

**IN THE UNITED STATES DISTRICT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**MEANITH HUON,**

**Plaintiff,**

**v.**

**CIVIL ACTION NO.: 1: 11-cv-3054**

**ABOVETHELAW.COM, et. al.**

**Defendants**

**MOTION TO STRIKE AND FOR SANCTIONS FOR DISCLOSING MR. HUON'S  
DATE OF BIRTH, SOCIAL SECURITY NUMBER, DRIVER'S LICENSE NUMBER IN  
VIOLATION OF FRCP 5.2**

Plaintiff, Meanith Huon, states as follows:

1. FRCP 5.2 provides in part as follows:

a) Redacted Filings. Unless the court orders otherwise, in an electronic or paper filing with the court that contains an individual's social-security number, taxpayer-identification number, or birth date, the name of an individual known to be a minor, or a financial-account number, a party or nonparty making the filing may include only:

- (1) **the last four digits of the social-security number** and taxpayer-identification number;
- (2) **the year of the individual's birth;**
- (3) the minor's initials; and
- (4) the last four digits of the financial-account number (emphasis supplied).

2. Mr. Huon has filed a Second Amended Complaint against Defendants, Irin Carmon, Gabby Darbyshire, Nick Denton, Gawker Media, Jezebel.com (collectively referred to as "The Jezebel.com Defendants") alleging, among other things, that

Defendants engaged in cyberstalking and cyberbullying and defamed him.

3. Defendants and its attorneys seem to believe that just because Mr. Huon was falsely arrested in 2008 and 2009 by Madison County, that somehow that provides them with immunity from prosecution for every personal attack on him. However, the Seventh Circuit noted, “such a rule ‘would strip people who had done bad things of any legal protection against being defamed; they would be defamation outlaws.’”

Desnick v. American Broadcasting Companies, Inc., 44 F.3d 1345, 1351 (7<sup>th</sup> Cir. 1995).

4. Although the attorney litigation privilege does not cover the publication of defamatory matter that has no connection whatsoever with the litigation, Defendants’ attorney insisted in its Memorandum of Law that Mr. Huon has pending criminal charges, which is untrue. Restatement (Second) of Torts § 586 comment; Kurczaba v. Pollock, 318 Ill.App.3d 686, (1<sup>st</sup> Dist. 2000).

5. In its Defendants’ Reply brief, Defendants attach what appears to be the police report from Case No. 11231631. On the second court date--before tendering discovery-- the Cook County State Attorney’s Office voluntarily dismissed all charges Case No. 11231631. Defendants’ do not attach the Court order or half sheet dismissing the charges. Mr. Huon now has to obtain court records showing that the charges have been dismissed.

6. Worse, the Jezebel Defendants and its attorneys continue to engage in tactics to attempt to intimidate and harass Mr. Huon by filing the police report containing Mr. Huon’s complete date of birth and Social Security Number, in violation of FRCP 5.2. Defendants redacted other parts of the police report but did not redact Mr. Huon’s

complete Social Security Number and date of birth and other personal information, including his driver's license number.

7. Since the court records are public records, any individual can access Mr. Huon's personal information, including his complete Social Security Number and date of birth.

8. The Jezebel Defendants and its attorneys know or should know that a meritorious argument can be made that the arrest and dismissal of the charges in Case No.

11231631 may have been prompted by a copycat claim, as a result of the publication of the Jezebel Defendants' article. As the Jezebel Defendants' admit in its

Memorandum, the story given by the complainant, Stephanie Andrews resembles more closely the "talent scout" story posted by the Jezebel Defendants and the Above The Law Defendants than the original proceedings. (On information and belief, there is no evidence that Mr. Huon posed as a "talent scout" in the original proceedings).

Defendants and its attorneys know or should know that anyone with a computer and a grudge against Mr. Huon can now access his complete personal information consisting of his date of birth, Social Security Number, driver's license number, address, telephone number.

9. Defendants' attorneys are experienced Federal Court litigators and have retained local counsel in Illinois, who are experienced Federal Court litigators. On

information and belief, the restrictions on the disclosure of private information in

FRCP 5.2 repeated when a filer files an electronic document:

**IMPORTANT NOTICE OF REDACTION RESPONSIBILITY:** All filers must redact: Social Security or taxpayer-identification numbers; dates of birth; names of minor children; financial account numbers; and, in criminal cases, home addresses, in compliance with Fed. R. Civ. P. 5.2 or Fed. R. Crim. P. 49.1. This requirement

applies to all documents, including attachments.

The filer is then required to check a box certifying that “I understand that, if I file, I must comply with the redaction rules. I have read this notice.”

10. The violation of FRCP 5.2 at the pleading stage constitutes Defendants’ and its attorneys’ ongoing efforts to intimidate and harass Mr. Huon for bringing this lawsuit.

11. Pursuant to FRCP 37(1)(B), Mr. Huon has requested a copy of the unredacted police report. Any attempt by Mr. Huon to resolve the remaining issue of the disclosure with counsel under FRCP 37(1)(B) cannot undo the disclosure of his private information.

12. Mr. Huon will attempt to obtain a copy of the order or half sheet dismissing the charges in Case No. 11231631 for the Court, which the Jezebel Defendants conveniently omit.

WHEREFORE, Plaintiff, Meanith Huon, requests that this Honorable Court:

1. Strike Exhibit “A” of the Jezebel Defendants’ Reply Brief and order the Clerk to remove Exhibit “A”.
2. Order the Jezebel Defendants to produce to Mr. Huon the complete unredacted Exhibit “A”.
3. Impose sanctions against the Jezebel Defendants and for other appropriate relief as the Court deems fit.

Respectfully Submitted,

By: /s/ Meanith Huon /s/  
Meanith Huon

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**IN THE UNITED STATES DISTRICT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

MEANITH HUON,	)	
	)	
Plaintiff,	)	
v.	)	CIVIL ACTION NO. 11-3050
	)	
	)	JURY TRIAL DEMANDED
	)	
FORMER MADISON COUNTY STATE'S	)	
ATTORNEY WILLIAM MUDGE, et. al.	)	

**CERTIFICATE OF SERVICE**

Under penalties of law, I attest the following documents or items have been or are being electronically served on all counsel of record for all parties:

**MOTION TO STRIKE AND FOR SANCTIONS FOR DISCLOSING MR. HUON'S  
DATE OF BIRTH, SOCIAL SECURITY NUMBER, DRIVER'S LICENSE NUMBER IN  
VIOLATION OF FRCP 5.2**

Respectfully submitted,  
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