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

VICTORIA EMMA SHINGLETON, Petitioner, vs. JOSHUA CONNER MOON (a/k/a "Joshua Conner Moon," a/k/a "Null"), Respondent.	TRANSCRIPT of HEARING CASE NO.: 2026-DR-004778 NC

Place: Sarasota County Justice Center
2071 Ringling Blvd
Sarasota, FL 34237

Date: September 22, 2026

BEFORE:

MAGISTRATE ROCHELLE CURLEY

APPEARANCES:

For the Petitioner: By: VICTORIA EMMA SHINGLETON, PRO SE

For the Defendant: Randazza Legal Group
By: MARC J. RANDAZZA, ESQ.
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September 22, 2026 - before Magistrate Curley

P R O C E E D I N G S

THE COURT: Here we go. All right. Oh, hold on. Hold on. All right. We've got your case. All right.

We are here on the Shingleton Moon case, 26-DR-4778. I've got Mr. -- is your name Randazza?

MR. RANDAZZA: Yes.

THE COURT: Mr. Randazza is present in court. I believe I've got Attorney -- no, she's pro se.

Matthew Hardin, you are here on which case?

MR. HARDIN: I'm a member of the public in this case. I am an attorney representing Mr. Moon in other cases and I just want to watch today so that I'm aware of what happens.

THE COURT: Oh, very good. Okay.

And if Ms. Shingleton and Mr. Moon -- the parties to the case -- if you could please at least un-mute, if I could see you, hear your voice.

Mr. Moon, can you say your name for me?

MS. SHINGLETON: Good morning.

THE COURT: Mr. Moon, can you say your name for me?

MR. MOON: Joshua Moon.

THE COURT: Thank you so much.

Victoria Shingleton, can you say your name for me?

MS. SHINGLETON: Good morning, Your Honor. Victoria

Shingleton.

THE COURT: Thank you very much. Okay.

We've got a lot going on here. There was a -- I believe there was an injunction that was -- let me just get out of this last case. And I apologize for that. Hold on. 4778. 4778.

Yep. There was an order -- there was a temporary injunction that was entered by Judge Krug and set for today. It looks like that's the last thing I have, is that there was an order on September 9th to allow the petitioner to appear remotely. So here we are.

I also received the respondent's emergency motion to dissolve the injunction. And I just want to make sure that we're all ready to proceed. All right. So Ms. Shingleton is representing herself.

Ms. Shingleton, are you ready to proceed?

MS. SHINGLETON: Yes, Your Honor.

THE COURT: Okay. And, Mr. Randazza, you have filed -- hold on. It's quite lengthy, but it looks as though that you were challenging the evidence that resulted in the temporary injunction; is that correct?

MR. RANDAZZA: We are challenging the injunction as a matter of law.

THE COURT: As a matter --

MR. RANDAZZA: So we also -- we are also challenging

the evidence itself; however, I think even if you accept the evidence at face value, this injunction was unlawfully entered in contravention of federal statute 47 U.S.C. Section 230.

THE COURT: Okay. What I would typically do -- because what I would typically do, sir, is I would go through the testimony, and then at the end I would hear argument including your motion to dissolve. Okay?

MR. RANDAZZA: Let's do it.

THE COURT: Awesome.

All right. Ms. Shingleton, can you please put on your video?

MS. SHINGLETON: I wish I could, Your Honor. I have tried and it will not allow me.

THE COURT: Okay.

VICTORIA SHINGLETON, PETITIONER, SWORN.

THE COURT: All right. And state your name for me.

MS. SHINGLETON: Victoria Shingleton.

THE COURT: And how do you know Joshua Moon?

MS. SHINGLETON: He has been harassing me since about 2016 --

THE COURT: Okay.

MS. SHINGLETON: -- with a large campaign online.

THE COURT: Say that one more time.

MS. SHINGLETON: So he owns and operates a site that

even Cloudflare had to shut down due to safety concerns for the public. There was a friend of mine who literally committed suicide on (indiscernible) ended up in the hospital due to harassment of me and her online. And it's very well-known that it's a stalking site that he runs and it's been published in even the Washington Post about --

THE COURT: Okay.

MS. SHINGLETON: -- how notorious the site is for abuse.

THE COURT: Okay. A lot of that information I don't have access to. It's called hearsay. I can't base what I do today solely on hearsay, so let's figure this out. Okay? What prompted you back in September -- what prompted you to file a request for an injunction? And we'll start it that way. Go ahead.

MS. SHINGLETON: So I have had people attack me physically, find out where I live. I've been doxxed by that site. So I have been physically followed. I've had people show up at my work. I've had people take photos of me and this has been incited by the site that -- that he owns and operates. I did a WHOIS lookup.

THE COURT: Hold on. If you could just let me know -- I just don't know what we're talking about. But what site -- what kind of site are we talking about?

MS. SHINGLETON: So to my knowledge, Joshua has

registered Lolcow LLC and --

THE COURT: No, no, no. When you -- are you on the site?

MS. SHINGLETON: Oh, yes. They've been --

THE COURT: Okay. Tell me just in your own words -- I don't want to know all the registering and all that.

MS. SHINGLETON: Yes. Of course. Of course.

THE COURT: It's too deep for me, but what is the site for?

MS. SHINGLETON: The site's actual, like, bio of the site both Lolcow and Kiwi Farms --

THE COURT: And I'm sorry. I cannot -- I don't know if it's my audio. Say that one more time. Its bio? Its -- what did you say?

MS. SHINGLETON: Oh, okay. So its purpose is to stalk and harass people in many different forms. They post things that are, like, defamatory, ableist, racist, harassing. You know, they post things about, for instance, dissecting my body whenever I die. They dox people. They basically incite violence on people in person. This has been going on for a while actually. It's -- it's -- it has made it -- yeah.

THE COURT: How did it --

MR. RANDAZZA: Your Honor, should I hold my objections until the end or would you like them

contemporaneous?

THE COURT: No. Contemporaneous, please.

MR. RANDAZZA: Oh. Well, I would like to object to this testimony is based in nothing in the file. This is all simply her conjecture.

MS. SHINGLETON: It's --

THE COURT: And what's the legal -- what's the legal speculation?

MR. RANDAZZA: Yes.

THE COURT: All right. Sustained.

MR. RANDAZZA: Speculation, hearsay.

THE COURT: Sustained.

MR. RANDAZZA: Thank you.

MS. SHINGLETON: I would like to object to his objection.

THE COURT: Hold on. Hold on.

MS. SHINGLETON: Sorry.

THE COURT: Okay. So the purpose of the site is to defame people and to harass people. Is that what you're saying, Ms. Shingleton?

MS. SHINGLETON: Yes. And it can be found even on, like, the sites themselves.

MR. RANDAZZA: Same objection, Your Honor.

THE COURT: Same ruling.

MS. SHINGLETON: And you -- he can continue to

object, but facts are facts.

THE COURT: And he can. He can -- are you making an argument against it?

MS. SHINGLETON: Yes.

THE COURT: What is your argument?

MS. SHINGLETON: What he's -- what he's objecting -- the argument is that what I'm saying is factual and it can be very easily, you know, founded. If Your Honor would like to have proof, I can easily, you know, obtain that for you.

THE COURT: Okay. Well, today's the day. Today's the day for proof.

MS. SHINGLETON: Yes.

THE COURT: All right. And so you decided in September to file this -- okay. Do you live in Sarasota?

MS. SHINGLETON: So I do not live in Sarasota.

THE COURT: I'm just curious, why did you file the case in Sarasota?

MS. SHINGLETON: Because Joshua Moon, his last residence was registered -- like in his company, is registered in Florida in Sarasota. And I also would like to motion to strike the -- the motion and what was filed last night as I did not have appropriate notice to be able to go through all of it.

THE COURT: Okay.

MS. SHINGLETON: And to move forward with either a

continuance to give me time to go through it all properly as they have filed even more things that I have yet to even review.

THE COURT: Okay. Your motion to strike is denied without prejudice at this point. So let's go ahead and go through your proof to show that I need to grant a final injunction against him for stalking. So you filed it in Sarasota because his last business is in Florida -- is listed in Sarasota?

MS. SHINGLETON: So the registration that is found and that I have already emailed off and that is in evidence, it lists, you know, the -- the site owner who things are registered to. Also things like Kiwi Farms. When you actually look at the site itself, it gives that address. So because, you know, that's the last known address and also the address on multiple other court filings that have been brought against him and Lolcow LLC and Kiwi Farms due to the harassment of multiple other individuals.

THE COURT: Okay. So --

MR. RANDAZZA: Your Honor, objection.

THE COURT: Sustained.

What is the -- what is your --

MS. SHINGLETON: On what grounds?

THE COURT: Excuse me?

MS. SHINGLETON: Sorry. What grounds is he

objecting on?

MR. RANDAZZA: Assumes facts not in evidence, lack of personal knowledge, irrelevance, improper lay opinion.

MS. SHINGLETON: In evidence. It's -- it is in evidence.

THE COURT: Ms. Shingleton, can you turn on your video or no?

MS. SHINGLETON: No, I cannot.

THE COURT: Okay. Sustained.

And what is -- okay. So back in September, you filed your request for an injunction based on what information? Go ahead.

MS. SHINGLETON: Well, I literally -- like I literally brought in an entire thing about this. So the injunction was made on September 9th. Mr. Marinitsky (phonetic) had actual notice by the 18th. His counsel then filed a 60-day motion on Sunday and represented -- yeah. Like --

THE COURT: No, no. I don't want you to make reference to the motion that he filed -- the motion that the respondent filed. I need you to concentrate on what grounds are you asking me to grant your injunction?

MS. SHINGLETON: Okay. So one moment. I'm sorry. So essentially, it's due to cyberstalking and cyberbullying. You know, the First Amendment itself doesn't cover threats,

incitement, or speech that's part of a crime. A post about waiting to dissect my body is an actual threat. So showing up to, like, things like my shop and "scare her" is incitement, which that has been done and it continues to occur.

MR. RANDAZZA: Objection.

THE COURT: Grounds?

Hold on. There's an objection.

Grounds?

MR. RANDAZZA: Object on the basis of facts not in evidence. Again, speculation.

MS. SHINGLETON: It's in evidence.

MR. RANDAZZA: Irrelevance.

THE COURT: All right. I'm going to overrule. If these are her grounds, I'll give it the proper weight. Okay?

All right. Go ahead.

MR. RANDAZZA: Thank you, Your Honor.

THE COURT: You're welcome.

Go ahead, Ms. Shingleton.

MS. SHINGLETON: Thank you. On top of that, one of the men who attacked me also told me he knew where I was and --

MR. RANDAZZA: Objection, hearsay.

MS. SHINGLETON: -- where to find me because of what was posted on the site.

THE COURT: Okay. Ms. Shingleton, he has objected as to hearsay to what some gentleman may have told you, so I'm going to sustain that objection. And just to caution you that --

MS. SHINGLETON: I wasn't finished.

THE COURT: Hold on. And just to caution you that any statements by other people other than Mr. Moon, if they're -- those are considered hearsay. Okay? So I'll let you continue. Go ahead, Ms. Shingleton.

MS. SHINGLETON: Well, there's a relevance in the fact that the reason why they could find me and attack me was due to Mr. Moon's conduct in facilitating a site which harasses and stalks me. That's why.

MR. RANDAZZA: I must object again. Facts not in evidence.

THE COURT: All right. Sustained.

MR. RANDAZZA: Hearsay. Lack of personal knowledge.

THE COURT: All right. All right. And I will sustain.

But, Ms. Shingleton, go ahead.

MS. SHINGLETON: So actually, those are in evidence. All of this has already been brought up and it's fully in that (indiscernible)

Yeah. So since 2021, cyberstalking covers a course of conduct directed at or pertaining to the person. The

Second District confirmed injunctions on exactly this kind of content in *Budlove v. Johnson*. To grant relief, the Court only needs to find that it appears stalking exists and immediate --

THE COURT: Ms. Shingleton, Ms. Shingleton, you've jumped to legal argument, and I'll save that to the very end. I just need to know at this point the grounds for which you are asking. If you've presented all of your evidence, that's fine. I need to let you -- you need to let me know because I need to allow Mr. Randazza to what's called cross-examine you if you are finished presenting your evidence and you are now moving on to legal argument. Have you presented all your evidence?

MS. SHINGLETON: I would actually like to adjourn because I have not been able to review everything and I obviously did not have appropriate time to respond to things, and that would be in direct violation of due process.

THE COURT: Okay.

MS. SHINGLETON: At this point.

THE COURT: All right. And I'm going to just look at the -- make a determination at this particular point.

You filed your request for an injunction. Hold on. Let me just make sure I'm in the right case. Shingleton, Victoria; Joshua Moon. You filed a request for an injunction on September 1st. It looks like an order for temporary

injunction was entered on the 9th of September.

I'm not sure. Hold on. Let me see when this petition was filed. Excuse me. The petition was filed -- e-filed on September 8th. So the day after you were granted a temporary injunction that set the case for today, which is September 22nd. So 13 days later, you were on notice that your evidence needs to be ready and presented so we could have your hearing to determine whether or not I issue a final injunction.

So if you could let me know at this point if you have additional evidence to present to support your request for an injunction, just let me know. As I said before, I'm not here and we are not to the point of addressing any legal argument on motions to dissolve at this particular point. I just need to know whether or not I'm going to grant or deny your injunction at this point.

So do you have any additional evidence, Ms. Shingleton?

MS. SHINGLETON: So the reply that I got was last night from them. I actually did not see the injunction being granted because it went to my spam inbox. So I actually saw it quite late. Due to my health and its fluctuating status, it is hard for me to put things together, so I'm requesting an accommodation to secure additional evidence.

One of them would be a subpoena due to the denial

Joshua made that he owns Lolcow LLC. We should not be proceeding on his, you know, say-so. We should be proceeding on fact.

THE COURT: Okay.

MS. SHINGLETON: So if we could adjourn and subpoena the providers, Cloudflare, or whoever is posting, like, Lolcow itself, that actually goes to the heart of the issue and it would be particularly unfair to proceed without that as well.

THE COURT: Okay. Okay. Your ore tenus request to adjourn and for me to subpoena is denied. Okay. If you would like to continue, Ms. Shingleton, with your evidence, if you'd like -- why is it September 1st?

I've got a question. Madam Clerk, why --

MS. SHINGLETON: So -- so the disability accommodation was denied?

THE COURT: No. I don't know about any disability. The disability -- hold on.

MS. SHINGLETON: That's what I requested.

THE COURT: I understand and I'm going to -- I'd like to refer to something, please.

If you are a person with a disability who needs any accommodation in order to participate in this procedure, you are entitled at no cost to you to the provision of certain assistance, and it's given to you. And we need notice at

least seven days before your scheduled court appearance or immediately upon receiving notification if the time is before the scheduled appearance is less than seven days if you are hearing or voice impaired.

We did not receive any notification according to the clerk file that there was any request other than a request to appear remotely, which I granted, which Judge Krug granted.

MS. SHINGLETON: I actually was granted an ADA request.

THE COURT: You were granted -- I'm sorry? And I'm sorry. I don't know if it's the acoustics or what, but you were granted what?

MS. SHINGLETON: So I was actually granted an ADA accommodation. I suppose that hasn't reached your desk yet, but there actually was one.

THE COURT: Well, how do -- go ahead.

MR. RANDAZZA: I'd also like to object. This is -- this is a fact not in evidence, and I'd also like to add to the analysis here that the petitioner kept these proceedings secret from us and let my client know by email --

MS. SHINGLETON: No, I did not.

MR. RANDAZZA: -- at 6:17 p.m. on Friday. We were not put on notice of any of this. We managed to file an opposition. We managed to file a motion to dissolve, which functions as our opposition. And last night, she managed to

file a 14-page response to it. This continuance request --

MS. SHINGLETON: I had help. Thanks.

MR. RANDAZZA: -- is, I believe, improper and for the purpose of harassing my client and forcing him to return to court.

MS. SHINGLETON: I -- I --

THE COURT: Are you -- so, Mr. Randazza, you are prepared to proceed today, correct?

MR. RANDAZZA: We are prepared to proceed today despite having less than one court day. In fact --

THE COURT: Well, actually --

MR. RANDAZZA: -- less than one court hour to prepare.

THE COURT: But you understand that proper service is law enforcement serving Mr. Moon.

MR. RANDAZZA: Yes. He has not been served and we are --

THE COURT: Okay.

MR. RANDAZZA: We may waive that when it comes to my presentation, but he has not been served. He was only notified of this injunction at 6:17 p.m. on Friday by the petitioner via email.

THE COURT: Okay. Okay. And I need to know because if we get through her case and we're now to your case and you say, well, I'm not prepared, I just want to be able to make a

determination at this point because she's asking for a continuance. If you agree to a continuance --

MR. RANDAZZA: We strenuously object to a continuance.

THE COURT: Okay.

MR. RANDAZZA: We would like to continue.

THE COURT: Okay. All right then. All right.

MS. SHINGLETON: It would be procedurally unfair, Your Honor, because the subpoena goes directly to the heart of the response that Joshua has made in an affidavit where he has claimed that he is not the owner of the site in question when old WHOIS lookup actually showed that he was and is connected to it. And so there's emails and other things. He also contacted (indiscernible) himself multiple times and even in his statements. So those are important.

THE COURT: Okay. Let me go back before we get into that. Okay? Because I think you're getting into a lot of what he may or may not have filed to you. Okay? So let me just kind of go through a couple of things here. Okay? It sounds as though from what Mr. Randazza has indicated that Mr. Moon was notified less than 24 hours ago via email that there was a hearing today on the petition. Is that accurate?

MR. RANDAZZA: Well, if you calculate court hours, Your Honor.

THE COURT: Okay.

MR. RANDAZZA: We were notified Friday at 6:17 p.m. and the court was closed yesterday.

THE COURT: And you are correct.

MS. SHINGLETON: I -- that's incorrect. I'm sorry, but isn't that contempt of court to falsely state something, Mr. Randazza?

THE COURT: Hold on.

MS. SHINGLETON: I actually had emailed and you also admitted that I had emailed Joshua to --

THE COURT: Hold on. Ms. Shingleton, let me just shut this down real quick. Okay? Proper service on a petition for an injunction is personal service. Law enforcement going over to Mr. Moon and serving him. You can send a million emails to Mr. Moon saying, "Hey, you got a court hearing." That is not proper service.

However, at this particular point, Mr. Randazza, as represented as counsel for Mr. Moon is indicating he's prepared to go forward. So we're going to go forward on the case. So that's what I'd like to stick with.

Let me go back to your allegation there was accommodations. Your motion to appear telephonically had to do with cost, had to -- involved you living in the UK, and so Judge Krug granted your --

MS. SHINGLETON: I don't live in the UK.

THE COURT: -- appearance by video. Motion to

appear telephonically -- let me look at it -- by audio/video. We granted it. So you are here by audio and video.

Typically, I would require everyone to turn on their video so I can see them, but unfortunately, you are -- you are attesting, you are -- under oath, you are indicating that your video does not work.

MS. SHINGLETON: Yes.

THE COURT: I, typically, in most of my cases, especially in injunction cases, I like people in person so I can see them, they can see everybody else, and it runs much more smoothly. Finally, there may be a delay and sometimes we talk over one another. And I apologize in advance if I talk over you.

MS. SHINGLETON: That's fine.

THE COURT: I am letting you know that that's one of the other issues about Zoom hearings sometimes. It's kind of difficult sometimes to hear. That's why I'm asking you to repeat because the volume may be a little muffled or I just want to be clear on what you're saying.

So I believe I have addressed all of your concerns. I may not have addressed them to your liking, Ms. Shingleton, but we will go forward on your allegations that you placed in the petition that was filed on September 8th.

Okay. Okay. With that being said, I will let you proceed, Ms. Shingleton. Go ahead. Any other -- any other

facts that you want me to consider that -- I believe you indicated that he was cyberstalking and cyberbullying you. Any other evidence that you want me to consider before I allow Mr. Randazza to cross-examine you?

MS. SHINGLETON: I haven't even been able to speak. I've been cut off. Every time that I speak the truth, I've been told that I'm lying.

THE COURT: I disagree with you, and I'm giving you the opportunity. So go ahead and let me know the allegations that you're basing your request for an injunction on. You have the floor.

MS. SHINGLETON: I actually submitted the basis for that and it should have reached you. I don't know if you've reviewed that.

THE COURT: I have reviewed it. It is in the file. But you understand you need to tell me, testify under oath in the presence of Mr. Moon and his counsel for me to consider it. Do you understand, Ms. Shingleton?

MS. SHINGLETON: So I have severe, like, neurological issues so it is very hard for me to remember things. So part of the accommodation is that it is read.

THE COURT: Okay. Are you asking me a question, Ms. Shingleton?

MS. SHINGLETON: No. I'm stating a fact. A neurologist literally has said that my memory is impaired and

so that is why my accommodation request.

THE COURT: Okay. If your memory is impaired, what is it that you're asking me to do? Are you just letting me know that you have memory issues?

MS. SHINGLETON: No.

THE COURT: Are you asking me to do something?

MS. SHINGLETON: So the paperwork that I filed in the portal, it outlines the grounds, which is extensive.

THE COURT: You filed what type of paperwork? Because I do not have it in my file. The last thing that I have in my file, Ms. Shingleton, is my order from Judge -- excuse me -- is an order on September 10th. That is the last thing. And it looks like it's a return of service from Manatee County. That's the last thing. If you filed anything since September 10th, that is not in the file.

MS. SHINGLETON: There's multiple things that have been filed through the portal and I actually took a screenshot of the receipt of them. And they were -- it came back to me to my email saying it had been filed.

THE COURT: When did you --

MS. SHINGLETON: Multiple things.

THE COURT: When did you file these things, Ms. Shingleton?

MS. SHINGLETON: If you'd like specific dates, I can look for them. Hold on. So there's a filing receipt here,

September 21, 2026, for that one filing. That would have been --

THE COURT: I'm sorry. I'm sorry. I did not hear that date. When did you file that?

MS. SHINGLETON: Okay. So in response to the filing yesterday, because I'm going to go from the newest to the ones back because there's multiple. So September 21st at 2026 at 8:10 p.m., I hadn't been able to fully review everything that was sent over by the respondent's lawyers, but there was a filing there and it was a motion -- an emergency motion and a discovery subpoena, exhibits and transcript -- exhibits, which were exhibits to that, you know, of course he's claiming do not exist.

MR. RANDAZZA: Your Honor --

MS. SHINGLETON: The other ones here --

MR. RANDAZZA: -- she filed a 14-page response to that motion, so if she hasn't had time to review it, I don't know how she filed that.

THE COURT: Okay.

MS. SHINGLETON: You filed 60 pages, sir. Plus. Thank you.

All right. I have another one here. It is September 18, 2026, at 6:30 -- or 6:23 p.m. That was another one that was filed as well on top of that. Affidavit and oaths, 14 statements, statement for violation -- that would

be violation of the injunction. There's another one here as well. So that one there would be September 18th again, 2026, 6:09. That one there was motion to amend (indiscernible), motion order to show cause for contempt, civil mental affidavit, Exhibit C. There's one as well.

Motion to propose document, which outlines it very clearly because I have obvious memory issues that affect me. This one here says a 12 -- well, there's filed and then it's when it's verified. So when I'm reading off this, actually, sorry, the verification of it being received and put into it. So that was September 18th at 2026. And that was at 5:44 p.m. So that's service of proposed documents and a cover letter and proposed final judgment revised. That one there has also been filed. What else?

There was a motion to suppress my address for confidential filing due to cyberstalking. There was an ADA accommodation request, which was filed September 21, 2026, 8:30 p.m. And it was granted.

And confirmed as well -- oh, wait, no. Sorry. That's wrong. The actual motion -- sorry, it's not very visible -- around here. It gets confusing. I received the correspondence from Cassidy Curran at Monday, September 21st, 10:49. So 21 hours ago is when they filed that. That does not give me enough time to locate anything properly. I'm lucky I even (indiscernible).

The other one is -- oh, here we go. So September 21, '26, 8:11 p.m., I filed a cover letter, response -- it's a consolidated motion to examine, motion to subpoena Cloudflare, and a piece of evidence which shows that Joshua owns Lolcow LLC. This was also served to Marc Randazza as well at the same time on top of that.

And then it was also forwarded in an email on top of the filing to Mr. Randazza, and I believe it was also -- yes. It was CCed to the Florida courts as well. And then the email about the ADA was before that.

THE COURT: You filed what? What was that, Ms. Shingleton? You did what?

MS. SHINGLETON: So hold on. Yeah. So -- yeah. So the ADA accommodation request was actually September 21, 2026, at 8:30 p.m. and was sent off -- I believe that would be the second accommodation request that I had made. There was one also filed -- it should have been filed along with the initial package as well. I think that was -- I think that was maybe to appear by Zoom and then it might have included that so (indiscernible) on that one and then (indiscernible) on it. But it was indeed granted.

So there is a number of things that were filed. So the -- whenever I mentioned that things are in evidence and it was objected to, it actually is indeed in evidence despite Mr. Randazza's claim. And so is my motion for the subpoena,

which, you know, obviously is important to my case.

THE COURT: All right. Is there anything else before I -- I'll attempt to address the things that you've brought up. Anything else?

MS. SHINGLETON: I mean, yes. There's a number of things in terms of, like, merits, right? So Section 230, which they brought up --

THE COURT: Oh, no, no, no. Not legal. Nothing legal. No legal argument. I'm still talking about the facts. What facts are you making your request to base your injunction on? However, you did indicate that since on Friday this injunction -- the temporary order was issued. It's never been served, so it sounds like you filed like a motion for contempt.

And I will let you know, I recognize that -- or you should understand, Ms. Shingleton, that I've got a -- as you are representing yourself, I've got a -- you have to understand the rules of evidence and the law. But until that injunction is served, there -- it is unenforceable, so as far as any motions for contempt with regards to the temporary injunction, not only were they untimely, but I just needed to let you know that the injunction -- the original temporary injunction has never been served on Mr. Moon.

Is it my understanding -- okay. Hold on. So you have filed motions since Friday, September 18th. You have

filed up until probably the day before the hearing, which is the 21st, which was a court holiday. It's called Yom Kippur. But it was -- the courthouse was closed and I -- once again, I'm going to put on the record that on September 10th was the last filing that we've had. So there have been at least -- we are now on the 22nd, so 12 days have passed in which one of the -- I think you've indicated there is an ADA request. The only motion to appear remotely did not mention anything about any neurological disorder.

But however, I'm not sure if it mentioned what you're requesting that I do if you have a neurological disorder. The motion simply set forth due to costs and time that you are requesting to appear via Zoom for audio and video, and that was granted by Judge Krug. Okay.

So not addressing his -- what is it called -- his motions, Ms. Shingleton; simply look at your petition. Is there any other evidence that you want me to consider before I let Mr. Randazza cross-examine you?

MS. SHINGLETON: Yes, because I haven't presented the entirety of it.

THE COURT: Okay. And that's what I've been asking you to do. If you can continue with the -- conclude with your presentation of your evidence, please. Go ahead.

MS. SHINGLETON: So the first one would be when I initially had filed this, and then the other things that I

had filed. Those would need to be read. I have issues. Like, I had a -- lightly -- like I have, like, brain damage that can be pretty nasty and it can flare on and off.

So what I filed is the basis and that is what I would like read as evidence because it's difficult for me to iterate things sometimes verbally. As far as the other things -- you know, things like merits, legal, things that he did, I can list some of those other things that were done.

So for instance, he admits, you know, even under oath that he operates the site. He personally posted in the thread about me. He was doxxing me.

MR. RANDAZZA: Objection. Facts not in evidence.

THE COURT: Okay. I'll sustain.

MS. SHINGLETON: Yes, yes.

MR. RANDAZZA: And we don't know what site she's talking about.

THE COURT: I'll sustain.

MS. SHINGLETON: Dear Lord. Okay. I took off for this.

THE COURT: Just so I can follow this, Ms. Shingleton, you've indicated that you put it in your petition, correct?

MS. SHINGLETON: I put a lot of work into the -- both the petition and the other filings that were made. They were quite in depth --

THE COURT: Well --

MS. SHINGLETON: -- and those should be read before anything is considered because literally I have filed them and if we're going to allow, you know, late filing and evidence by -- by them, even though they admitted that he did have it via email service, you know, prior to, that he was aware of it, you know, that should be considered because I actually went the correct route. And I actually did file it. And it also is illegal to deny a disability request. It's against human rights.

THE COURT: Okay.

MS. SHINGLETON: And safety of person supersedes, you know, speech, especially speech which is harmful and incites violence.

THE COURT: Okay. All right. All right. So is -- I know I keep saying this, but I just need to hear from you, is there anything else? Because I need to let Mr. Randazza cross-examine you. I know you made reference to late filings. I haven't made any decision if filings are permitted. Legal argument, we'll get to that in a minute.

But I need to know the basis in which you are forming -- that Mr. Moon has, I believe you've indicated harassed, stalked, cyberstalked you, physically threatened to harass, stalk, cyberstalk. I'm just looking at your petition.

MS. SHINGLETON: Thank you.

THE COURT: So -- and the reason why we need to hear it from your voice, Ms. Shingleton, is because Mr. Randazza needs to be able to cross-examine you. You need -- the allegations need to be made in the presence of the -- of the person who's making the allegations in the presence of Mr. Moon.

MS. SHINGLETON: Correct.

THE COURT: And so Mr. Randazza can question.

MS. SHINGLETON: Everything hasn't been presented. Everything hasn't been read.

THE COURT: But I'm asking you to do that. I'm asking you to do that, Ms. Shingleton. Please continue.

MS. SHINGLETON: I already told you, and I asked you -- I asked you for a disability accommodation. You're not granting it. So is it in Your Honor's belief that I shouldn't be granted that?

THE COURT: What are you asking me to grant you?

MS. SHINGLETON: That the filings that I made be part of today and that you read them instead.

THE COURT: You are asking me to accept the filings that have not been -- and I don't have any of them -- that you filed Friday, the 18th, and September 21st for our hearing today, you're asking me to accept them as your testimony. You are also asking me to accept the information

in the -- what is it called -- in the petition as your testimony. Is that accurate?

MS. SHINGLETON: That, and I also have, like, a case to cite once those have been read. If you would like I can find them and then I can read them off if that is really necessary.

THE COURT: Okay.

MS. SHINGLETON: I can do that.

THE COURT: Hold on. Ms. Shingleton, you need to listen up. All right? There's some legal things that need to happen. All right? People need to be on notice of what the allegations are against them.

So back on September 8th when Judge Krug granted a temporary injunction, he granted your temporary injunction based upon the information that you placed -- that you filed in your injunction. That's the information that they have. All right?

What you're asking me to do now is to say, wait a minute, I filed additional information on Friday and yesterday that's not in my file, but you filed it and you want me to accept that as well. Is that correct, Ms. Shingleton?

MS. SHINGLETON: The initial one was pretty thorough.

THE COURT: Okay.

MS. SHINGLETON: But here we go. There is additional information that I would like to read off, but I keep getting interrupted or I keep getting told that it is not in evidence --

MR. RANDAZZA: Your Honor, to the extent that she's asking that Your Honor accept her opposition to our motion -- our emergency motion, we do not object. We believe it was properly filed, so if she wants that to be in the record, that's okay with us.

THE COURT: So you're okay with her filings that I don't have to be in the record. Is that what you're saying?

MR. RANDAZZA: I'm fine with that.

THE COURT: Okay. And I'm the only one who doesn't have them apparently. All right?

MS. SHINGLETON: I don't understand why you don't have them. That is inappropriate.

THE COURT: Okay.

MS. SHINGLETON: You should have them.

THE COURT: And one of the things that is problematic --

MS. SHINGLETON: It's not your fault.

THE COURT: -- is that I need to have what other people have as well. All right? So here we go. What is it, Ms. Shingleton, that you would like for me to consider, understanding I don't have a copy of any of it? What is it?

You want to read it in the record? What would you like? You've got the floor. We've been at it for at least -- I don't know, maybe going on an hour. I'm asking you to put your evidence on the record, Ms. Shingleton, so we can move on with this case.

MS. SHINGLETON: Okay. So --

THE COURT: I have not been interrupting you.

MS. SHINGLETON: All righty then. So would you like me to read it? So essentially, I don't ask that the Court censor opinion or censor criticism or just shut down a website for no reason. So basically, I want the respondent -- I want Josh to stop contacting me for multiple reasons. You know, I want him to take down things like my home address, telephone number, employer, covertly taken photographs of me and my copywritten photographs, use it, things that he publishes on the site, you know, and refuses to remove. These are the things that he's harassed me with.

MR. RANDAZZA: Objection, Your Honor.

MS. SHINGLETON: In terms of the facts --

THE COURT: I'll give it the proper weight. Overruled.

MR. RANDAZZA: I'm sorry?

THE COURT: I'll give it the proper weight. Overruled. Go ahead.

MR. RANDAZZA: Okay. Thank you.

MS. SHINGLETON: The facts are not ordinary. The respondent has published material evidence by me for nearly -- over ten years. Strangers have found me through the material, have covertly recorded me, struck me. It's resulted in multiple acts of violence. One post on the respondent's site asks readers to attend my workplace, threaten me, and readers did.

So I'm not complaining of insults. I'm complaining of published, maintained, and repeatedly refreshed set of directions to my body and it's the reason I'm being assaulted. And the man who is publishing this and allowing it to be published is Josh. And it's from his -- his site.

So in terms of like, you know, cyberstalking is to engage in a course in, you know, conduct to communicate or cause to be communicated directly or indirectly through other people words, images, or languages -- or language through the use of electronic mail or electronic communications directed at or pertaining to a specific person, which it does, contains substantial emotional distress to the person that serves no legitimate purpose.

I cannot think of one legitimate purpose a site that incites violence against me and says things like, "I want to go and dissect her body" or doxes me should be appropriate, especially when you have him actually posing at one point as a lawyer pretending he is a lawyer during this.

So in terms of decisions, you know, Respondent decided in earlier texts which reached communication -- I'm sorry. He -- you know, he had cited things and -- he cited things which reached communication directed at me and that distinction is decided in that -- you know, for instance, in the case of *Horowitz v. Horowitz*, right?

I can give you the court number if you'd like with that one. The court held that posts to no one's Facebook are -- or to one's own Facebook page are not directed at a specific person, but instead posted for all user's Facebook friends to see and reversed on that ground. *David v. Textor*, Florida, turned on the absence of a true threat on an order that swept in the future speech generally.

The legislature since then has added both directly or indirectly and are pertaining to. Those words are not -- sorry. (Indiscernible) They were added to reach precisely the conduct those decisions had placed beyond the statute. Sustained publication about an identified person being me delivered to an audience rather to a victim's inbox. Twenty threads bearing my name, my legal name, my working names, you know, in terms of modeling and stuff like that, you know, those are all used in a paradigm case of communication pertaining to a specific person, which is me.

MR. RANDAZZA: Objection, Your Honor.

THE COURT: Hold on.

Go ahead. Objection?

MR. RANDAZZA: We have a number of objections. I've kind of let this go. But there are facts not in evidence. There is also --

MS. SHINGLETON: It is in evidence.

THE COURT: Hold on, Ms. Shingleton. I'm listening to an objection.

MS. SHINGLETON: Objection. It's in evidence.

MR. RANDAZZA: There are apparently two websites she's talking about and I would be able to hold back a number of objections if she would specify. One is called Lolcow.farm. For the record, L-O-L-C-O-W dot farm.

THE COURT: And I'll -- for the record, that's what's on the petition is the Lolcow --

MR. RANDAZZA: LLC, which is a different thing.

THE COURT: LLC doing business as Kiwi Farms Lolcow.farm.

MS. SHINGLETON: That's alleged.

MR. RANDAZZA: Okay. So there are two websites. There's Kiwi Farms and there's Lolcow. So if she could specify which one, that would -- that would mitigate a number of our objections.

MS. SHINGLETON: So --

MR. RANDAZZA: So if she says there are 20 threads on this site, if she would say which site she's talking about

--

THE COURT: Fair enough.

MR. RANDAZZA: -- we can back off on a number of objections.

THE COURT: Okay. And if you could -- I'm going to sustain the objection.

Ms. Shingleton, if you could just clarify because I think I'm going to need to know that looking at your petition as well. You said there were multiple postings on a website. Which website was that?

MS. SHINGLETON: So there were multiple postings on both Kiwi where they said they were going to harass me until I was dead, where Josh has been identified and taken ownership of that site. He's aware of it. He had posted and doxxed me on that specific site and that's where a lot of them had also found me from.

MR. RANDAZZA: Objection, facts not in evidence.

MS. SHINGLETON: On top of that, there was --

THE COURT: I'll give it the proper weight.

MS. SHINGLETON: And then on top of that, there was an earlier WHOIS lookup where I had actually looked up the site Lolcow to know who the owner of it was. And when I did, I found it attached to a specific IP and his name and I had to actually report it to the Cybercrime Division in --

MR. RANDAZZA: Objection.

THE COURT: Grounds?

MS. SHINGLETON: -- like the --

MR. RANDAZZA: Facts not in evidence and hearsay.

THE COURT: Okay.

MR. RANDAZZA: In her written submissions --

MS. SHINGLETON: Oh, I can produce the police report if you would like to have that subpoenaed.

MR. RANDAZZA: She also admitted that she did not have that evidence.

THE COURT: Okay. I'm going to sustain the objection as hearsay.

So you can continue, Ms. Shingleton. Go ahead.

MS. SHINGLETON: So I saw it firsthand actually. So the thing is, is what WHOIS is, is it's a site where you can look up the people who host specific sites, websites, right? And then the IP is where those sites are coming from. Okay? And so it can't just provide false information. It's actually legally -- it literally gives you the correct information because that's how they register the site. His name was registered on --

MR. RANDAZZA: Our objection is not to the definition of what WHOIS is. Our objection --

MS. SHINGLETON: If you're going to object, then I would like it subpoenaed so that it is not just based on hearsay, like, on the say-so of --

THE COURT: What's the grounds?

MR. RANDAZZA: Hearsay that she's telling what the website said.

THE COURT: Right. Sustained as --

MR. RANDAZZA: It's the best evidence rule.

THE COURT: I'll sustain as to hearsay.

Go ahead, Ms. Shingleton.

MS. SHINGLETON: So they can claim that that is hearsay, but I saw it with my eyes, so that is firsthand experience and therefore not hearsay. I actually had to report it to the Cybercrime Division because there was a child porn site hosted from the exact same IP address, which is how I found out who Josh Conner Moon was in the first place.

MR. RANDAZZA: Objection, lacks foundation.

MS. SHINGLETON: Otherwise, I would --

MR. RANDAZZA: Hearsay.

THE COURT: Sustained as to hearsay.

MS. SHINGLETON: It is on file. It is on file with the police and the Cybercrime Division and is still under investigation to my knowledge.

THE COURT: Again, same -- best evidence rule as well.

MS. SHINGLETON: I had to -- I had to go --

THE COURT: And grounds? Sustained as to --

MR. RANDAZZA: Hearsay, best evidence rule.

THE COURT: Sustained as to hearsay. All right. Go ahead, Ms. Shingleton.

MS. SHINGLETON: So as far as I'm concerned, firsthand viewing of something like what a, you know, website owner is, that is firsthand. I saw that, witnessed that firsthand. You're getting it from my mouth, so that would not be hearsay. It's not from a third party. That is where the names are registered to. So that's not unfair.

So I'll continue. In terms of -- hold on. So the petitioner, of course, does not -- petitioner being me -- does not need an amendment to prevail. Sitting en banc in *Logue v. Book*, the Fourth District held that a communication need not be transmitted directly to the victim in order to be directed at her. Posting qualifies where they are designed to be reasonably and likely come to by the target's attention, the target being me, including by tagging or describing her sufficient particularly enough to identify her.

I would definitely say that photos of me, especially taken by covert harassment, would be doing that as such. And then also my copyrighted photos as well.

The court reversed on that record before, but it's standard (indiscernible) governs there. Threads bearing Petitioner's legal name and her working names are in the

titles -- a/k/a me -- which -- in which participants openly discuss whether she is reading, so whether I am reading these -- these posts, right?

On top of that, they typically note if I've changed my name, if I've moved, you know, if I changed my email or my Facebook profile. They track if I move cities. And these posts are designed to reach me specifically.

Then on top of that -- hold on one second. I guess I will remove the part about the continuing to stalking after the -- oh. So here we go.

The prior restraints is an order forbidding speech before it occurs and that is not what I am seeking. I seek an order that the respondent stop performing an act that he's performing today that is live and ongoing. The statute prohibits a course of conduct to communicate or to cause to be communicated the described material. A website does not communicate its contents once in the past. It communicates them each time a page is requested and searched making it relevant today no matter how old some would claim it to be.

Every date of material remains published. The respondent causes me, my identifying information, to be communicated again with every reader who arrives. And course of conduct is a pattern of conduct comprised by a series of acts over a period of time, however short, which evidences a continuing purpose. Ten years of daily republication,

continued act of written demand to stop is the clearest (indiscernible) this the statute could even possibly describe.

Granted correctly, the order that I seek is indistinguishable in kind from an order that a stalker stop standing outside my house, which by the way, has happened. It restrains present conduct. It does not license the court to review a respond -- what a respondent might say tomorrow. The petition does not ask it to. The distinction also disposes of the objection that I am seeking a remedy for defamation for an injunction.

So I take no position on the proceeding of whether anything said about me is true or false. I know for a fact a lot of it is, and that's fine. That's their prerogative of what they think of me and that reflects on them. That has nothing to do in terms of how I feel about myself or who I am.

So in terms of what is, is that I ask for the removal more so of things like my address, my telephone number, my present employer, photographs of me taken without my knowledge, photographs that I own. You know, things like --

MR. RANDAZZA: Your Honor, we object. Facts not in evidence.

MS. SHINGLETON: -- stalking, inciting of violence.

THE COURT: Hold on.

MR. RANDAZZA: Facts not in evidence and she -- again, you know, we would be able to pull back some of these, but I don't know what website she's talking about. Is it Lolcow or is it Kiwi?

MS. SHINGLETON: Both. Both do that.

MR. RANDAZZA: So she's saying all these things --

MS. SHINGLETON: And I have requested a subpoena.

THE COURT: Hold on, Ms. Shingleton. Hold on, Ms. Shingleton.

MR. RANDAZZA: We have no evidence that they're there.

THE COURT: Okay. All right. I'll give it the proper weight. I'll overrule.

Go ahead, Ms. Shingleton. Finish.

MS. SHINGLETON: Thank you. I appreciate it, Your Honor.

So the material that I ask is removed is categorically outside the First Amendment protection. The Court need not weigh the petitioner's safety, my safety, against the respondent's expression because the four narrow categories that I'm identifying are not protected expression at all.

So, A, personally identifying information published to threaten, harass. Florida had made it a crime to

electronically publish another person's personal identification or information with the intent to incite violence, commit a crime, or threaten to harass that person. So where doing so places the person in reasonable fear of bodily harm, or even mental harm. Our legislation does not criminalize protected speech. And actually, that section is 836.115.

The -- Florida has made publication a criminal offense -- sorry -- that Florida has made this -- that this publication a criminal offense is the strongest available indication that it falls outside the First Amendment's protection and it forecloses any argument ordering that its removal restrains protection. But I'm not -- I'm not asking for him to simply take down mean comments about me. I don't give a shit about that. Pardon my language, Your Honor.

Solicitation of a crime. Speech is an integral part of criminal conduct that has never been protected. *Giboney v. Empire Storage & Ice Co.*, 336 U.S. 490, 498, *United States v. Williams*, 553 U.S. 285, 297-98 (2008), offers to engage in illegal transactions are categorically excluded from First Amendment protections. Solicitation is a paradigm.

Respondent publishes and has refused to remove a post asking readers to show up at my tattoo shop and scare the shit out of me. The actual quote is "show up at her tattoo shop and scare the shit out of her" and to "take

pictures, too." Affidavit, exhibit assault and record it essentially is what they're being asked to do.

MR. RANDAZZA: Objection.

THE COURT: Grounds?

MS. SHINGLETON: No.

MR. RANDAZZA: Facts not in evidence. Again, she's not identifying where this is.

MS. SHINGLETON: It is -- it is --

THE COURT: Okay. I'll sustain the objection.

MS. SHINGLETON: I identified it as in both websites and the website -- the other one that he denies that he is part of where he has the email address dot Lolcow, you know, where he got the email and he published it to Kiwi Farms, that -- excuse me -- was from a Lolcow address. So they're sharing information between the two (indiscernible) which is great. And then I also saw it with my own eyes WHOIS lookup, but it was registered under his name.

MR. RANDAZZA: Objection. Facts not in evidence.

THE COURT: Sustained.

MS. SHINGLETON: So realistically if a subpoena -- a subpoena to affirm or -- or deny whether or not that is -- that is something that needs to be done because otherwise it would not be procedurally fair, right? You need to be able to make proper answer and defense and that would be part of it. That information is extremely important. Not only that,

but both websites have similar conduct in terms of harassment, abuse, photos, and things that usually get posted.

At one point actually it looks like, you know, he's pretending to be a lawyer himself, which is interesting because the last time I checked, that was also against the law, so I'll be filing on that one and letting the Bar know.

So solicitation of a crime. Speech is an integral part -- oh, okay. So anyways, the respondent published this and refuses to remove. Okay? So he did it on Kiwi Farms and he did it -- you know, if he owns Lolcow, which is -- you know, he owns the Lolcow LLC. He owns an address that links back to that. You know, he actually published that, made the mistake of publishing that -- that link between them on Kiwi Farms.

And he even actually has that -- in your response to this whole thing. So that's interesting and a lovely contradiction. So the respondent publishes and has refused to remove posts asking readers to show up at my -- my tattoo shop and scare the shit out of me and take videos, so --

MR. RANDAZZA: Objection. Hearsay.

THE COURT: Sustained. Sustained.

MS. SHINGLETON: Exhibit A -- Exhibit A, that is a request that strangers travel to an identified place of business and commit an assault and record it. Readers acted

on it. Petitioner has been followed, covertly recorded, and struck as well.

An order requiring the removal of a live active (indiscernible) solicitation requires no constitutional question whatsoever. True threats. True threats are unprotected and the speaker need only be reckless as to the threatening character of their words. *Counterman v. Colorado*, 600 U.S. 66 (2023). A post stating that its author works in a morgue and cannot wait till the petitioner is dead so that he may dissect her body, Affidavit 17, is a threat by any measure. Respondent having been told in writing that this material is on the site and that the petitioner fears for her life is at minimum reckless as to it.

Covertly and digitally-altered images. A photograph taken of me in public without my knowledge and captured candid shots, Affidavit 10, and images of me being digitally-altered and published without my consent, Affidavit 25, are evidence of surveillance, not commentary. Their publications are the apparatus by which strangers identify me on sight.

Section 230 does not bar the relief sought. Respondent will invoke 27 U.S.C. 230(C). It does not reach the specific material that I asked to be removed for the four independent reasons. A, the publication of the petitioner's home address was the respondent company's own content. So Kiwi Farms had actually posted this and posted public

information about -- about me on it. Section 230(C) --

MR. RANDAZZA: Objection. Facts not in evidence.

THE COURT: Sustained.

MS. SHINGLETON: It is in evidence. Section 230(C)(1) immunizes a provider only as to information provided by another information contact provider and does not protect content the provider has self-created as to which it is material -- it -- material has been attributed.

So basically, *Fair Housing Council of San Fernando Valley v. Roommates.com LLC*, 521 F.3d 1157, 1162-63, 1163, 9th Circle [sic] (2008). On December 27, 2016, the person identifying themselves as Lorin O'Landry holding himself out as the "legal advisor" for Lolcow LLC writing from legal@kiwifarms.net, belonging to Joshua Moon as, you know, is admitted by himself even in your response to me, on Lolcow LLC letterhead -- okay? So these are interchangeable and used interchangeably here -- personally quoted and republished the petitioner's home address and personal email --

MR. RANDAZZA: Objection. Interchangeability is a fact not in evidence.

THE COURT: Sustained. Go ahead.

MS. SHINGLETON: Okay. So I'll repeat myself here. A person identifying himself as Lorin O'Landry holding himself out as the legal advisor for Lolcow LLC writing from

legal@kiwifarms.net, a site Josh admits to owning on Lolcow LLC letterhead personally quoted and republished Petitioner's home address and personal email address -- addressed to -- into the public thread and refused the removal request on record. Affidavit 11, Exhibit A.

That is an affirmative act of publication by the respondent's own company through its own agent. It's -- it is first-party content. Section 230 has no application to it whatsoever. Respondent's moderation materials contributed to the course of conduct. A moderator of the respondent's site posted as admin, "ban the original thread is a violation of the site's own rules." And in the same notice, instructed the participants to arrange an offsite location in order to continue the harassment.

MR. RANDAZZA: Objection. There are no facts in evidence.

MS. SHINGLETON: Affidavit 14.

MR. RANDAZZA: Objection. No facts in evidence as to who posted anything.

MS. SHINGLETON: Can you like -- did you read anything?

THE COURT: All right. All right.

MS. SHINGLETON: So affidavit 14 --

THE COURT: So I'll give it the proper weight.

MS. SHINGLETON: Affidavit 14, Exhibit A, directing

a harassment campaign to where they could reconvene -- and thank you, Your Honor -- is the operator's own speech and own material contribution, not the passive posting of another's words.

Intellectual property expressly carved out Section 230, so nothing in this section shall be construed to limit or spin any law pertaining to intellectual property, 47 U.S.C. 230. Respondent hosts and has refused to remove Petitioner's copyrighted photographs and original song and sound recording of which she is the author, Affidavit 25.

As to the material, there is no immunity of any kind. The point is not academic as it is to the respondent. In *Greer v. Moon*, which I guess is another person who's unfortunately had to sue due to, you know, harassment, the 10th Circle -- Circuit reversed the dismissal of contributory copyright infringement claim against the same respondent and the same company arising from his refusal of a take-down notice.

Section 30 -- or 230 is a shield against liability, not a license to continue conduct after notice. Petitioner does not ask the Court to hold the respondent liable for damages of what his users wrote. She ask -- I ask the Court to order the respondent, the person before it, receives written notice on August 29, 2026, to refuse to act -- sorry, and refused to act to stop causing my identifying information

to be communicated and the obligation runs against his own present conduct.

The petitioner's residence abroad is not a barrier. So the statute is explicit. A petition may be filed in a circuit court where the petitioner currently is in or temporarily resides, where the respondent resides, or where the stalking occurred. There is no minimum requirement of residency to petition for an injunction for protection. And that is number 784.0485 of the statute.

Petitioner is a citizen of the United Kingdom and a resident in Ontario, which by the way, we have very strict laws in terms of online harassment. So they can be a little bit different.

Respondent and his company are in Florida and the conduct is committed to a Florida company whose only address of record is in this country, which I generally actually adore, but not this person's conduct. Petitioner's nationality is likewise irrelevant to the protections she invokes -- the protection I invoke.

Federal law reaches the course of conduct (indiscernible) any facility interstate or foreign commerce with the intent to observe, harass, intimidate, or place a person under surveillance. 18 U.S.C. 2261A(2). Conduct originating in Florida and directed at a person in Canada is foreign commerce. And as an author from Berne Convention

country, Petitioner holds the same rights to my photographs and to my recordings under United States copyright law as any American author would.

The relief requested is drawn as narrowly as the danger permits. So I deliberately had not asked this Court to enjoin Respondent from writing about her -- you know, mere commentary. That's not what I'm asking. I'm asking for abusive behavior and the incitement of abuse against me to end, and that is not an unreasonable request and it shouldn't be.

To order the deletion of any statement or opinion -- that's a statement or opinion. That's not the same as harassment. Right? You can have an opinion on something, but there's a very big difference between harassment and opinion. Or to interfere with his website beyond the four categories identified in part three.

So the only thing that I ask for is an order that Respondent cease all contact with me, direct and indirect, including through any service that he owns or controls, and does not solicit, encourage, or direct any other person to contact, follow, photograph, record, or approach me, or facilitate it. And an order that the respondent remove from the service he owns or controls my home address, telephone number, email address, employer, place of business, photographs taken or altered of me without my consent, and

solicitation and threat post identified in Exhibit A.

An order that he knowingly permit their -- what? That he not knowingly permit the republication active notice. So drawn, the order reaches only material that is criminal to publish, integral to crime, threatening, or generated by the respondent's own company. It leaves every protected word on this site untouched and 203 intact and freedom of speech. It does not, however, ask or want abusive conduct continued, which is not unreasonable by any means.

The respondent was told in writing that the people were finding Petitioner through the site and hurting me. He did not answer. He did not stop. The statute reaches what he's doing. The constitution does not protect four things. She asks -- me -- I ask him to take him down. And the immunity he will invoke does not cover his own company's publication of my address or the abuse or how it's facilitated.

It covers free speech and opinion, which everyone has a right to, and those are two very different things. So I respectfully request that the Court enter the temporary injunction. And after the hearing, of course, final judgment. So if this is a final judgment, including the relief set out in what I have -- I have mentioned. I have a few other points to address. Those are much more brief if Your Honor will just give me a moment.

And the evidence that was objected to should be found in these filings, in which I had previously referenced. Here we go. Would you like me to -- I'm sure you could probably -- would you like me to read the reason for the subpoena, or --

THE COURT: I don't think that's necessary.

MS. SHINGLETON: Okay. Because it is -- is relevant. It is extremely relevant to the case, right? So he claims that he does not own or operate Lolcow. It cannot just be from his say-so that we take that as fact. That would be -- that would not be just or procedurally fair.

THE COURT: Okay.

MS. SHINGLETON: Yeah.

THE COURT: Okay. All right. We're ready for --

MS. SHINGLETON: Oh, no. I'm not quite done, Your Honor. Bear with me one moment. So here we go. So when you look at what Josh admits under oath in paragraph 3 --

THE COURT: Hold on.

MS. SHINGLETON: -- he said he operates the site.

THE COURT: Hold on. I'd like to just kind of stick with -- as -- I don't want you to address what he's put in any response. I just -- I believe I've heard all the allegations that you're basing your request -- your requested relief. And so let me hear from Mr. Randazza. I believe I need to -- he may cross-examine you. He may not. I'm not

sure. And then we can proceed from there. Okay, Ms. Shingleton?

MS. SHINGLETON: Thank you. I would like an opportunity to also cross-examine Joshua as I have already filed for that.

THE COURT: All right then. So she's finished with her presentation of her allegations.

MR. RANDAZZA: Yes.

THE COURT: I will let you either cross-examine her. What would you like to do?

MR. RANDAZZA: No. We would like to move to dismiss at this time on the basis of her testimony.

THE COURT: Okay.

MR. RANDAZZA: On two alternate grounds. One, she has presented no facts that fit the statute. However, I think the more --

MS. SHINGLETON: I'll object.

THE COURT: Okay. Objection overruled.

Go ahead.

MR. RANDAZZA: I think the more important issue to focus on here is that in all of that, what we did not object to, is her admission that posts on the sites, which she did not specify, were true. She also did not disambiguate the two different companies here. Now Mr. Moon has testified, Mr. Moon does operate that --

MS. SHINGLETON: Objection. I asked for a subpoena to verify.

MR. RANDAZZA: Your Honor, could we mute her during this?

THE COURT: Okay. Hold on. Hold on. Your request for subpoena is denied.

But go ahead, Mr. Randazza. Go ahead.

MR. RANDAZZA: Yes.

MS. SHINGLETON: That would be procedure unfair, so I would like to open an appeal.

MR. RANDAZZA: The consistent objection we had was that there are two websites. Lolcow.farm; that is different than Lolcow LLC. Lolcow is simply an internet term that people use to mock one another. It would probably not come to anyone as a surprise that there are thousands of people using that term. So there is nothing tying him to that. Accordingly --

MS. SHINGLETON: No.

MR. RANDAZZA: -- what we do have him tied to and he does admit, he runs Kiwi Farms. Now what's important for Your Honor -- Your Honor is probably not familiar with the website. I kind of would hope not. But Kiwi Farms is an internet forum. It's where people go to waste time, talk about one another, talk about whatever. It's a user-generated site. More familiar, like Facebook.

MS. SHINGLETON: Objection. He owns the site. It's registered under his name.

MR. RANDAZZA: Your Honor, could I make a request that we mute the petitioner during this because I'm not giving --

MS. SHINGLETON: No.

MR. RANDAZZA: -- testimony.

THE COURT: Okay. Okay. Hold on. Ms. Shingleton, Ms. Shingleton, at this particular point, what he's doing is he is making a legal argument, which he's allowed to procedurally. He's just making a legal argument with regards to your --

MS. SHINGLETON: It needs to be factual. Does it not?

THE COURT: Hold on. You're interrupting me now, so let's let me finish so you understand what I'm -- what I'm saying. Okay? It's a procedural -- he is procedurally allowed to make an argument after you presented your evidence.

You've presented your evidence and he's making an argument right now as to the sufficiency -- you know, and he'll make his argument with regards to -- in a nutshell, he's saying that you have not presented sufficient evidence. Okay? And there may be other grounds, but I am obligated to allow him to make the legal argument at this time, which the

law allows me to do and it allows him to make.

What I'm going to ask you to do at this particular point as far as legal arguments are concerned, there's no place for objections. If you want to place your own view on what the law is, I will give you an opportunity to do that, Ms. Shingleton. And I'm going to ask you not to place objections. If you disagree with what he's saying and you want to address them after his argument, just make a notation and I'll certainly -- I gave you well over an hour for you to have the floor. So I'm certain that you understand --

MS. SHINGLETON: I have memory issues, Your Honor, so that's hard for me especially.

THE COURT: Okay. Okay.

MS. SHINGLETON: So I need to be able to actually bring it up as it -- as it occurs.

THE COURT: Okay.

MS. SHINGLETON: So if he's saying something that's factually inaccurate, I should be able to object and that would be a right.

THE COURT: And I'm going to -- you know what? I'll allow you to do it.

Let's get on with this, Mr. Randazza. Go ahead. She's saying her memory issue is not allowing her to write something down for her to place it at the end. But I'm going to allow you to make your argument.

MR. RANDAZZA: Okay.

THE COURT: And I'll do my best to make copious notes of your argument. So go ahead.

MR. RANDAZZA: Thank you, Your Honor. And I did provide courtesy copies of our emergency motion along with exhibits and some highlighted case law. Does Your Honor have that?

THE COURT: I do, but if you -- I think you were making your argument with regards to -- I believe my last notes indicated there were two separate companies, et cetera.

MR. RANDAZZA: Yes. So --

THE COURT: So I don't want you to lose your place. Just go ahead and give me your argument.

MR. RANDAZZA: Lolcow.farm, whatever statements she's complaining about being there, which she hasn't yet specified. I didn't hear in any of that testimony. That has nothing to do with Mr. Moon. However --

MS. SHINGLETON: That's unverified.

MR. RANDAZZA: -- we could even -- we could even assume arguendo that it is when I get to my Section 230 argument. In all of the testimony that she's given, in all of the presentation that she's given, there is not one single allegation that the respondent said a single thing. In fact, the only thing in the record -- bless you.

THE COURT: Thank you.

MR. RANDAZZA: The only thing in the record -- was that a sneeze? Okay. I can't do it that quiet.

The only thing that is in the record that Mr. Moon ever said was in 2016 he posted something mocking a threat that she had made. Ten years ago, one statement. Other than that, everything here is published by a third party if it exists at all.

But let us assume just for the sake of legal argument, for legal conclusion here, that every bit of it was published. Everything she said is true. Her biggest complaint is that it is allowing it to be published, a refusal to remove. Now when there is a user-generated site, 47 U.S.C. Section 230, immunity controls.

47 U.S.C. Section 230 probably isn't something that comes into this court very often. If it is, I'll skip over this. I don’t want to be wasting all of your time.

THE COURT: No. Go ahead.

MR. RANDAZZA: But it was a law enacted in 1996, which allowed internet companies to exist without having to patrol the speech on their site. Lobbyists I think from America Online, if -- you're probably old enough to remember that --

MS. SHINGLETON: It's not an internet company.

MR. RANDAZZA: -- were those who pushed for it, saying we shouldn't have to patrol everything on our site.

That's because --

MS. SHINGLETON: Actually, objection. So I will say something.

MR. RANDAZZA: Your Honor, I am renewing my request for a mute during my presentation.

THE COURT: Okay. All right. Ms. Shingleton, you did lodge an objection. What is the objection, your legal grounds, please?

MS. SHINGLETON: Okay. So actually, first of all, he -- you know, he's not a website owner. Cloudflare themselves actually dropped his website on grounds that it was a danger to the public and human safety.

THE COURT: Okay. All right. At this point, Ms. Shingleton, I'm going to ask you just to hold off on your objections.

And if you can continue, go ahead.

MR. RANDAZZA: Thank you. Thank you. So 47 U.S.C. Section 230 is a federal immunity that was enacted so that internet companies did not find themselves liable for content put up by other people. So if somebody goes on to Kiwi Farms and posts something very laudatory about me, they aren't credited with it, and if they post something insulting about me, they aren't held responsible for that.

In fact, I can -- well, no. So 47 U.S.C. Section 230 supersedes anything here. You cannot hold Mr. Moon as

the publisher of that information. His refusal to remove it despite being notified --

MS. SHINGLETON: Objection. He --

THE COURT: What's your legal grounds? Legal grounds.

MS. SHINGLETON: Objection to -- legal grounds, Section 230 does not cover abusive content.

THE COURT: Okay. And I'm going to -- I'll overrule the objection. Go ahead.

MR. RANDAZZA: I am renewing my request, Your Honor.

THE COURT: Okay.

MR. RANDAZZA: At some point, can we mute her?

THE COURT: At some point, I'll make a determination. Go ahead.

MR. RANDAZZA: Thank you. Accordingly, now she has pointed out some exceptions to Section 230, and those are fun. Let's talk about them. So first, I need you to be aware of *Doe v. America Online*, which is the case that stands for the proposition I was just teaching, and that is that no liability, no cause of action under state law for other's content.

This very statute was examined by the first circuit supplying Florida law in *Universal Communication System v. Lycos*, 478 F.3d 413, 422, saying that Section 230 exempts anything under this statute generated by other people. So

again, if we accept every word she said is actually being published, which we do not, but if we did hypothetically, it still comes down to only one thing and that is that he -- well, two things.

He allowed it to be published, which Section 230 gives him immunity for. They could put anything on there, even criminal -- even state criminal conduct --

MS. SHINGLETON: Objection.

MR. RANDAZZA: Your Honor, please.

MS. SHINGLETON: Section --

THE COURT: Grounds? Legal grounds?

Okay. Hold on.

What are your legal grounds? Legal grounds?

MS. SHINGLETON: Legal grounds. Section 230 protects the website from being blamed for what other people post. It has never protected a person for his own words or his own acts, which is something like, you know, inciting other people to harass or cause violence. And that is in *Lycos*, 478 F.3d at 419. "A provider made liable for his own speech" --

THE COURT: Okay. And that is --

MS. SHINGLETON: -- "and any criminal acts."

THE COURT: Okay. And that is not a legal objection, so it's denied, and I'm going to mute you at this point.

Go ahead.

MR. RANDAZZA: Thank you, Your Honor. So this applies to removal orders. Any order from a state court saying to remove content published by other people is categorically prohibited by 47 U.S.C. Section 230. A good case for that is *Hassell v. Bird*, 5 Cal. 5th 522, 534-535, which she concedes in her response filed last night at part 2E.

Statement by statement, what she's trying to get at, I think, and what it sounded like, is that maybe this statement from 2016 is not immune, and I will agree with that. His statement from 2016 is not immune. Now his statement from 2016 doesn't have anything threatening. In fact, doesn't even have anything, frankly, disturbing or insulting. It just sort of makes fun of her for saying that she's going to have the police raid him.

Perhaps it's insulting, but it's certainly not outside the protection of the First Amendment, and frankly, wouldn't even be unwelcome as beneath the dignity of saying it in court if I were to quote it, which I will not. But we could.

THE COURT: Okay. All right. Okay.

MR. RANDAZZA: His few words do not forfeit immunity for everyone else. And to the extent that I think the petitioner was trying to say at one point, is that first of

all, she's claiming that some of this speech is criminal in nature. Well, it's not. There is no -- there is no basis for that. But even if it were, even if it violated state law, this is a very frustrating thing to a lot of people about Section 230.

Section 230, due to the supremacy clause, overrides even state criminal law. Only federal criminal law and federal intellectual property law applies. Now with regard to her statements about intellectual property rights, this is something that's not even in the petition. So I don't -- this is something that only came up in the response.

So we don't actually have this as a petitioned issue. If the petition were amended to have that in it, we would be in federal court which has exclusive jurisdiction over copyright. So no matter what, no matter how we look at it, even if I had failed to object to any of the evidence, if we live in an alternate world where I failed to do any of that and waived any objection, Section 230 still says this petition must fail.

Now as an additional grounds, the petition fails on the merits. She blames readers and posters. That's at petition section 3.5. Mr. Moon wrote and directed none of it and there is evidence in the file to that. Mr. Moon's declarations -- declaration at paragraphs 3 and 5. The statute requires two incidents by him. So even if we accept

her testimony, which I do not, that people are bothering her in Canada, well, then call the Canadian authorities. Sue them.

People -- other people are bothering him -- he's not doing it. He shouldn't be subject to any kind of a restriction on his liberties because of it. So a conclusory assertion of attribution is not sufficient. And a good case to look at here is *Benhalima v. Iakovenko*, and I'll spell that for the record. B-e-n-h-a-l-i-m-a versus I-a-k-o-v-e-n-k-o. That's a second DCA decision from July 29th.

THE COURT: Hold on. What's the cite?

MR. RANDAZZA: It's number 2D2025-2977. It's a slip opinion at 8, and pinpointed to at 10. Now in that case, that was so much worse. That was somebody who was going after -- there was a -- the respondent there was going after the petitioner's business, had stolen their confidential business information, and was harassing their customers, doing it at the behest of a new girlfriend. So it was like this love triangle where people were just torturing each other trying to make their lives hell.

That had stronger evidentiary backing than this case and the second DCA reversed -- reversed the grant of the injunction. So what we believe here is that not only -- the reason we filed an emergency petition is because the restriction on his First Amendment rights for even a moment

is irreparable harm, and that's what the temporary order functioned as, and any order going forward from here would be -- would compound the problem.

What she asks for, the relief she's asking for is that he prohibit people from talking about her further, at least in certain ways. Well, that violates Section 230. That's a prior restraint. That is the least tolerable restriction on the First Amendment rights that we can ever see.

It also asks that he remove content about her, including truthful information that he didn't post. Again, this is a restraint on expression. This should not be tolerated. We don't know -- the order itself is quite vague because it doesn't say remove, but it really does seem to be, if I interpret it loosely, that I've got a guy here who could be facing a felony arrest in an order that could be interpreted to require --

THE COURT: What order are you referring to?

MR. RANDAZZA: The temporary order.

THE COURT: The temporary -- okay. Let me look.

MR. RANDAZZA: So, and as the best evidence of it could be interpreted that way, the petitioner herself claims to have filed a petition for contempt based on the fact that he has refused to remove anything. Frankly, he shouldn't have to because of Section 230, and because this functions as

a prior restraint, but even just as a ministerial matter, he was not put on notice of this until 6:17 p.m. on Friday.

And I don't know when that motion for contempt was filed. We've not been served with it. But we are happy to defend it without having even seen it because it could not possibly comport with Section 230. And it couldn't possibly comport with the statute because he's never been served.

So what we ask here is that we dissolve the present injunction, deny the petition on the grounds that 230 would prohibit it. If that isn't clearly pronounced by this court, I can assure you I fly all over the country defending these kinds of cases and once somebody who is ready to perseverate on a website like this discovers that they can at least harass the website owner by bringing them into a civil harassment hearing like this, it becomes an avalanche.

I do these in Massachusetts, California, Nevada, all over the country, and you will find yourself to be a destination for this kind of ruling if you do not make it clear what Section 230 says.

Now on the other hand, if Josh goes out here tomorrow and posts something that would fit the true threat doctrine, remember, the -- I think the petitioner has a different view of what freedom of expression means. In Canada, the charter of rights and freedoms is what you might get if you ordered the constitution off of Temu.

The First Amendment is there for a reason and the First Amendment only exempts speech that is in an enumerated category. That's child pornography. Not here. All right? That's a true threat with a mens rea as *Counterman v. Colorado* says. That's defamation, which needs to be proven after a trial. Obscenity. That's not even an allegation here.

We don't have any of the categories of unprotected speech here. So even if -- again, another hypothetical, if we were to amend this petition *nunc pro tunc*, to just go after the people who had posted it, let's just presume for hypothetically that Josh had posted every word here. It still wouldn't be something that this court could enjoin.

And finally the -- it seems that the last issue here is that we don't even have the evidence that Mr. Moon resides in this county, which he does not. We are prepared to waive the venue issue instead of this going up to Clay County if we can simply get a ruling. We don't care if we win or lose on the Section 230 issue because we believe that this should be done now because the harassment here, the fact is here this person is angry at Mr. Moon for two things.

One, for things that are being said on lolcow.farm, which he has no connection to. He does own Lolcow LLC. That confused me for about five minutes, but after I looked at it, I said, okay, these are two completely different things. So

he has no connection to that website whatsoever.

Do they forward emails to him? I think they might when they get threats for him that are sent to them, they might forward them, but that's not coordination. So, Your Honor, unless you have -- do you have any questions about Section 230 or about my interpretation of the statute?

THE COURT: No.

MR. RANDAZZA: Thank you.

THE COURT: All right. Ms. Shingleton, if you can un-mute and go ahead and respond.

MS. SHINGLETON: Sure. Cases directly supporting harassment and stopping point. So *United States v. Osinger*, 753 F.3d 939, (9th Cir. 2014). The 9th Circuit upheld the conviction under the federal cyberstalking statute, 16 U.S.C. 2261A against the First Amendment challenge. The Court explained the statute regulated harassing and intimidating conduct even though texts and emails were part of that conduct.

United States v. Sawyer, 748 F.3d 425 (1st Cir. 2014). The 1st Circuit likewise upheld application of 2261A against the First Amendment challenge, emphasizing that the statute targets a conduct carried out with serious criminal intent rather than merely protected speech.

United States v. Conlin, 486 F.3d 380 (5th Cir. 2015). The 5th Circuit similarly recognizes distinction

between protected expression and criminal conduct involving harassment and intimidation.

United States v. Petrovic, 701 F.3d 849 (8th Cir. 2012). The 8th Circuit also upheld the federal cyberstalking statute against the First Amendment challenge. A particularly useful formulation comes from the 9th Circuit's layered decision in *United States v. Waggy,* which collected these authorities and explained that 2261A can constitutionally reach conduct involving communications from the statutory requirements, concluding the requisite intent and resulting harm are satisfied.

So how this relates to 230 -- so congress specifically stated that 230's findings that one of its purposes was to ensure vigorous enforcement of federal criminal laws concerning obscenity, stalking, harassment by means of computer. That gives you substantially more of a concrete statutory argument of what's really going on here.

One second. For example, the 9th Circuit upheld *Gonzalez v. Google LLC*. Google. Okay? 2 F. 4th 871, 890 (9th Cir. 2021) that 230 does not remove the 230 immunity from civil action merely because the plaintiff's characterizing the underlying conduct as violating a federal criminal statute.

The 1st Circuit reaches the same conclusion in *Doe No. 1 v. Backpage LLC* as well, and I could go on. I really

could. Of all the times that this has been challenged and actually upheld by other courts and case law as not being appropriate and that 230 does not give the protections that they are claiming.

The federal government has constitutionally -- or, sorry -- has a constitutionally permissible criminal law prohibiting qualifying cyberstalking conduct under 2261A and conduct expressly reserved enforcement of federal criminal statutes in 230 at (E)(1). The question therefore cannot be resolved merely by characterizing underlying conduct as speech.

The Court must determine whether the alleged conduct satisfied the elements of the applicable criminal statute and whether the defendant could be treated as a publisher of another person's conduct, or is it being held responsible for its own conduct as well, which means things like inciting somebody or creating a platform in order to allow harassing conduct to continue.

For instance, where, you know, even in Kiwi Farms, one of their main goals if you actually look it up because it's used by those two sites interchangeably, the name Lolcow. It is designated as a stalking and harassment site specifically. Go look them up.

Section 230 47 U.S.C. expressly prescribes that Section 230 shall not be construed to impair enforcement of

federal criminal law accordingly, where the pleaded facts constitute or potentially constitute a violation of applicable -- applicable, sorry -- holy crap -- federal criminal statutes, which means harassment. It doesn't protect you.

Section 230 cannot simply be traded as a categorical bar to consideration of those federal criminal provisions. Alleged conduct should therefore be analyzed according to the specific acts of the issue, including the publication and dissemination of identifying information, any threats or targeted harassment accompanying that dissemination, and any conduct directed towards third parties to harass, threaten, or harm anyone, really.

The First Amendment does not provide a general constitutional license for conduct that incidentally falls outside protected expression. And at the same time, the Court must distinguish protected speech from unprotected conduct and apply the elements with a particular federal statute at issue. See *Reno v. ACLU*, 51 -- or 521, sorry -- U.S. 844 (1997).

Accordingly, the relevant question is not simply whether the challenged material appeared online or was generated by a third party. The relevant questions are what specific conduct is alleged; two, who engaged in that conduct; and three, what federal criminal statute, if any,

applies.

So whether 230 removes that federal criminal law from the scope of 230 immunity and whether the evidence is necessary to establish those facts. And also, if discovery or subpoena is necessary to establish those facts, the Court should address that specific relevance and accept (indiscernible) the requested evidence rather than treat Section 230 as categorically for closing the inquiry.

On top of that, so --

THE COURT: There's a Cassie Flavin. Do we know who Cassie --

MR. RANDAZZA: Your Honor, that's my paralegal.

THE COURT: Oh, I'm sorry. I'm sorry.

MR. RANDAZZA: Your Honor, also, I don't know if it's appropriate or inappropriate to voir dire the petitioner on which AI she's reading from.

MS. SHINGLETON: I'm not reading from AI currently. Thank you.

MR. RANDAZZA: Well.

MS. SHINGLETON: Also, what do you call it -- these are previous notes actually that I -- I prepared. They are not actively currently doing something right now with what I'm about to read. Thank you.

So in terms of the order, the order doesn't tell him to remove nothing but from the final judgment does. Section

112 is actually blank. It restrains conduct, which is stalking me and contacting me and asking other people to do such things. Speech is part of that stalking campaign and it isn't protected. *Giboney*, 336 U.S. at 502.

In *Sayer*, the 1st Circuit upheld the stalking conviction where the defendant posted the victim's information so strangers would come to her. The Court said it lured potential dangerous men to her doorstep, and that is my case. The site published my address, a covert photo of me, a post telling people to show up at my tattoo shop and scare the crap out of me.

Men have then found me, followed me, filmed me, you know, and I've actually had to go and have x-rays at one point because some -- I won't get into the actual entirety of it. Okay. So I think we went over the copyright part and how Section 230 does not actually uphold that. The 10th Circuit has already let the claim go forward.

In terms of crime and his own participation, Subsection (E)(1) says (indiscernible) does not touch criminal law. And it only ever covers other people's content. So when he helped create or encouraged the abuse, he had the content developer at that point and he loses immunity.

The statute is met. Free speech is not a right to abuse. The First Amendment has never been absolute. It does

not cover threats, incitement, or speech that is part of a crime. *Stevens v. Chaplinsky* is part of that. A post about waiting to dissect my body is a threat. Showing up at my shop to scare her is incitement. Publishing my home address that a man used to find and attack me is speech entitled to crime. *Giboney; Sayer*.

(Indiscernible) the line saying it plainly, one of the men who attacked me told me he knew where I was and where to find me because I was posted on a site. And that doxxing is what put me in danger. So my safety and my right to be let alone outweigh his claims to abusing me. *Hill v. Colorado Rowan*. Florida constitutes -- or constitution, Article 1, Section 2, the statute only reaches the conduct that serves no legitimate purpose.

(Indiscernible) ableist, racist, degrading posts made to identify and frighten me or other people that I love, which, you know, is done, it serves no purpose. Hold on.

The temporary order asks for no -- just overlaying general removal. That was saying that shouldn't judgment to be considered. So his part on the restraint attack on it fails. My proposal is final judgment. I would ask for the removal and the Court can grant it after hearing the evidence. The material that isn't protected -- his own posts, my address, my private information, my copyrighted work -- that caused him to incite violence and threaten me on

sites that one of which he admitted to and the other one, you know, that would of course a subpoena could show whether or not that was true.

Kingsley Books, Pittsburgh Press, Budlove, the Court can enjoin incitement. It's been done. Why removal is justified; it's not just about hurt feelings. I have rather thick skin despite what people like to think. I've heard it all at this point. At some point, you actually don't know and you can't feel anything anymore. You also don't like seeing other people that are more sensitive swallow an entire bottle of pills on a livestream because of the harassment that they faced for just simply being around you.

And the worst thing that I did was, what? Modeling? That deserved it? I'd love to know.

So this isn't about hurt feelings. The material is a live threat to my safety and to people that I know and it has already caused violence against me. The stalking statute is met. Since 2021, cyberstalking covers a course of conduct directed at or pertaining, and it pertains to me. Second District affirmed injunctions on exactly this kind of conduct in *Budlove v. Johnson*.

To grant relief, the Court only needs to find that it appears stalking may exist and that the immediate danger (indiscernible) only applies to denying the initial petition.

Venue and service; short answers. The statute let

me file here where I reside or he resides or where the stalking occurred with no minimum residency. His own company registered its address in this circuit. Wrong venue means transfer at most, but never dissolving my protection.

Service; the statute says that the remedy for incomplete service is a continuance with the injunction extended, not a dissolution. He appears with counsel asking you to rule on merits and transfer the case. He can't say he was never served. In the same breath, he asks you to decide everything. We've not heard everything. We have not issued any subpoenas. So by doing so, it would just be on his word alone.

I'll be candid on one point. Under *Dean v. Bevis*, a firearms ban doesn't belong in a temporary injunction. I don't oppose striking paragraph 3.b that attaches automatically if the Court enters the final judgment anyways. That's the only correction that he would be entitled to.

Your Honor, I'm asking the Court to deny the motion to dissolve except for the firearms line, which I don't oppose him striking. Keep the injunction in force, hear the evidence, of course, and the stuff that I have submitted on top of that. I would ask that the subpoena be -- be granted so that Your Honor can weigh on top of what else is evidence. But it's already been met, Kiwi Farms, on its own grounds. That would only be just further -- produce more evidence,

but it wouldn't matter. Both sites have met the threshold.

So just to keep the injunction in force, I don't particularly understand what's hard about not stalking somebody, doxxing them, bullying them, or inciting other people to do those things. I think that's a pretty decent just and respectable request. And that any normal mentally stable person would respect as a request.

I don't oppose striking paragraph 3.b -- oh, sorry. Hold on. Where's my brain. And to enter a final judgment tailored to Mr. Moon's own conduct, if it is to be entered, no stalking, no contact, no publishing home address or private information, no soliciting others or, you know, making a platform for others to find me or confront me. I'm not asking him to shut down his entire website or to censor an opinion. Opinions are what makes the world go round. I mean, we need to be able to have discourse and be able to criticize each other. You know, how do we grow if not for that?

But there's a fine line. Right? I'm asking to not be findable and not to be hurt again due to his conduct and not to have mainly -- one of my main concerns is the people that I care about be harmed and, you know, be mentally harmed, and I have to think about their safety when I talk to them. Because the thing is, I can handle myself and I've had to. I will. But it's unfortunate that I had to.

But the people that I care about, that's another story on that one. But if you would like to keep continuing to, you know, continue on with that, I mean, that's -- I don't see how that's just. I don't think that that would be decent. I don't think a reasonable person would find that conduct to be decent. So I ask the Court basically to simply uphold the law and to (indiscernible) contact. Thank you, Your Honor.

THE COURT: All right. Any rebuttal? Anything else?

MR. RANDAZZA: Your Honor, I just -- if you'd like, I have some highlighted case law here for you if I could approach if you feel like you need it. If you --

THE COURT: Sure.

THE CLERK: I'll take it. Sure.

THE COURT: Okay. And what is it that you're asking me to do?

MR. RANDAZZA: Just if you are going to take this under advisement --

THE COURT: I'm not going -- I need to make a decision.

MR. RANDAZZA: Wonderful. Then I await your decision.

THE COURT: What are you requesting?

MR. RANDAZZA: I am requesting that the temporary

injunction, which we have really been arguing here, be dissolved, nunc pro tunc because it was improvidently granted. And that the petition be denied today.

THE COURT: Are you making this request after the presentation of all of her evidence?

MR. RANDAZZA: We are, Your Honor.

THE COURT: All right. Any response, Ms. Shingleton? He's asking at this particular point since you've presented your evidence, he's asking for me to, one, dissolve the temporary injunction nunc pro tunc, and deny the petition. Any response?

MS. SHINGLETON: Yeah. I object to dissolution of it.

THE COURT: I'm sorry?

MS. SHINGLETON: What I'm asking for is -- I object to dissolving it. What I'm asking for is not unreasonable. I'm asking to simply be, you know, not stalked and harassed. I'm not asking for, you know, somebody to censor First Amendment. I'm asking for the law to be followed.

THE COURT: Okay.

MS. SHINGLETON: So I would object.

THE COURT: Okay. I will grant the respondent's motion and I will dissolve the temporary injunction. I'll dismiss it with prejudice and I will enter an order.

Do you have an email address, Ms. Shingleton, for me

to send you a copy since you are -- typically, I would hand you a copy of the order in court, but since you're not in court, is there an email, or would you -- is there an email address that you would like for me to use? How do I get you a copy of the order?

MS. SHINGLETON: Yeah. The one that's on file, so -- because obviously I'll be appealing it and --

THE COURT: Is the Gmail --

MS. SHINGLETON: -- I'll have it reviewed for judicial misconduct as well. So it's mvminksend@gmail.com.

THE COURT: Very good. All right then. And thank you all. I'll give you all --

MS. SHINGLETON: Thank you, Your Honor.

THE COURT: I'll sign off on the order. I'll give a copy of the order directly to you in court and I will email the copy to Ms. Shingleton. And best of luck to everybody.

MR. RANDAZZA: Very grateful, Your Honor.

THE COURT: Thank you.

(Whereupon, the proceedings were concluded.)

C E R T I F I C A T I O N

I, Christine Jenkins, do hereby certify the foregoing transcript of proceedings on electronic recording dated 9/22/2026 in the matter of *Victoria Emma Shingleton v. Joshua Conner Moon*, case number 2026-DR-004778 NC was transcribed by me from a copy of the electronic sound recording to the best of my knowledge and ability.

/S/ Christine Jenkins	CET-1050
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