pinewood Cove Ln.  
Orlando, FL 32817-3432

John Benjamin Suddeth  
14000 Chicora Crossing Blvd.  
Orlando, FL 32828-7744

17. Florida Statute §784.046 provides in pertinent part:

1. As used in this section, the term:

(a) "Violence" means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, or false imprisonment, or any criminal offense resulting in physical injury or death, by a person against any other person. [emphasis added]

(b) "Repeat violence" means two incidents of violence or stalking committed by the respondent, one of which must have been within 6 months of the filing of the petition, which are directed against the petitioner or the petitioner's immediate family member. [emphasis added]

....

2. There is created a cause of action for an injunction for protection in cases of repeat violence...



(a) Any person who is the victim of repeat violence... has standing in the circuit court to file a sworn petition for an injunction for protection against repeat violence. [emphasis added]

Florida Statute §784.048 provides:

Stalking; definitions; penalties.

1. As used in this section, the term:

(a) "Harass" means to engage in a course of conduct directed at a specific person that causes substantial emotional distress in such person and serves no legitimate purpose.

(b) "Course of conduct" means a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of "course of conduct." Such constitutionally protected activity includes picketing or other organized protests.

(c) "Credible threat" means a threat made with the intent to cause the person who is the target of the threat to reasonably fear for his or her safety. The threat must be against the life of, or a threat to cause bodily injury to, a person.

(d) "Cyberstalk" means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

....

2. Any person who willfully, maliciously, and repeatedly follows, harasses, or cyber stalks another person commits the offense of stalking...

3. Any person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person, and makes a credible

threat with the intent to place that person in reasonable fear of death or bodily injury of the person, or the person's child, sibling, spouse, parent, or dependent, commits the offense of aggravated stalking.

18. Florida Statute §1.01(3) defines person to include individuals, firms, corporations and all other groups or combinations. [emphasis added]

19. The recent conduct undertaken by Anonymous constitutes harassment, course of conduct, credible threat, cyberstalking, stalking and aggravated stalking as defined by Florida Statute §784.048. All of which also constitutes repeat violence as defined in Florida Statute §784.046 and which is subject to injunction for preventative purposes.

20. The Florida stalking statute §784.048 is constitutional; it is neither unconstitutionally overbroad nor vague. Bouters v. State of Florida, 659 So.2d 235 (Fla. 1995). Therefore, Florida Statute §784.046 which permits the issuance of injunctions to prevent repeat violations of stalking and violence is also constitutional. Florida Statute §784.048 creates a "reasonable person" standard. Id at 237. A "well-founded fear" is measured by a reasonable person standard, not a subjective standard. Id at 238. Where the circumstances are such as to ordinarily induce fear in the mind of a reasonable man, then the victim may be found to be in fear, and actual fear need not be strictly and precisely shown. Id. The same principle applies to the definition of "harasses" under the stalking statute; the legislature has proscribed willful, malicious, and repeated acts of harassment which are directed at a specific person, which serve no legitimate purpose, and which would cause substantial emotional distress in a reasonable person. Id.

21. Likewise, the conduct prohibited by §784.048 (and for which an injunction can issue under §784.046) is not protected by the First Amendment. Id at 237. While

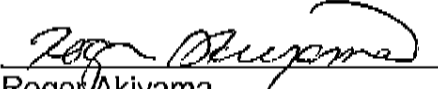
the First Amendment confers on each citizen a powerful right to express oneself, it gives the [citizen] no boon to jeopardize the health, safety, and rights of others. Operation Rescue v. Women's Health Center, Inc., 626 So.2d 664, 675 (Fla. 1993), *cert. denied*, 510 U.S. 1092, 114 S.Ct. 923, 127 L.Ed.2d 216 (1994), *aff'd in part sub nom. Madsen v. Women's Health Center, Inc.*, 512 U.S. 753, 114 S.Ct. 2516, 129 L.Ed.2d 593 (1994), *on remand*, 644 So.2d 86 (Fla. 1994).

22. Stalking is defined by §784.048, Florida Statutes (2001), as any person who willfully, maliciously and repeatedly follows or harasses another person. "Harass" means to engage in a course of conduct that causes substantial emotional distress in such person and serves no legitimate purpose. Section 784.048, Florida Statutes (2001). "Course of conduct" is defined as a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose. §784.048, Florida Statutes (2001). The purpose of the stalking statute is to criminalize unlawful conduct that falls short of assault or battery. Curry v. State, 811 So.2d 736, 741 (Fla. 4th DCA 2002). The stalking and repeat violence statutes are designed to protect victims, by ensuring that they do not have to be injured or threatened with death before they could stop a stalker's harassment. *Id* at 741..

23. The standard for issuance of an injunction under §784.046 is whether it appears that an immediate and present danger of violence exists. Waler v Lovett, 905 So.2d 972 (Fla. 5<sup>th</sup> DCA 2005). Injunctions are designed to prevent more serious physical injuries from occurring. Abravaya v. Gonzalez, 734 So.2d 577 (Fla. 3d DCA 1999).

24. All conditions precedent to the institution and maintenance of this action having been performed, have occurred or have been waived.

WHEREFORE, the undersigned Petitioners seek an immediate injunction against Anonymous, its local leaders and supporters, and all persons in active concert or participation with them, enjoining said group from committing any further acts of repeat violence; and an injunction preventing Anonymous, its local leaders and supporters and all persons in active concert or participation with them, from coming within 500 feet of Rev. Heber Jentzsch as well as the locations and entrances of buildings which Rev. Heber Jentzsch will frequent, and the buildings and locations where large numbers of Scientology parishioners, leaders, and officials typically gather. These buildings are 210 S. Ft. Harrison Avenue, 210 S. Osceola Avenue, 503 Cleveland Street, 500 Cleveland Street, 118 N. Ft. Harrison Ave., 200 N. Osceola Avenue, 221 N. Osceola Avenue, 1024 Cleveland St., 711 Cleveland St., 645 Franklin St, 551 N. Saturn Avenue, 1301 Amble Lane and with respect to March 13, 14 and 15, Ruth Eckerd Hall, as well as the entrance thereto at 1111 N. McMullen Booth Road, Clearwater, FL 33759. Said injunction to include any terms the court otherwise deems necessary for the protection of the Petitioners and the Petitioners' immediate family, including any injunctions or directives to law enforcement agencies.

  
\_\_\_\_\_  
Roger Akiyama

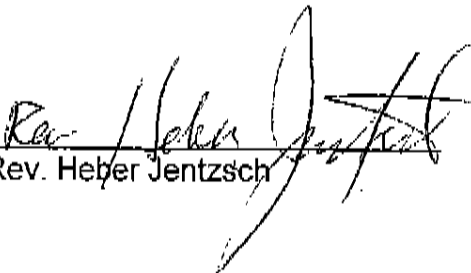
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Rev. Heber Jentzsch

  
\_\_\_\_\_  
Paul Kellerhals

WHEREFORE, the undersigned Petitioners seek an immediate injunction against Anonymous, its local leaders and supporters, and all persons in active concert or participation with them, enjoining said group from committing any further acts of repeat violence; and an injunction preventing Anonymous, its local leaders and supporters and all persons in active concert or participation with them, from coming within 500 feet of Rev. Heber Jentsch as well as the locations and entrances of buildings which Rev. Heber Jentsch will frequent, and the buildings and locations where large numbers of Scientology parishioners, leaders, and officials typically gather. These buildings are 210 S. Ft. Harrison Avenue, 210 S. Osceola Avenue, 503 Cleveland Street, 500 Cleveland Street, 118 N. Ft. Harrison Ave., 200 N. Osceola Avenue, 221 N. Osceola Avenue, 1024 Cleveland St., 711 Cleveland St., 645 Franklin St, 551 N. Saturn Avenue, 1301 Amble Lane and with respect to March 13, 14 and 15, Ruth Eckerd Hall, as well as the entrance thereto at 1111 N. McMullen Booth Road, Clearwater, FL 33759. Said injunction to include any terms the court otherwise deems necessary for the protection of the Petitioners and the Petitioners' immediate family, including any injunctions or directives to law enforcement agencies.

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Roger Akiyama

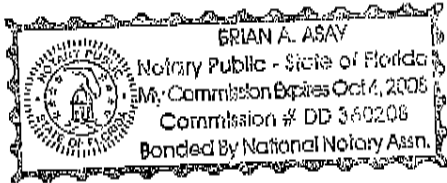
  
Rev. Heber Jentsch

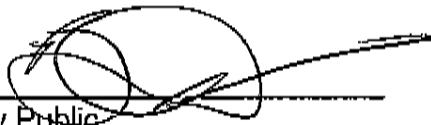
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Paul Kellerhals

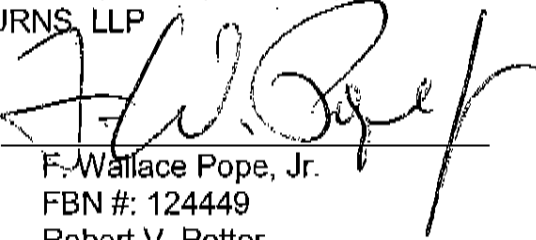


SWORN TO AND SUBSCRIBED before me on this 9<sup>th</sup> day of March, 2008, by  
Glen Stilo, as Corporate Secretary for Church of Scientology Flag Service Organization,  
Inc., who is personally known to me ~~or who produced~~ \_\_\_\_\_  
as identification.



  
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Notary Public  
My Commission Expires:

JOHNSON, POPE, BOKOR, RUPPEL &  
BURNS, LLP

By:   
\_\_\_\_\_  
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