

Frederic A Blum
Petitioner

VS.

MOTION TO DISSOLVE INJUNCTION

Randy Scott
Respondent

FILED
AUG 24 2015
CLERK OF COURT
LEWIS COUNTY

MOTION TO DISSOLVE INDEFINITE INJUNCTION

JURISDICTION

A motion to relinquish or clarification for the lower tribunal to decide this specific motion to dissolve has been submitted to the 2nd court of Appeals. Please hold jurisdictional questions that *would stop this motions calling* in abeyance until such time as you get the notice from the 2nd District Court of Appeals to proceed on this specific motion. I have attached the motion to relinquish herein.

I REQUEST THIS MOTION IS CALENDERED SEPARATE AND DISTINCT ON THE SAME DATE AS THE continuing jurisdiction MOTION TO STAY IS SCHEDULED to be heard on September 10, 2015 at 8:30 am.

I am the party against whom this INDEFINITE injunction has been granted. This motion to dissolve is a continuing jurisdiction of this lower tribunal.

Respondent requests the Court to enter an order dissolving all injunctions for the following:

SUMMARY

This case is about a person who lost his liberties delegated to him by the United States bill of rights by a civil actor subsequently endorsed by government without the benefit of counsel to defend against same.

The founders of this country in order to *form a more perfect* union created a bill of individual rights. Those rights are to protect the minority from the tyranny of the majority. They therein created as its number one bill of individual rights the first amendment to assure the minority a right to speak against the tyranny of the majority in the public and in some cases private square.

What this case before this court shows in allegations and testimony with undisputed facts is gang stalking against the respondent speech. The NAPPS leadership group united to supply documents, not directed at a specific person, but published to many. That unity is against respondent's speech in the public square regarding the public purpose of the process serving industry. Respondent creating public discourse and discussing the public purpose of process serving industry and public purpose in the federal government granting of tax exemption of non profit industry specifically process serving trade association(s) NAPPS and its affiliates and its leaders. The petitioners averments in his petition is clear and convincing evidence against the first amendment speech of the individual respondent to the isolation of his public petitions so Mr Blum and his confederates can have free

unobstructed reign in the public square. This group, with the courts intervention, now has the right to petition government, the right to frame their public discussion without challenge. Provably contrary to the requirement of a democratic society where differing views, opinions and speech lay. Respondent has had tremendous recent success until the court intervened and approved the abridgment of his rights. Respondent's speech is/was not in a vacuum but in an echo chamber. Over 1000 people choose to continue to hear respondent in his opt in & opt out emails. Over 1000 NAPPS members have agreed with the respondents truthful and compelling documents and as of July 31, 2015 have QUIT or refused to renew their membership in the NAPPS tax exempt trade organization. Since the NAPPS leaders began their efforts to destroy respondents business and speech in words and deeds starting at least April of 2010 and continuing its own members have revolted and left. Society wants open and free discussion. As society witnessing small or large attacks against speech or a speaker, even speech it may disagree with, it often gets wiled and responds. Such is the contemporaneous events of Mr Blum action against respondent's speech. The united NAPPS leaders and its small followers efforts in bullying respondent has backfired. Respondent is one of the many victims over the past several years. Respondent has always petitioned government regulators, legislators, and law enforcement regarding NAPPS and the process serving industry. It is clearly the basis of the cause of action by Mr. Blum as

affirmed in his numerous if not all petition statements including the term therein NAPPS. This is the issue. It is clearly and convincingly an organized effort to prevent speech contrary to the goals of the groups leaders. Its followers are getting smaller. NAPPS leaders do not want public opposition to its regulatory direction of its public purpose NON PROFIT activities. Respondent is the first one who in a civil non threatening manner raised up his game of petitioning government in the public square once the petitioner and his confederates raised up their game in attack mode against the respondents public petitions to government and those in the trade of process serving. As time goes on the trend was clearly leaning respondents way. The petitioner and his confederates rose up a new game and pitched it to the courts. It's time to get the ball back on the constitutional field. Speech is not reserved to the majority but to all. This allotment, endorsement of one political view over another, undoubtedly stagnates creative public policies as only one side being the exclusive benefactor of petitions in public policy prevents a fuller view to garner support and compliance of all the people. The court should not be the gatekeeper of civil non threatening non specific person public policy speech in any form and especially in one regarding the regulation and oversight of the process serving industry. The banner of the TRUTH burden of the underlining speech has never been litigated, audited or otherwise investigated. This case is a clear example of a person attempting to save his first amendment and second amendment liberties having to answer "when did you stop beating your wife?". A

subjective impossibility for this respondent to answer unless the triers of fact employed by the law take the necessary time to look see who is holding and raising the cane.

CHANGE IN CIRCUMSTANCES

- a. The petitioner, Frederic A Blum, on August 6, 2015 after the issuance of the final order July 27, 2015, directed communications that follows & harasses respondent. He directly or indirectly supplied his recorded and filed copy of Lee County Clerk logged electronic access only Final Order of this court to Tony Klein. Tony Klein discusses it on Facebook. (Exhibit F). At some point Mr Klein points out the part(ies) involved were getting flak for giving him the document. Who are the (ies) in this discussion your honor? I know the court only visualizes one petitioner sitting in front of it but the petitioner reveals in his petition his efforts are to stop respondents public purpose legitimate purpose speech about the process serving industry and NAPPS. Yet for standing petitioner must apply the facts to the individual and his averments prove otherwise. The petitioner overwhelmingly clearly and convincingly reveal his standing is to protect a group of speakers against respondent. To control the public purpose speech about a non profit trade association dealing(s) with the public purpose of process serving. NAPPS is listed as his cause in all the allegations and exhibits.

- b. The petitioner's exhibits are all from those united to end respondents public purpose speech directed at the public issue of the trade of process serving. These exhibit references in this section are referencing the petitioners exhibits
- i. Gina Sharbowski NAPPS member supplied petitioner exhibits # 8, 12, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49.
 - ii. Gary Crowe-NAPPS administrator Exhibit #10
 - iii. Lawrence Yellon NAPPS members supplied Exhibit #11
 - iv. Michael Compton NAPPS member supplied Exhibit #4
- c. Those parties who make all of the petitioners exhibits show the concerted effort to enjoin the respondents public participation speech. (These are examples how this is all been a public purpose discussions and NAPPS in concert with this petitioner have went nuclear to destroy opponents speech .) .
- i. Gina Sharbowski a/k/a AGLS attached as exhibit A to this motion
 - ii. Gary Crowe attached as exhibit B to this motion
 - iii. Lawrence Yellon attached as exhibit C to this motion
 - iv. Michael Compton attached as exhibit D to this motion
 - v. Tony Klein attached as exhibit F to this motion
 - vi. Fred Blum-Petitioner attached as exhibit G to this motion accessed from the NAPPS.org internet site August 22, 2015

PRAYER FOR RELIEF:

Respondent requests that the court dissolves the injunction .

If the court does not dissolve the injunction I request the court to take notice of this temporary order from Martin county, Florida involving a similar business dispute between a Palm county resident and a California resident. (attached as exhibit H to this motion). The differences in that case, as compared to this one, is both parties appeared to be multi-millionaires and both parties have counsel. Also in the exhibit H direct contact through the communication appears to have been alleged. It also appears threats were made. Furthermore, that case is one against one, not like here where it is many against one, and one against many in a public speech dispute.

I pray you make the same detailed analysis as this judge did in exhibit H from Martin County. This will allow the 2nd court of appeals to fully understand the reasoning of the court of the application of the facts to the law.

For the injunction to continue any two of any of the specific allegations has to have all three of these elements present:

1. Course of Conduct without a legitimate purpose
2. Directed [at] a [specific] person” and
3. has competent substantial evidence emotional duress occurred.

The petitioner is a 30 year veteran of the process serving industry and a 30 year licensed private detective and has been a 30 year candidate, by choice

to lead a public purpose organization. An organization the IRS recognizes as tax exempt public purpose nonprofit, NAPPS. NAPPS is a representative body politic elected by its members. Under IRS rules and law the tax returns and finances of the NAPPS is a public document. I have well scrutinized that document. I have well publicized that document over the past three years with my expert professional evaluations supported with significant public records and it is compelling.

The reasonable person standard for emotional duress must be heightened in that tough and rumble profession of process serving and private investigator field. Anyone who has survived over 30 years in rejection, door slamming, name calling and cursing and conflict with covert surveillance teaming up against others shows with a degree of certainty not easily moved.

A government threat of a chilling injunction stripping from the accused two rights enumerated in the US Constitution, the ones our founders thought important enough to make them the first two. Prior restraint is a burdensome step that attacks at the very goal of an efficient court. I suggest the prior restraint should have been on the petitioner before filing and not on the respondent after.

Regardless if we even get to that element of substantial emotional distress I would respectfully suggest to this court that the petitioner has not met any of

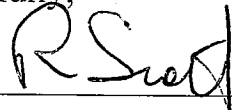
the burdens , his exclusive desire to petition government and non profit member electors motives aside. His continued support and direction of speech against the respondent necessarily impugns his credibility of substantial emotional duress, a required final element.

It appears the order was granted on the volume of submission the petitioner filed actually attacking the time and efficiency of this honorable court. I request the court does an analysis on any one of the submissions or allegations and as we roll down that path it will find cyber stalking did not occur and the injunction should be dissolved. Of course whatever the court decides, and if one side or the other appeals the appeals court would be well suited to have specific rulings and reasoning's in writing why this court ruled the way it has.

Respondent requests the motion to dissolve is granted and a written order specifically addressing with a written reasoning of the courts order of the law and the facts as tendered into the records of this case and specifically request you use the guidance of exhibit H for your order .

August 23, 2015 .

Respectfully,

A handwritten signature in black ink, appearing to read "R Scott", is written over a horizontal line.

Randy Scott
343 Hazelwood Ave S
Lehigh Acres, Florida 33936
2393007007

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the above and the foregoing was filed to the Lee County Clerk of Courts office. AND directed at Jennifer Gutmore via USPS mail to 1625 Hendry Street, Third Floor, Fort Myers, FL 33901.