

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)	

**REPLY BRIEF IN SUPPORT OF
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. The tone of the Jezebel Defendants’ and its attorneys’ Response suggest that they have not fully accepted responsibility for violating FRCP 5.2. First, Defendants and its attorneys state they were made aware of the violation when they received a “complaint” made by Mr. Huon in the early evening as if advising counsel he violated FRCP 5.2 was an intrusion. Second, instead of accepting responsibility and agreeing to remove the offending exhibit, Defendants and its attorneys make new demands agreeing to remove the offending Exhibit on the condition “that Plaintiff cannot then claim that the court documents and police reports do not relate to him.” Third, Defendants and its attorneys continue to argue that perhaps a police report—which is inadmissible evidence in a civil trial and a criminal trial—is somehow a record of a state court. Fourth, Defendants and its attorneys continue to argue that a driver’s

license may not be covered under FRCP 5.2 when the Committee Notes to the Rule states: “It may also be necessary to protect information not covered by the redaction requirement—such as driver's license numbers and . . .”

2. Within hours of Mr. Huon advising the Jezebel Defendants and its attorneys that they violated FRCP 5.2, Defendants and its attorneys sent him a letter pursuant to FRCP 11. This is not the tone of someone who accepts responsibility for violating FRCP 5.2. It's the tone of someone who continues to try to intimidate and bully Mr. Huon for asserting his rights.
3. The Jezebel Defendants and its attorneys miss the point. Defendants and its attorneys describe Mr. Huon as a sex offender by bringing up charges that were promptly dismissed as meritless and that is **not connected to this litigation**, without explaining to the Court that the charges were promptly dismissed by the State's Attorney as meritless. You can't track or treat someone as a registered sex offender who has never been convicted of a crime. Defendants then attached the police report without attaching the Court half sheet indicating that the charges have been dismissed, to give the appearance that charges remain pending when they were dismissed at the second court date. Mr. Huon's Second Amended Complaint alleges, among other things, that Defendants, defamed him by painting him as sex offender who needed to be tracked and invited readers to track him down. Ms. Andrews' copycat claim is the result of that. Defendants and its attorneys took the time to redact the police report but disclosed Mr. Huon's complete Social Security number, date of birth, driver's license number, address, telephone number.
4. Defendants and its' attorneys miss the point: all because someone has been

arrested does not give Defendants or its attorneys a license to personally attack that individual on the Internet or in judicial proceedings in some sort of vigilante justice. Mr. Huon cited a 7th Circuit decision on this point. Defendants and its attorneys seem to think that because a person has been arrested, the arrest gives absolute immunity to anyone who wishes to attack that individual. Not in a democracy.

5. FRCP 5.2 clearly prohibits the release of private information. Counsel for defendants certifies by checking a box that any private information has been redacted before filing the document. Counsel for Defendants is an experienced litigator and former prosecutor. Defendants have local counsel who can assist with local filing issues.
6. Defendants insincere explanation—if any explanation at all—is very similar to the underlying defamation case when the Jezebel Defendants called Mr. Huon the “Acquitted Rapist” and later, in an effort to cover up its misdeeds, the Jezebel Defendants changed the headlines. The Jezebel Defendants seem to think that changing the headlines later somehow makes the publication of a defamatory statement less a publication. For the same reasons, counsel for Defendants seem to think that agreeing to redact something he never should have disclosed—after it’s been disclosed to the world—somehow makes the violation of the rule less a violation. It does not.
7. This isn’t a question of the Defendants and its attorneys not being familiar with FRCP 5.2. The ECF system requires an attorney to certify that he has redacted the personal information. Defendants and its attorneys have taken a keen interest in a case that is not connected to this litigation. Clearly, counsel for Defendants’

reviewed the police report, which consists of 5 pages. Defendants and its attorneys went through line by line redacting what it thought should be redacted. Except for what FRCP 5.2 prohibits.

8. Defendants and its attorneys sent its letters only after Mr. Huon filed his Motion to Strike and for Sanctions and sent his correspondence—after Defendants and its attorneys were caught violating the Rule.
9. Moreover, that's what this entire lawsuit is about: Defendants' failure to check its facts and read documents written at the 6th grade level. The Jezebel Defendants didn't check its facts. Neither it seems did its attorneys, since a telephone call to the Clerk of Court would have revealed that the charges were promptly dismissed. Defendants and its attorneys don't take the time to read a 5 page police report before publishing it the world via the Internet. These careless errors cause Mr. Huon to continue to suffer potential damages.
10. Mr. Huon requests that Defendants' and its attorneys produce for him the unredacted copy of Exhibit A.

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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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:

REPLY BRIEF IN SUPPORT OF
MOTION TO STRIKE AND FOR SANCTIONS FOR DISCLOSING MR. HUON'S
DATE OF BIRTH, SOCIAL SECURITY NUMBER, DRIVER'S LICENSE NUMBER IN
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Respectfully submitted,
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