

GRAVETT ♦ KENT LLP

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Douglas C. Haigh

November 14, 2012

VIA FACSIMILE ONLY
(770) 578-1057

CEO
Lawless America

Re: Request for Removal of Posting
URL: http://www.youtube.com/watch?v=a_SOWbU1eIk

Dear Chief Executive Officer:

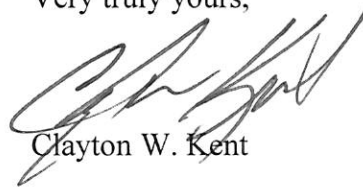
This office has been retained by Mr. John Heflebower concerning an illegal posting uploaded by your organization to YouTube.com. The posting is located at the above-referenced URL, and is entitled "Lawless America Interview: Mellissa Barnett disclosed this about John Heflebower's nude photos." The information contained therein is completely false and defamatory, and request is hereby made that this content be removed from your site and blocked.

We understand that the Communications Decency Act (47 USCS 230) provides civil protection for the mere publication of this information, however, this letter will serve to inform you that such publication is directly in violation of a Court-Ordered Restraining Order which prevents Ms. Barnett from making these baseless and defamatory allegations. I enclose a copy of such Restraining Order together with the Court's findings that Ms. Barnett's allegations of sexual molestation by my client are false and stem from her mental instability.

My client is a loving father and reputable businessman in the financial community, and this posting has already caused him appreciable harm. By providing you copies of the Restraining Order and the Court's findings, you are put on notice that allowing this posting to remain on your service is tantamount to acquiescence in this illegal behavior by Ms. Barnett. I am sure that you do not want your company to be linked to mentally unstable individuals who knowingly and intentionally violate Court Orders, such as Ms. Barnett. Therefore, once again, request is made that this content be removed or blocked immediately to avoid further harm to my client.

Please notify me of your intentions so that I can properly advise my client. I remain hopeful that court intervention will not become necessary. Thank you for your prompt attention to this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Clayton W. Kent", written in a cursive style.

Clayton W. Kent

CWK:jak
Enclosure(s)

cc: client

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and address) Patrick McGrath (SBN 51938) McGRATH & FLAX 563 Jefferson Street Napa, CA 94559 TELEPHONE NO.: 707 252-3111 FAX NO. (optional): 707 252-0624 ATTORNEY FOR (Name): John Heflebower	FOR COURT USE ONLY <h1>ENDORSED</h1> JAN 27 2011 Clerk of the Napa Superior Court By: <u>J. LeCAIR</u>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Napa STREET ADDRESS: 825 Brown Street MAILING ADDRESS: CITY AND ZIP CODE: Napa, CA 94559 BRANCH NAME:	
PETITIONER/PLAINTIFF: Melissa Barnett RESPONDENT/DEFENDANT: John Heflebower OTHER:	
FINDINGS AND ORDER AFTER HEARING	CASE NUMBER: 26-31447

1. This proceeding was heard on (date): **January 11, 2011** at (time): **9:30 A.M.** in Dept.: **N** Room:
 by Judge (name): **Diane M. Price** Temporary Judge

Petitioner/plaintiff present Attorney present (name):
 Respondent/defendant present Attorney present (name): **Patrick McGrath**
 Other present Attorney present (name): **Ann Laning, Minor's Counsel**
 On the order to show cause or motion filed (date): **12/17/10** by (name): **John Heflebower**

2. THE COURT ORDERS

3. Custody and visitation: As attached on form FL-341 Not applicable
4. Child support: As attached on form FL-342 Not applicable
5. Spousal or family support: As attached on form FL-343 Not applicable
6. Property orders: As attached on form FL-344 Not applicable
7. Other orders: As attached Not applicable
8. Attorney fees (specify amount): \$
 Payable to (name and address):
 Payable forthwith other (specify):

9. All other issues are reserved until further order of court.

Date: **1/26/11**

Approved as conforming to court order.

DIANE M. PRICE

JUDICIAL OFFICER

SIGNATURE OF ATTORNEY FOR PETITIONER / PLAINTIFF RESPONDENT / DEFENDANT


 Ann Laning, Minor's Counsel

SHORT TITLE: Marriage of Barnett and Heflebower

CASE NUMBER:
26-31447ATTACHMENT (Number): 11*(This Attachment may be used with any Judicial Council form.)*

The Court finds that the allegations set forth in the Order To Show Cause filed by Respondent John Heflebower are true. The Court further finds that the Court has tried everything in this case, but that Petitioner Melissa Barnett has mental health conditions that prevent her from realizing that the things she says to Sophie Heflebower, the minor child, are harmful to Sophie. In particular, Petitioner appears to be unable to prevent herself from making false allegations that Respondent John Heflebower has sexually molested Sophie Heflebower, and from making hurtful comments about Sophie to Sophie. This is very upsetting to Sophie. Accordingly, it is not in Sophie's best interest to see Petitioner Melissa Barnett until Petitioner obtains therapy, the goal of which is to overcome her inability to refrain from making hurtful, upsetting comments to Sophie about Mr. Heflebower and Sophie.

Based on Respondent John Heflebower's offer to do so, he is ordered to pay for up to twelve therapy sessions for Petitioner Melissa Barnett with a therapist acceptable to Ann Laning, minor's counsel, and John Heflebower. Said therapy sessions shall have the above-described goal.

At the present time, Petitioner Melissa Barnett shall have no visitation with Sophie Heflebower. If Melissa Barnett commences therapy as previously described, after completing three such sessions, Melissa Barnett shall be entitled to one visit with Sophie once every two weeks, supervised by Napa Access or some other qualified professional provider, for which Melissa Barnett shall pay the costs.

Once Melissa Barnett presents evidence from a therapist or other mental health care professional that Melissa Barnett has developed insights into her behavior that is harmful to Sophie, and can control her statements and actions that are harmful to Sophie, as previously described, the Court will consider an Order resuming unsupervised visits between Melissa Barnett and Sophie.

Currently, Sophie may telephone Petitioner whenever she desires, and Respondent will cooperate therewith. Otherwise, there shall be no contact between Melissa Barnett and Sophie.

All other Orders previously made which are not in conflict with this Order shall remain in full force and effect; e.g., both parties are ordered to participate in the Kids' Turn Program in the Spring.

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page 1 of 1
(Add pages as required)

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and address)</p> <p>PATRICK McGRATH (SB# 51938) McGRATH & FLAX 563 JEFFERSON STREET</p> <p>NAPA, CALIFORNIA 94559 TELEPHONE NO.: 707-252-3111 FAX NO. (optional): 707-252-0624 ATTORNEY FOR (Name): JOHN V. HEFLEBOWER</p>	<p>FOR COURT USE ONLY</p> <p>ENDORSED</p> <p>FFR 04 2008</p> <p>Clerk of the Napa Superior Court By: <u>S. FERINA</u> Deputy</p>
<p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF NAPA</p> <p>STREET ADDRESS: HISTORICAL COURTHOUSE MAILING ADDRESS: 825 BROWN STREET CITY AND ZIP CODE: NAPA, CALIFORNIA 94559-3031 BRANCH NAME:</p>	
<p>PETITIONER/PLAINTIFF: MELISSA BARNETT</p> <p>RESPONDENT/DEFENDANT: JOHN V. HEFLEBOWER</p> <p>OTHER:</p>	
<p>FINDINGS AND ORDER AFTER HEARING</p>	<p>CASE NUMBER: 26 - 3 1 4 4 7</p>

1. This proceeding was heard on (date): March 29, 2006 at (time): 10:00 A.M. in Dept.: F Room: by Judge (name): Temporary Judge Commissioner Rodney Stone

Petitioner/plaintiff present Attorney present (name): RICHARD HELZBERG
 Respondent/defendant present Attorney present (name): PATRICK McGRATH
 Other present Attorney present (name):
 On the order to show cause or motion filed (date): March 8, 2006 by (name): John Heflebower

2. THE COURT ORDERS

- 3. Custody and visitation: As attached on form FL-341 Not applicable
- 4. Child support: As attached on form FL-342 Not applicable
- 5. Spousal or family support: As attached on form FL-343 Not applicable
- 6. Property orders: As attached on form FL-344 Not applicable
- 7. Other orders: As attached Not applicable

8. Attorney fees (specify amount): \$ Payable to (name and address):
 Payable forthwith other (specify):

9. All other issues are reserved until further order of court.

Date: 6-30-08

R. Stone
 JUDICIAL OFFICER

Approved as conforming to court order.

Superior Court of California, County of Napa

SIGNATURE OF ATTORNEY FOR PETITIONER / PLAINTIFF RESPONDENT / DEFENDANT
 Richard Helzberg, Attorney for Melissa Barnett

1 **In Re: Marriage of BARNETT / HEFLEBOWER**
2 Case No. 26-31447

3 **FINDINGS AND ORDER AFTER HEARING**

4 **Attachment 7.**

5 1. Petitioner Melissa Barnett is restrained from coming within 100 yards of the
6 residence, place of employment or vehicle of Respondent John Heflebower, except during
7 exchanges of physical custody of their daughter, Sophie Heflebower.

8 2. Respondent John Heflebower is restrained from coming within 100 yards of
9 the residence, place of employment or vehicle of Petitioner Melissa Barnett, except
10 during exchanges of physical custody of their daughter, Sophie Heflebower.

11 3. Both parties are restrained from making disparaging comments about the other
12 in the presence of their minor child, Sophie Heflebower.

13 4. Both parties are restrained from communicating with the other except for civil
14 telephone conversations to the cell phone of the other relating to their minor child, Sophie
15 Heflebower, relating to visits or exchanges of said minor child, relating to health concerns
16 of said minor child, or to facilitate a telephone conversation between the non-custodial
17 parent and said minor child.

18 5. The Court finds that Respondent John Heflebower has a right to be concerned
19 about the effect that communications from Petitioner Melissa Barnett will have upon his
20 business. Accordingly, Petitioner Melissa Barnett is restrained from communicating with
21 Merrill Lynch, any employee of Merrill Lynch, any client of Merrill Lynch or any client
22 of Respondent John Heflebower's. Petitioner Melissa Barnett is further restrained from
23 making any communication regarding Respondent John Heflebower or providing any
24 e-mails relating to John Heflebower to any of the above-described persons or entities.

25 6. Each Party is restrained from making any derogatory comments about the other
26 party to anyone.

27 - 0o0 -

ENDORSED

1 **Marriage of BARNETT / HEFLEBOWER**
2 **Case No. 26-31447**

FEB 13 2008

Clerk of the Napa Superior Court
By: F. HUSS
Deputy

3
4 **PROOF OF SERVICE**

5 I, the undersigned, declare that I am a citizen of the United States and employed in the
6 County of Napa, State of California. I am over the age of eighteen (18) and not a party to the
7 within action; my business/residence address is McGrath & Flax, 563 Jefferson Street, Napa, CA,
8 94559

9 On the date written below, I served the document(s) below:

10 **Findings and Order Regarding Contempt w/attachment**

11 XX (U.S. Mail) By placing on that date at my place of business a true copy thereof enclosed in
12 a sealed envelope with postage prepaid, for collection and mailing with the U.S. Federal
13 Postal Service, to be deposited with the U.S. Postal Service that same day in the ordinary
14 course of business. 12/7/07

15 _____ (Overnight Mail) By placing on that date at my place of business a true copy thereof, enclosed in
16 a sealed envelope with mailing costs fully prepaid, for collection and mailing with
17 _____ where it would be picked up by an authorized agent the same day in
18 the ordinary course of business. There is a delivery service by said mail service to each place
19 addressed.

20 _____ (Personal Service) I caused the document(s) to be personally served by hand to the office(s) of
21 the addressees.

22 _____ (Personal Service) I cause the document to be personally served by hand to the office below.

23 XX (Fax Machine) I caused a true copy of the above document(s) to be transmitted by facsimile
24 machine (from 707-252-0624) to the telephone number(s) shown below each address and that
25 such transmission was reported as complete and without error on this date at the time shown
26 below each number. I thereafter caused a sealed envelope containing a true copy of same, with
27 first-class postage thereon fully prepaid, to be deposited in the United States Mail at Napa,
28 California> 12/10/07

Said envelope(s) is/are addressed as follows:

Douglas Pharr
P. O. Box 11067
Napa, CA 94581

Dec. 7, 2007
Dec 10, 2007

I hereby declare under penalty of perjury that the foregoing is true and correct.

Dated: Dec 7, 2007
Dec. 10, 2007

Jeanne Miles
Jeanne Miles

Last Transaction

Date	Time	Type	Station ID	Duration	Pages	Result
				Digital Fax		
Nov 14	11:58AM	Fax Sent	17705781057	6:11 N/A	9	OK