

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-CV-00309 MSK-KMT

SUZANNE SHELL,

Plaintiff,

v.

AMERICAN FAMILY RIGHTS ASSOCIATION, et al.,

Defendants.

JULY 24, 2009

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MOTION TO DISMISS AND QUASH SERVICE OF SUMMONS  
FOR LACK OF PERSONAL JURISDICTION

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Comes now, Defendant William Wiseman and William Wiseman sole proprietorship On Behalf Wiseman Studios (Wiseman Studios is NOT a corporation or a DBA. Wiseman Studios is JUST a webpage) submits this motion to dismiss and quash service of summons for lack of personal jurisdiction in the above named cause of action for the following reasons:

1. Defendant Wiseman has no connection whatsoever with Colorado.
2. Wiseman does not reside in Colorado and does not have any regular work in Colorado.
3. Wiseman has never solicited business in Colorado or maintained a place of business in Colorado or received or exchanged money in the state of Colorado.
4. Wiseman has never had a telephone listing in Colorado.
5. Wiseman has never maintained a bank account in Colorado.

6. Wiseman has never visited Colorado for any reason either business or personal.
7. The only contact Wiseman has ever had with the plaintiff is through the plaintiff's own business enterprises in which the plaintiff put Wiseman name and Home address up on the plaintiff website and demanded that Wiseman pay her 900,000,000.00 and 300,000,000.00 in another email see EXHIBIT 2. and wiseman has had no personal contact at all with the plaintiff. Wiseman has not signed any contract, bought or read any of her books, went to any of plaintiff seminars nor agreed, nor would agree under any amount of money to make the plaintiff's crappy website shine.

#### AFFIRMATIVE DEFENSES

1. The Plaintiff's claims are barred by the Doctrine of Unclean Hands;
2. The Plaintiff's claims are barred by the Doctrine of Laches;
3. The Plaintiff has given up all rights to sue. Please note EXHIBIT 1  
"Yes, Billy is doing this and it isn't hurting any of us any. It is hurting Billy and AFRA."  
Posted by the Plaintiff on HER PUBLIC group.
4. The Plaintiff has failed to state a claim upon which relief can be made, with regard to William Wiseman and sole proprietorship Wiseman studios;
4. Plaintiff's claims are barred by the Statute of Limitations;
5. The Plaintiff's claims as to William Wiseman and Wiseman studios are frivolous and intended to harass Defendant, deprive them of their constitutionally protected right to freedom of speech, and are intended to falsely imprison them to prevent them from doing so;
6. The Plaintiff's claims are barred by the Statute of Frauds, wherein it is stated that one party

cannot act as guarantor for another party's debt or other obligation; or that one person cannot be held financially responsible for that actions of another person and/or entity without a written, signed contract.

7. The plaintiff Wrote Wiseman's Domain Provider Claiming copyright infringement and once The plaintiff found out who owned The website and was given a P.O. box to contact Wiseman. The plaintiff wanted Wiseman's Home Address when Wiseman Refused The plaintiff had Wiseman's Private Domain Registration shut down In Which Godaddy charged Wiseman's bank account 20.00 dollars EXIBIT 1 and because Wiseman didn't have the funds to Cover what Godaddy took. Wiseman was Charged 35 dollars plus five dollars every two days for two weeks until Wiseman had Money put in his account. All this was done without a Court order Or Civil suit Filed by The plaintiff; she made false claims through emails.

8. The plaintiff there After Put Wiseman home address with that of a Fifteen Year Old On the front page of The plaintiff's website profane-justice.org EXIBIT 3 and calls Wiseman A Retard on badadvocates.com disregarding and the Privacy Rights and Personal safety Of Defendant Wiseman and the 15 year old Kid.

### **RELIEF**

Accordingly, William Wiseman, and Wiseman Studios Defendants request that the Court order Plaintiff to pay, as sanctions, all the fees and costs incurred in this suit. Defendants further Request that this Court issue an order restraining the Plaintiff from filing any more pro se Claims with the United States District Court, unless those pleadings have been reviewed first and approved by a member of the bar of the Court, o unless she first receives approval from the Chief Judge of the District to do so. See, *Andrews v. Heaton*, 483 F.3d 1070, 1077 (10th Cir. 2007) ("Federal courts

have the inherent power to regulate the activities of abusive litigants by imposing carefully tailored restrictions in appropriate circumstances.”).

WHEREFORE, Defendants Wiseman and Wiseman Studios, hereby request that the Court DISMISS the Plaintiff's claims against them with prejudice and grants sanctions, fees and costs against the Defendant.

DATED: this 24th day of June, 2009.

DEFENDANT

**William Wiseman AKA Wiseman Studios**

*William Wiseman*

**William Wiseman**

**p.o.box 1017**

**Tulelake, California 96134**

#### CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the attached documents defendant's MOTION TO DISMISS AND QUASH SERVICE OF SUMMONS FOR LACK OF PERSONAL JURISDICTION with Exhibits one threew four sent too:

National Association of Family Advocates and  
Dorothy Kernaghan-Baez and

Georgia Family Rights, Inc.

each @ By Email

Leonard Henderson By Email  
4773 Salmon River Highway  
Otis, OR 97368

Susan Adams Jackson By Email  
40 Orlando Ave.  
Winthrop, MA 02152

Anne E. Tower and By Email  
William O. Tower and By Email  
American Family Rights Association By Email  
each @ 7334 Chivalry Way,  
Citrus Heights, CA, 95621-4333

Motion To Dismiss And Quash Service Of  
Summons For Lack Of Personal Jurisdiction – William Wiseman  
1:09-cv-MSK-KMT

Brenda Swallow By Email  
815 Hilltop Road  
Mary Esther, Florida 32569

Illinois Family Advocacy Coalition and By Email  
Renee Cygan and By Email  
Mark Cygan By Email  
each @ 329 N. Cornell Ave. #D  
Villa Park, IL 61081

Thomas M. Dutkiewicz dba Connecticut DCF  
Watch By Email  
PO Box 9775  
Bristol, CT 06011

Aimee Dutkiewicz By Email  
P.O. Box 3022  
Bristol, CT 06011-3022

Dee Contreras By Email  
10571 Colorado Boulevard  
Apartment B-101  
Thornton, CO 80233

Daniel Slater By Email  
attorney for Cheryl Barnes, CPS Watch, Inc. and  
Sarah Thompson via Court's ECF system By Email

Patrick D. Vellone and Jennifer E. Schlatter  
attorney for Ringo Kamens/Alex Bryan By Email

Suzanne Shell Court's ECF system

July 25, 2009

**William Wiseman AKA Wiseman Studios**

***William Wiseman***

EXHIBIT 1

Advanced

WARNING! MSGS here Stolen/Linked To STM Bully's Site

Message List

Reply | Forward

Message #3002 of 3003 <Prev | Next>

Wow, Teresa

**You raise some valid points which I would like to address.**

--- In [FamilyRightsAdvocacyIMPROVEMENTProject@yahoogroups.com](mailto:FamilyRightsAdvocacyIMPROVEMENTProject@yahoogroups.com), "Rev. Brewer" <aframo05@...> wrote:

>  
> To ALL Advocates, Members, Ladies and Gentlemen of FamilyRightsIMPROVEMENTProject  
>  
> Be warned. Everything that you write here is being stolen, linked to and bragged about on Bully's site.

**Yes, Billy is doing this and it isn't hurting any of us any. It is hurting Billy and AFRA.**

>  
> Furthermore, he claims that our organization AFRA-Missouri, "IS Out of Business," which only goes to show that this pathetic moron has deluded himself to thinking that just having a website, is a business.

**Actually, this is a excellent demonstration of how Billy and AFRA do not understand the issues, context, principles surrounding what any of us do. Anyone who sees his explanations, coupled with the supposed documents supporting his story clearly see that he doesn't get it. Think about it. . .his site is so full of hate and vitriol AND his claims are so clearly manufactured out of thin air and lacking any proof that everyone sees it for what it is. . .lies upon lies intended to harm. This leaves him and AFRA with ZERO credibility.**

**I can attest to this fact by virtue of the Internet Archive incident a few weeks ago. I had MANY phone calls and emails, some of which wanted to know who Billy was. You see, Billy and AFRA members were out there inciting the Internet community and directing them to his site. Even though many of them were opposed to my lawsuit with Internet Arvchive, ALL of them quickly realized that Billy was completely intellectually lame as was AFRA for endorsing him.**

>  
> I regret to inform you all, that for the sake of our works and the people that so desperately need our help, we now must remove ourselves from this group, in the effort of damage control.  
>  
> The personal and professional attacks are causing far too much harm for us to continue membership here. Membership in this group, (while I strongly support our efforts together) has not improved family advocacy. Instead it has given more of ourselves to the STM's due to the lack of security in this public

arena.

>

> Suzanne has disclosed that she believes that nothing is really accomplished in these groups. I feel that this latest attack is proof that she is correct and I am disappointed that she did not feel it was important to keep this a private group, allowing further attacks against we leaders in this movement.

**This group was intended to expose those who motives were not in the best interests of this movement. It is not intended to discuss what we are doing locally, nor to provide help to families as advocates. When I said the groups were not getting the job done, I was referring to the effectiveness and credibilty of online advocacy groups.**

**This group is accomplishing THIS group's goal. By making this group public, we have served several purposes:**

- 1. To publicly expose what AFRA, et al, are doing secretly and behind the scenes which harms this movement or families who seek advocacy services.**
- 2. To expose the character, history and credibility of those who have sought to advocate for families or to cause harm to any non-AFRA person or group.**
- 3. To analyze what AFRA, et al, are doing publicly, and assess the effectiveness, credibility and mothods employed, and whether they are harmful or helpful and why.**
- 4. To give AFRA, et al, the opportunity to seize upon what we do and say on this group andtheir attempts to dirty it, malign it, misrepresent it, copy it, or use it against any non-AFRA person or group.**

>

> In my opinion, this should not be a public forum. The issues we are trying to work out, should be kept from the public and worked out much more professionally in private. We have opened ourselves up to this attack by keeping this a public forum. I will not allow my people or myself to be used to make a laughing stock of our very effective and good work anylonger.

**Nobody is laughing at US, Teresa. WE have professionals working with us. I work with lawyers all over the country. WE are training professionals. Almost nobody goes to the Bully Monster site, and those who do see it for what it is. A hate site spewing monkey doo doo about anybody who is opposed to the AFRA machine. It is pathetic, and not harmful to anyone except AFRA.**

>

> I and my people will no longer be used as pawns in this war, just because I stood for up for Suzanne Shell. I will not sacrafice my work or my people for this nonsense anylonger.

**This is what they wanted, Teresa. To bully and intimidate you into blaming me for what THEY have done to you.**

>

> Suzanne, I have asked you to call me, and told you that it was vitally important. You have not. Nor have you emailed me individually, or responded to my emails to you.

**And I have been EXTREMELY busy and overwhelmed with what has been going on. I got one email from you in the middle of a blizzard of events. I am sorry I couldn't get back to you, but I**

**am STILL tying up loose ends from that mess. I believe you have my phone number, you can call me.**

>

> Worse still, you have made very ugly allegations on your website, against VOCAL. I know for a fact that VOCAL and VOCAL of MO are no longer affiliated in anyway. Nevertheless, our Board Members are also Board Members and Directors of other organizations. We cannot afford to have anymore ugly comments made about our allies or false allegations cast upon our work, collectively or individually.

**Sigh. . .MY site ([www.profane-justice.org](http://www.profane-justice.org)) has NOTHING about VOCAL on it. As for the story about VOCAL which WAS on my site and which I transferred to The Editors @badadvocates.com, I DID NOT STATE these facts. Leslie Wimberly (one of the leaders of NASVO) said them, on video, when I filmed her at a VOCAL conference in Denver a few years ago. My story, as I wrote it, was about what happened to VOCAL, which was one of the first organized efforts in this arena, and which has since largely disappeared due to the reputation associated with that name - caused by AFRA-type people who were seeking some protection for their abusive conduct.**

**There is nothing about AFRA MO in that article.**

>

> Suzanne, we have made public statements in support of your efforts. Yet apparently you felt it necessary to post disparaging comments without bringing it to me, knowing that some of the people you mention have affiliations with us or our allies. You know the people that I speak of. I will not mention their names in order to spare any further slander/defamation or doubts against their integrity.

**I first published the VOCAL article several years ago, before I knew you. I did however, know Leslie Wimberly of NASVO, to whom I did speak to about this article.**

>

> Please remove your disparaging comments about VOCAL, immediately and post a retraction and clarification on your website about VOCAL of MO. Vocal of MO DOES NOT harbor anyone that would harm a child or a woman in anyway. Vocal of MO's, President also wrote in support of you. WE expect the same respect from you, that we have given to you.

**IF \*I\* have said anything untruthful and disparaging about VOCAL MO or any of its membership or leadership, please point it out to me and I will correct it. However, taken in context, I'm quite sure my story is accurate.**

**IF this article causes issues for your group. . .that is part of the territory of using the VOCAL name. Teresa, the VOCAL name is tarnished as verified by the admission of NASVO and VOCAL founders. This is unfortunate, but it is not my fault.**

**My credibility as a journalist/documentarian lies in reporting the facts. Good facts or bad facts, it makes no difference.**

>

> If you have proof of your allegations, please provide them to me immediately.

**Now you are sounding like Cygan. Let me 'splain this again. . . As a publication, I do not have to provide proof upon demand. However, be patient. . .this will be broadcast using Ms. Wimberly's own words. I can arrange to interview YOU and your board in response to this disclosure for inclusion in the video. Fair enough?**

**Heck, if AFRA leadership wants to be interviewed for inclusion, I will do THAT, too. I WILL be including AFRA in this program, so if AFRA wants it's say, it's now or never. Come on this group and let me know if you want to be included. But I need to know quickly, I am in post production and I have a number of national cable channels interested as well as other media outlets. ---  
Suzanne**

- >
- > May God Bless You All,
- >
- > Rev. Teresa Brewer
- > President
- > American Family Rights

----- Original Message -----

**From:** Suzanne Shell

**To:** [dsshell@ix.netcom.com](mailto:dsshell@ix.netcom.com) ; [Harry L. Simpkins](mailto:Harry L. Simpkins) ; [William Tower](mailto:William Tower) ; [Cletus Kiefer](mailto:Cletus Kiefer) ;  
[president@nextfriend.us](mailto:president@nextfriend.us) ; [charles@christiancommonlaw-gov.org](mailto:charles@christiancommonlaw-gov.org)

**Sent:** Tuesday, April 11, 2006 6:38 AM

**Subject:** Cease and Desist

EXHIBIT 2

Mr. Kiefer

You have previously been advised, by me and by attorney Greg Hession, to cease using the content from my web site to promote you, yourself, your organization or your cause (see below) I object strenuously to any implied association with you based on your use of my distinctive content. Furthermore, you failed to properly attribute this quote to the author, me. I demand you publish an admission of plagiarism and an apology on all AFRA forums and never use my content again.

Mr. Kiefer, Mr. Wiseman, Mr. Stewart

Second. . .you and/or your agents have stolen content from my web site, circumventing copy protections in violation of the Digital Millennium Copyright Act, and posted the stolen content on another web site (thetruthistold.com). Fair use is predicated upon first legally obtaining the copy from which you quote. You did not obtain the content legally. According to the terms published on my web site for use of that content, for failure to prepay for the first copy, you owe me \$250,000 plus \$50,000 penalty and treble damages. I will enforce these terms in a court of law. This is a demand for payment, jointly and severally. I'll give you 30 days. I highly recommend you make payment or arrangements with me immediately. Mr. Wiseman is name because he designed the web site and circumvented the protections and acted at the direct of Mr. Stewart and Mr. Kiefer. Mr. Stewart also owns the domains and/or web site. Mr. Kiefer is the subject of the stolen content and therefore directed the misappropriation.

I have sent this demand to AFRA board President and VP, as Mr. Kiefer is a director on that Board, and his actions are implicitly endorsed by AFRA as long as he remains a Director or a member of AFRA. If AFRA takes no position or action regarding Mr. Kiefer engaging in copyright infringement, theft and plagiarism, I will hold the entire AFRA board will be equally liable. I have repeatedly requested AFRA to define a policy governing member's use of anyone's intellectual property, and they have refused. Fine, then AFRA BOD and members' torts and crimes regarding my property are wilful and malicious, and I will seek remedies accordingly.

For the record, I know of other incidents of theft of property and copyright infringement against other authors on that same web site. . .the other victims will also be seeking remedies. And record companies/music artists sue the parents of little kids who take their property. . .what do you think they will do to you?

I know all about AFRA's new mission. . .to take me out. Stealing my intellectual property isn't the way to do it, boys. I also know everyone is furiously digging for dirt on me, and since you can't find any, some of your minions are manufacturing it. That will backfire badly boys. I am squeaky clean - I hardly ever even get a traffic citation. It really looks bad when you try to muddy someone who isn't dirty to start out with. I can survive a criminal background check and come out spotless . . . can you?

By the way. . .my husband and my family are off limits. Kiefer . . .and the rest of you . . .leave him alone and leave the rest of my family alone.

DFWM

----- Original Message -----

**From:** [service@paypal.com](mailto:service@paypal.com)

**To:** [wiseman\\_studios](mailto:wiseman_studios)

**Sent:** Wednesday, April 19, 2006 1:22 PM

**Subject:** Receipt for Your Payment to Go Daddy Software, Inc.



Dear wiseman studios,

This email confirms that you have paid Go Daddy Software, Inc. ([paypal@godaddy.com](mailto:paypal@godaddy.com)) \$20.00 USD using PayPal.

This credit card transaction will appear on your bill as "PAYPAL \*GODADDYSOFT".

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**Payment Details**

Transaction ID: 3GA97550H93439348

Total: \$20.00 USD

Invoice ID: 38896625

Buyer: wiseman studios

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**Billing Agreement Details**

PayPal Receipt ID: B-2EP82889WU998653D  
Description of Billing: GoDaddy.com, Domain  
Agreement: Names and Hosting  
Services

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**Funding Sources Used**

Visa Card XXXX- \$20.00 USD  
XXXX-XXXX-  
4943:

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**Business Information**

Business: Go Daddy Software, Inc.

**Protect Your Account Info**

Make sure you never provide your password to fraudulent websites.

To safely and securely access the PayPal website or your account, open a new web browser (e.g. Internet Explorer or Netscape) and type in the PayPal URL (<https://www.paypal.com/us/>) to be sure you are on the real PayPal site.

PayPal will never ask you to enter your password in an email.

For more information on protecting yourself from fraud, please review our Security Tips at <https://www.paypal.com/us/securitytips>

**Protect Your Password**

You should never give your PayPal password to anyone, including PayPal employees.

