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FACSIMILE TRANSMISSION

FROM: *Mary Claire Fischer*

DATE: *January 2, 2006*

TO: *Mr. Richard M. Scoville*

FAX: *(207) 510-9474*

PAGES (including cover sheet): *6*

MESSAGE:

PLEASE SEE ATTACHED CORRESPONDENCE AND ORDERS.

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Mary Claire Fischer
Attorney at Law

January 2, 2006
VIA FACSIMILE

Mr. Richard M. Scoville
108 West French Place
San Antonio, Texas 78212-1679

RE: CAUSE NO. 2005-CI-19492; RICHARD M. SCOVILLE, ET AL., VS. BRIAN J. BRUNS, ET AL, IN THE 45TH JUDICIAL DISTRICT COURT OF BEXAR COUNTY, TEXAS.

Dear Mr. Scoville:

Attached is your proposed Order Granting Defendants' Request To Extend Plaintiffs' Temporary Restraining Order And Reschedule Hearing on Preliminary Injunction, which I have approved.

Also attached is my proposed Order Setting Hearing On Special Appearance. Please review my proposed Order, and, if it meets with your approval, sign it and fax it back to me. I will have it entered by the Court, and provide you with a conformed copy. If you wish to fax back your Order Granting Defendants' Request To Extend Plaintiffs' Temporary Restraining Order And Reschedule Hearing On Preliminary Injunction, I will have it entered by the Court when I am at the Courthouse, and provide you with a conformed copy of this Order also.

If you wish to secure the Judge's signature on your proposed order yourself, I request that you provide me with a conformed copy of the Order as soon as possible.

Please call if you have any questions.

Sincerely,

Mary Claire Fischer

MCF/jt

RICHARD M. SCOVILLE,
INDIVIDUALLY and on behalf of
Free Speech Store also known as FSS,
FreeSpeechStore.com

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IN THE DISTRICT COURT

VS.

45th JUDICIAL DISTRICT

BRIAN J. BRUNS, AKA ABUSIVE
HOSTS BLOCKING LISTS, AHBL.ORG,
THE SUMMIT OPEN SOURCE
DEVELOPMENT GROUP, SOSDG.ORG,
ANDREW D. KIRCH, AKA
D&K CONSULTING, TRELANE.NET

BEXAR COUNTY, TEXAS

**ORDER GRANTING DEFENDANTS' REQUEST TO EXTEND PLAINTIFF'S
TEMPORARY RESTRAINING ORDER AND RESCHEDULE HEARING ON PRELIMINARY
INJUNCTION**

On December 28, 2005, came to be heard the arguments for Preliminary Injunction filed by Plaintiffs, RICHARD M. SCOVILLE, INDIVIDUALLY and on behalf of Free Speech Store also known as FSS, FreeSpeechStore.com (the "Injunction"). At the request of the Defendants, an extension of time for the Court to hear the "Injunction" and to extend the Temporary Restraining Order (the "TRO") was requested until January 5, 2005 at 9:00 A.M, at which time the Court will hear the arguments from both sides regarding the "Injunction". The Court having reviewed the Plaintiff's Pleadings, the "TRO" and upon hearing the argument of Defendants' counsel and Plaintiffs, Pro Se, is of the opinion that the extension be granted.

The hearing on the preliminary injunction is set for the 5th day of January, 2005, at nine (9) o'clock a.m.

Signed this the _____ day of December, 2005.

THE HONORABLE JOHN D. GABRIEL

APPROVED AS TO FORM AND SUBSTANCE:

108 West French Place
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RICHARD M. SCOVILLE, INDIVIDUALLY AND ON BEHALF OF FREE
SPEECH STORE ALSO KNOWN AS FSS, FREESPEECHSTORE.COM

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MARY CLAIRE FISHER
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ATTORNEY FOR DEFENDANTS
ANDREW D. KIRCH, ABUSIVE
HOSTS BLOCKING LISTS,
AHBL.ORG, THE SUMMIT OPEN
RESOURCE DEVELOPMENT GROUP,
SOSDG.ORG, D&K CONSULTING AND
TRELANE.NET

CAUSE NO. 2005-CI-19492

RICHARD M. SCOVILLE,
INDIVIDUALLY, AND ON BEHALF
OF FREE SPEECH STORE a/k/a FSS,
FreeSpeechStore.com,

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IN THE DISTRICT COURT

PLAINTIFFS,

45TH JUDICIAL DISTRICT

vs.

BRIAN J. BRUNS, a/k/a ABUSIVE
HOSTS BLOCKING LISTS, AHBL.ORG,
THE SUMMIT OPEN SOURCE
DEVELOPMENT GROUP, SOSDG.ORG,
ANDREW D. KIRCH a/k/a D&K
CONSULTING, TRELANE.NET

DEFENDANTS.

BEXAR COUNTY, TEXAS

ORDER SETTING HEARING ON SPECIAL APPEARANCE

On December 28, 2005, Defendants Abusive Hosts Blocking Lists, AHBL.ORG, The Summit Open Source Development Group, Andrew D. Kirch, D&K Consulting, and Trelane.net (the "Kirch Defendants") filed a Special Appearance in this case. The Kirch Defendants moved, in Open Court, that their Special Appearance be heard prior to the hearing (the Motion") on the Plaintiffs' Request for Temporary Injunction, based on Plaintiffs' previously obtained Temporary Injunction. The Court, after hearing the Motion, and the argument of Counsel and Mr. Scoville, finds that because the Special Appearance involves jurisdictional issues to be resolved, is of the opinion that the Motion is well-taken, should be, and it is hereby GRANTED.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that:

1. The Special Appearance filed by the Kirch Defendants be, and the same is hereby set for hearing on January 5, 2006, at 9:00 a.m. in the Presiding District Court of Bexar County.
2. IT IS FURTHER ORDERED that the hearing on Plaintiffs' Request for Temporary Injunction be, and the same is hereby set for hearing on January 5, 2006, such hearing to follow the hearing on the Kirch Defendants' Special Appearance, which is, by this Order, set for hearing at 9:00 a.m. on that date.
3. All relief not expressly granted in this Order is denied.

SIGNED, this ____ day of January 2006.

PRESIDING JUDGE
BEXAR COUNTY DISTRICT COURT

APPROVED AS TO FORM:

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RESOURCE DEVELOPMENT GROUP,
SOSDG.ORG, ANDREW D. KIRCH
A/K/A D&K CONSULTING, AND
TRELANE.NET

FOR RICHARD M. SCOVILLE,
INDIVIDUALLY AND ON BEHALF OF
FREE SPEECH STORE A/K/A
FSS, FREESPEECHSTORE.COM

SUBMITTED BY:

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