

**POSTED**

# Domestic Relations Case Final Disposition Information Form

Superior Court County MUSCOGEE

Date Disposed 2019 MAR 6 AM 9:02

Docket # SU-13-DM-409

FILED IN OFFICE  
2019 MAR 6 AM 9:02  
M. LINDA PIERCE  
MUSCOGEE COUNTY  
SUPERIOR COURT  
Title

Reporting Party \_\_\_\_\_  
Last First Middle I. Suffix Prefix Maiden

Name of Plaintiff/Petitioner(s)  
LINDA ELLIS  
Last First Middle I. Suffix Prefix Maiden

Name of Defendant/Respondent(s)  
MATTHEW CHAN  
Last First Middle I. Suffix Prefix Maiden

Plaintiff/Petitioner's Attorney  Pro Se  
Last First Middle I. Suffix

Defendant/Respondent's Attorney  Pro Se  
Last First Middle I. Suffix

Bar # \_\_\_\_\_

Bar # \_\_\_\_\_

### Type of Disposition (Check all that apply)

- 1.  Dismissed Without Final Order
  - A.  Voluntary (by parties)
  - B.  Involuntary (by court)
- 2.  Pre-Trial Settlement
- 3.  Judgment on the Pleadings
- 4.  Summary Judgment
- 5.  Trial
  - A.  Bench Trial
  - B.  Jury Trial
    - 1.  Dismissal after jury selected
    - 2.  Settlement during trial
    - 3.  Judgment on Verdict
    - 4.  Directed Verdict or JNOV

### Relief Granted (Check all that apply)

- 1.  Ex Parte Relief
- 2.  Temporary Relief
- 3.  Final Relief
  - a.  Divorce/Annulment/Separate Maintenance
  - b.  Child Custody
    - Parenting Plan?  Yes  No
    - Custodial Arrangement?  Yes  No
    - If Yes, check one:
      - Joint Custody
      - Joint Legal Custody
      - Joint Physical Custody
      - Sole Custody to: \_\_\_\_\_
    - 14 year old parental selection?  Yes  No
  - c.  Visitation or Parenting Time
    - Approx. Parenting Time (days per year)
    - Mother \_\_\_\_\_ Father \_\_\_\_\_
    - Parenting Time Contested?  Yes  No
  - d.  Child Support
    - Forms attached?  Yes  No
  - e.  Legitimation/Paternity
  - f.  Alimony
  - g.  Contempt
  - h.  Equitable Division
  - i.  Protective Order
    - Person  Property
    - Finding of Family Violence?
  - j.  Adoption
  - k.  Attorneys Fees?
    - If Yes, enter amount: \_\_\_\_\_
    - to whom: \_\_\_\_\_
  - l.  Other (Specify) \_\_\_\_\_
- 4.  Dismissed prior to granting of relief.

### ADR

- 1. Was mediation utilized?  Yes  No
- 2. If Yes, was it (check if applicable)
  - court annexed?
  - court mandated?
- 3. Binding Arbitration Agreement  Yes  No
  - If Yes, what matters were subject:
    - Child Custody
    - Visitation/Parenting Time
    - Parenting Plan

IN THE SUPERIOR COURT OF MUSCOGEE COUNTY  
STATE OF GEORGIA

Linda Ellis

Petitioner

V.

Matthew Chan

Respondent

CASE NO.: SU-13-DM-409

JUDGE FRANK J. JOHNSON, JR.

FILED IN OFFICE  
2013 MAR -6 AM 8:10  
M. LINDA PIERCE  
MUSCOGEE COUNTY  
SUPERIOR COURT

**STALKING PERMANENT PROTECTIVE ORDER**

A hearing was held on this matter on February 28, 2013 at which the Respondent appeared and was provided with the opportunity to be heard and the Petitioner requested, pursuant to O.C.G.A. §§ 16-5-94 (e) and 19-13-4 (c), that a permanent Protective Order be issued. Having heard the evidence presented, reviewed the petition and the record concerning this case and for good cause shown, IT IS HEREBY ORDERED AND ADJUGED:

1.

The Respondent has knowingly and willfully violated O.C.G.A. §§ 16-5-90 et seq. and placed the Petitioner in reasonable fear for the Petitioner's safety, because Respondent contacted the Petitioner (and urged others to contact Petitioner) and posted personal information of the Petitioner for the purpose of harassing and intimidating Petitioner.<sup>1</sup> As the owner and operator of the site, Respondent has the ability to remove posts in his capacity as the moderator. However, Respondent chose not to remove posts that were personally directed at Ms. Ellis and would cause a reasonable person to fear for her safety. Because the Respondent's course of conduct was directed at Ms. Ellis through the posted messages and information relating to Ms. Ellis, and the conduct was intended

<sup>1</sup> Respondent is the owner and operator of the website ExtortionLetterInfo.com ("site") which was used to stalk Ms. Ellis by harassing and intimidating her and encouraging other visitors of the site to do so as well.

(and in fact did) create fear and intimidation in the Petitioner, Respondent is hereby ORDERED to remove all posts relating to Ms. Ellis. Respondent is hereby enjoined and restrained from doing or attempting to do, or threatening to do any act constituting a violation of O.C.G.A. §§ 16-5-90 et seq. and of harassing, interfering, or intimidating the Petitioner or Petitioner's immediate family. Any future acts committed by the Respondent towards the Petitioner which are in violation of this statute and this Protective Order can amount to AGGRAVATED STALKING, pursuant to O.C.G.A. § 16-5-91, which is a felony. A person convicted of Aggravated Stalking shall be punished by imprisonment for not less than one nor more than ten years and by a fine of not more than \$10,000.00.

2.

Respondent is permanently enjoined and restrained from approaching within 1000 yards of Petitioner and Petitioner's immediate family, and residence, place of employment, or school or subsequent residence, place of employment or school.

3.

Respondent is not to have any contact of any type, direct, indirect, or through another person with the Petitioner, her immediate family, including but not limited to: telephone, fax, email, voicemail, mail, texting, spoofing, Facebook and other forms of social media, or any other type of contact.

4.

That this order be filed in the office of the Clerk of this Court.

5.

This Order shall remain in effect permanently and shall not terminate unless modified by the Court.

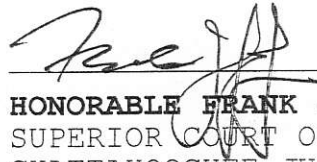
6.

That this Order applies in every county throughout the state and it shall be the duty of every court and every law enforcement official to enforce and carry out the provisions of this Order pursuant to O.C.G.A. §§ 16-5-94(e) and 19-13-4(d). Law enforcement may use their arrest powers pursuant to O.C.G.A. §§ 16-5-91 and 17-4-20 to enforce the terms of this Order.

7.

That this Court determined that it had jurisdiction over the parties and the subject matter under the laws of the State of Georgia and Respondent received reasonable notice and had the opportunity to be heard before this Order was issued sufficient to protect the Respondent's due process rights and this Order shall be presumed valid and pursuant to 18 U.S.C. § 2265(a) shall be accorded **full faith and credit** by any other state or local jurisdiction and shall be enforced as if an Order of the enforcing state or jurisdiction.

So ORDERED this 4<sup>th</sup> day of March, 2013 *nunc pro tunc* to February 28, 2013.



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HONORABLE FRANK J. JORDAN JR.  
SUPERIOR COURT OF MUSCOGEE COUNTY  
CHATTAHOOCHEE JUDICIAL CIRCUIT

CERTIFICATE OF SERVICE

I, Abby Miller, Law Clerk to Judge Frank J. Jordan, Jr., hereby certify that on or around the date of the attached order's signature, I promptly mailed,  emailed,  faxed, or interoffice delivered a copy of the foregoing ORDER to the individuals listed below with the following contact information:

Elizabeth McBride  
Page Scrantom Sprouse Tucker &  
Ford PC  
1111 Bay Avenue Third Floor  
Post Office Box 1199  
Columbus, Georgia 31902

Matthew Chan



A handwritten signature in cursive script that reads "Abby Miller".

Abby Miller  
Law Clerk  
Judge Frank J. Jordan Jr.  
Chattahoochee Judicial  
Circuit  
P.O. Box 1340  
Columbus, Ga. 31902  
706-653-4667 (voice)  
706-653-4316 (fax)  
abbymiller@columbusga.org

## **PRESS RELEASE**

March 13, 2013  
FOR IMMEDIATE RELEASE

Contact: Oscar Michelen  
Email: [omichelen@cuomollc.com](mailto:omichelen@cuomollc.com)  
Phone: 516-776-0154

### **Legal Advisor Comments On Permanent Protective Order Against Matthew Chan, Founder of Anti-Troll Website, ExtortionLetterInfo.com**

I am Matthew Chan's legal adviser on ExtortionLetterInfo.com (ELI) and a frequent contributor to the forums on the site. Since it seems this PPO is now becoming a matter of public discourse, I would like to tell you my position on the matter. I will be representing Matthew along with local Georgia counsel if Matthew decides to appeal the order. When I say "if", I want you to know that we may not appeal. If we choose not to appeal, we will do that not because we think an appeal would be unsuccessful (we are confident of our chances on appeal); or because we agree with the court's decision (we don't); or because we are happy with the outcome (we are not - in fact, we are outraged by the outcome). If we don't appeal, it will because it just isn't worth it.

Long before ELI ever heard of Linda Ellis or the "The Dash", it was the #1 site on the Internet for information about digital image litigation and how big photo warehouses were abusing the copyright system to force decent folks into paying exorbitant settlement amounts for minor infringements. It expanded to cover numerous other instances of what is known as "copyright trolling". It was covered in the press and received thousands of visitors each month.

Yes, when we learned of Ms. Ellis' version of copyright enforcement, it caught our attention and we opened a forum on it. But it never amounted to anything other than a very minor part of what we did and discussed on ELI. So if all Matthew has to do to not violate the order is not talk about her anymore (and since it is clear if the posts are read in context that all the "revenge and payback" Matthew talked about was with respect to how she operated her business model and nothing else), so be it.

If we do appeal, it will be because the order stifles free speech in general and future speech on ELI specifically. Matthew was not charged with being boorish or rude or hurtful. He was not even charged with threatening Ms. Ellis. He was charged with stalking her. Even though he never contacted her or called her or emailed her. He was principally held responsible for the postings made by others. If Internet posts that are not sent to a person and are read voluntarily by that person can amount to stalking, then the Internet may be in big trouble. I could go on about

how I feel everything Matthew did is permitted by the First Amendment and Georgia law but I think this letter is long enough already.

I would be glad to discuss this further with you at a mutually convenient time. Thanks for your interest in this issue and your willingness to hear all sides.

***Oscar Michelen***

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