

IN THE CIRCUIT OF THE EIGHTEENTH JUDICIAL CIRCUIT  
IN AND FOR SEMINOLE COUNTY, FLORIDA

LIGONIER MINISTRIES, INC., a  
foreign corporation, and  
TIMOTHY DICK,

Plaintiffs,

CASE NO.:

06-CA-11669-16-K

vs.

FRANK VANCE

Defendant.

FILED IN OFFICE  
CLERK OF THE COURT  
SEMINOLE COUNTY  
06 AUG 25 AM 8:35  
FL

**EX PARTE MOTION FOR TEMPORARY INJUNCTION**

COME NOW Plaintiffs, LIGONIER MINISTRIES, INC., a foreign corporation, and TIMOTHY DICK by and through their undersigned attorneys and in accordance with Rule 1.810, Fla.R.Ch.P., hereby move this Court to enter a Temporary Injunction against Defendant, FRANK VANCE, and in support thereof state:

1. Plaintiffs have filed a Verified Complaint for Damages and Injunctive Relief that sets forth specific facts which demonstrate that Plaintiffs will be subjected to immediate and irreparable injury unless the Court enjoins the Defendant from continuing to publish blatantly false and defamatory statements about them on an Internet blog he calls *Contending For The Truth*. The blog at issue is hosted by an entity known as Pyra.com, Ltd. (a subsidiary of Google, Inc.) and is located at <http://vancetribe.blogspot.com>. (See Paragraphs 8c. and 22 of the Verified Complaint for Damages and Injunctive Relief).

2. The undersigned attorney certifies that the geographical whereabouts of the Defendant are unknown such that it is impossible to contact him or to serve him with the Verified Complaint or the instant Motion. Moreover, counsel was not able to provide the Defendant with notice and an opportunity to be heard regarding the request for temporary injunctive relief for the same reason.

3. Even if it was possible, actual notice to the Defendant should not be required given his threats to publish additional blatantly false and defamatory statements in the near future.

4. Plaintiffs will be irreparably injured in the event that the Court does not enjoin the Defendant from continuing to make false statements about them on his blog.

5. Plaintiffs have no adequate remedy at law in that the continuing threat of injury occasioned by the threatened defamatory conduct cannot be redressed by an award of monetary damages.

6. There exists a substantial likelihood that Plaintiffs will prevail on their defamation claim against the Defendant.

7. The threatened injury to Plaintiffs outweighs any injury to Defendant that may result from the entry of a temporary injunction.

8. A temporary injunction against Defendant prohibiting the publication of false statements about Plaintiffs will not disserve the public interest.

WHEREFORE Plaintiffs, LIGONIER MINISTRIES, INC. and TIMOTHY DICK, respectfully request that the Court enter its Order that temporarily enjoins

Defendant FRANK VANCE from publishing any false statements about them in written, verbal, or electronic form and that provides such other and further relief as the Court deems just and proper.

DATED this 29<sup>th</sup> day of August, 2006.

Respectfully Submitted,

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