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IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
IN AND FOR SARASOTA COUNTY, FLORIDA

Case No.: 2026 DR 004778 NC
Division: FAMILY 1

VICTORIA EMMA SHINGLETON,

Petitioner,

v.

JOSHUA CONNER MOON,

Respondent.
_____/

RESPONDENT'S REPLY IN SUPPORT OF EMERGENCY MOTION TO DISSOLVE AMENDED TEMPORARY INJUNCTION

In her Opposition, Petitioner concedes that at least part of the Injunction must be struck. Resp. at 12–13. The remainder of her Response, if read critically, actually supports Respondent's position. Petitioner demands that the entire discussion about her must be deleted from Respondent's website, a classic prior restraint. She then raises new arguments to try and defend the Injunction that she never raised in the Petition.

The Injunction must be dissolved.

1.0 ARGUMENT

1.1 Petitioner Concedes the Firearms Provision Should be Removed

Petitioner acquiesces to striking the firearms provision. Resp. Part IX; *Dean v. Bevis*, 322 So. 3d 167, 170 (Fla. 2d DCA 2021). This unlawful and un-asked-for restraint on a constitutional right should not stay in place another moment.

1.2 Petitioner Concedes She is Trying to Suppress Speech

Petitioner says the order "orders no removal." Resp. Part III.A. Yet she says that she has already moved for an order to show cause because, after the order, some posts about her were

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edited while others were "left online." Resp. at 11–12; Filings 11, 14. If Petitioner claims that leaving content online is a violation of the Temporary Injunction, then she is arguing the injunction requires removal of content. She then asks for removal of "the threads dedicated to" her in their entirety. Resp. Part V. This would treat Respondent as the publisher of third-party content. As explained in the Motion to Dissolve, federal law forbids this. 47 U.S.C. § 230(c)(1), (e)(3). Petitioner concedes that the removal order against the platform was stricken in *Hassell v. Bird*, 5 Cal. 5th 522 (2018). Resp. Part II.E. At a minimum, she claims "the remedy is to narrow the language" (Resp. Part III.A). But it is impossible to narrow an injunction enough to comply with Section 230 when Petitioner's claim is based solely on third-party speech. A person is *always* immune from state-law claims based on hosting content, declining to remove content, and allowing third parties to publish content.

1.3 Section 230 Completely Immunizes Respondent

1.3.1 *Respondent's speech has nothing to do with the Petition.*

The Petition complains entirely about statements by "readers" and "[p]osters." The Response now cherry picks Respondent's "own statements," but those cherries are old and rotten. She identifies only a single post from Respondent *from a decade ago* that "mocked her threats to involve law enforcement against me." Moon Decl. ¶ 13. Of course, the Petition never mentions this statement. She then cites December 2016 emails from Respondent responding to a complaint Petitioner had submitted to Cloudflare. Moon Decl. ¶¶ 14–15; Ex. 4. These were statements in a private email exchange, not forum posts. Those are his own words, but they have nothing to do with the Petition. *And they are a decade old.* Section 230 is applied statement by statement: an operator who writes something himself is responsible for only that content and remains immune for content "provided by another." § 230(c)(1); *Fair Hous. Council v. Roommates.com, LLC*, 521

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F.3d 1157, 1162–63 (9th Cir. 2008) (en banc). Petitioner's position, that a provider or user of an interactive computer service who makes a few statements on a service is forever stripped of immunity for everything anyone else ever wrote on that service, has never been recognized by any court. And a 10 year old post, even if it were "harassing," cannot be the basis for an injunction now. Stalking requires "[a] minimum of two incidents" of harassment, *Benhalima v. Iakovenko*, No. 2D2025-2977, slip op. at 10 (Fla. 2d DCA July 29, 2026), and a 2016 email exchange is not an "immediate and present danger." Fla. Stat. § 784.0485(5)(b). Petitioner speculates that Respondent opened or supplied the 2016 thread (Resp. Part II.F(d)), but she provides no more than the kind of "conclusory assertion" *Benhalima* said was "insufficient." Slip op. at 8.

1.3.2 *No exception to Section 230 applies.*

Section 230(e)(1) excepts *federal* criminal statutes.[1] No federal statute is in play here. All state laws inconsistent with § 230, criminal or civil, are preempted by Section 230. *See* 47 U.S.C. § 230(e)(3). Even in the absence of Section 230, old fashioned theories of liability would still mock the claims. Strangers' speech cannot be transformed into true threats or incitement by the Respondent. If something is a "true threat," it must be made with the requisite intent. *Counterman v. Colorado*, 600 U.S. 66 (2023). Incitement, on the other hand, is not "incitement" without imminence. *Brandenburg v. Ohio*, 395 U.S. 444, 447 (1969).

1.4 The lolcow.farm and "Legal Advisor" Arguments are Silly Distractions

Petitioner claims that Respondent owns lolcow.farm because he manages a Florida company named Lolcow LLC. Those are not the same things. Petitioner says that a message submitted through the Lolcow Email contact form proves ownership. But that is not true unless

[1] Petitioner also brings up the exception for copyright claims, which is not vindicated in family court.

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that email service and lolcow.farm are the same thing. They are not, and she provides no evidence that they are related. She even concedes this lack of evidence. Resp. Part II.F(e). The accusation of a violation of Fla. Stat. § 454.23 is baseless. Respondent never claimed to be an attorney; the company legal inbox was signed "Legal Advisor" in 2016. That is not the unlicensed practice of law. And even if it were, it happened ten years ago and has nothing to do with whether Respondent stalked her imminently here.

1.5 Venue and Timing

Petitioner's Sunbiz exhibit shows a Sarasota address for the company's registered agent, Cindy's Florida LLC. That is not Moon's domicile. That is not evidence of where any actions occurred. *Fla. Stat*. § 784.0485(1)(f). If the Injunction survives, transfer to Clay County is proper.

As for timing, Petitioner did not give Respondent notice of this hearing or this Injunction until 6:17 p.m. on this past Friday. Yet she complains that Respondent filed something on the following Sunday? The audacity of this is mind boggling. Petitioner filed a 14-page brief response brief the following day which, while filled with errors and non-sequitur arguments, shows she is entirely capable of dealing with short briefing timelines.

2.0 CONCLUSION

The Court should dissolve the Amended Temporary Injunction in its entirety, and in doing so strike paragraph 3.b and declare that hosting or declining to remove content written by others is not a violation. It should also deny the removal relief requested in Part V of the Response and transfer this matter to Clay County. If the court declines to do so, it should issue a stay of the Injunction pending appeal.

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Dated: September 22, 2026.

Respectfully Submitted,

/s/ *Marc J. Randazza*

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CERTIFICATE OF SERVICE

I hereby certify that on September 22, 2026, the foregoing was filed with the Clerk of Court via the Florida Courts E-Filing Portal and was served by electronic mail upon Petitioner, Victoria Emma Shingleton, pro se, at mvminksend@gmail.com, and upon all other persons entitled to service.

/s/ *Marc J. Randazza*
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