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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Honorable Marcia S. Krieger**

Donna Suzanne Shell,) Case No.: 09-CV-00309 MSK-KMT
Plaintiff,) Motion to Quash Service and Dismiss
vs.)
AFRA, Randall Blair, et al.,)
Defendants)

**MOTION TO QUASH SERVICE DUE TO FAILURE TO EXECUTE PERSONAL SERVICE REQUIRED BY
FRCP 4(E) (1) AND MCR 2.105(A) AND DISMISS PURSUANT TO FRCP 12(B) (4) AND FRCP
12(B) (5)**

Here comes Defendant, Randall Blair, in Propria Persona, and states for
his above captioned Motion the following:

1. Defendant Blair does not submit to the jurisdiction of this court in any form whatsoever.
2. Defendant Blair certifies that, pursuant to D.C. Colo. L. Civ. R. 7.1(A), this motion was not discussed with Plaintiff Shell due to the fact that this is a Rule 12 Motion to Dismiss, and it is expected that Plaintiff will oppose this Motion.
3. Defendant Blair was alerted to being served in this lawsuit by an email from one of the other defendants, who provided a copy of Document 263 for Defendant Blair's review.

- 1 4. Document 263 claims that Defendant Blair was served on 01 AUG 2009 at
2 1640 hours. That same document also claims that Defendant Blair was
3 physically served at the address of 413 Crimson King Circle, Clarkston,
4 Michigan, 48346.
- 5 5. Defendant Blair was not physically present at that address at that
6 time, and was not personally served.
- 7 6. Defendant Blair also was not served with a single one of the remaining
8 262 documents by the Plaintiff.
- 9 7. Fed. R. Civ. P. 4(e)(1) states that an individual may be served by
10 following state law for serving a summons in courts of general
11 jurisdiction in the state where the district court is located or where
12 service is made.
- 13 8. Defendant Blair is a Michigan resident.
- 14 9. Michigan Court Rules (MCR) govern the process of service for civil
15 cases, which Defendant Blair assumes this is, not having been actually
16 served with a copy of the summons and complaint.
- 17 10. MCR 2.105 Process; Manner of service states, (A) Individuals. Process
18 may be served on a resident or nonresident individual by, (1)
19 delivering a summons and a copy of the complaint to the defendant
20 **personally**; or (2) sending a summons and a copy of the complaint by
21 registered or certified mail, return receipt requested, and delivery
22 restricted to the addressee. Service is made when the defendant
23 acknowledges receipt of the mail. A copy of the return receipt signed
24 by the defendant must be attached to proof showing service under
25 subrule (A)(2). Emphasis added.

1 11. Defendant Blair has proof through credit card receipts of not being
2 physically present at that location at that time.

3 12. Defendant Blair is willing to provide copies of those receipts only if
4 they are under seal, and not available for Plaintiff Donna Suzanne
5 Shell's perusal for the following reasons.

6 13. Plaintiff Shell has a longstanding history of harassing defendant
7 Blair, both directly and through the actions of others.

8 14. Defendant Blair as well as some of his immediate family and some under
9 his direct care and supervision, are fearful of the extortion and
10 stalking behaviors of Plaintiff Shell and her cohorts.

11 15. The irrational behavior by Plaintiff Shell began in late June 2004 with
12 an email request from Plaintiff Shell to Defendant Blair for the
13 purposes of using a radio tape recording which defendant Blair
14 participated in, so she could use it for an alleged documentary she was
15 allegedly working on. (cf. EXHIBIT A)

16 16. Defendant Blair responded with a request for a freewill offering from
17 Plaintiff Shell for the tape she requested. (cf. EXHIBIT B)

18 17. Plaintiff Shell responded with these words: **"I don't operate a 'for**
19 **profit' organization and have no funding to make a (gasp) \$50 donation,**
20 **especially since I've made the bulk of my intellectual property**
21 **available for the use of this movement at no cost.**
22 **I suppose I could charge for everything I write, but then, who could**
23 **afford to pay for it and how would that help this movement? I'm sure**
24 **your group has made liberal use of my intellectual property without**
25 **making any donations to me, Reverend Blair."** (cf. EXHIBIT C)

1 18. In the email (cf. EXHIBIT C) Plaintiff Shell made two very important
2 points. First, she admitted that she couldn't afford \$50 for the cost
3 of the tape, due to the fact that she has provided the bulk of her
4 intellectual property at no cost because she does not operate a 'for
5 profit' organization. Second, she accused Defendant Blair of making
6 liberal use of her intellectual property without due compensation to
7 her. Again, this was in 2004.

8 19. Also in EXHIBIT C, Plaintiff Shell makes a veiled threat to "contact
9 the radio station" because she believed Defendant Blair was
10 misrepresenting rights to the taped show. This is the beginning of
11 many threats she would make to cause concern for Defendant Blair in her
12 ongoing campaign of intentional infliction of emotional distress.

13 20. Defendant Blair responded with an explanation of the cost of creating
14 the tape she was asking for, as well as a response to her accusation of
15 using her intellectual property without her permission. On that day,
16 Defendant Blair asked Plaintiff Shell to inform him of the information
17 provided on the website that allegedly belonged to her, with the
18 promise of taking it down immediately. He also offered, as an act of
19 goodwill, to direct her to the person who could get her a copy of the
20 tape she requested, direct from the source. (cf. EXHIBIT D)

21 21. Plaintiff Shell responded with a giant email, which Defendant Blair
22 prays This Honorable Court will read in its entirety to get a complete
23 picture of how easy she flies off the handle and the permanent
24 consequences thereof (cf. EXHIBIT E). (Please note that the first few
25 paragraphs are cut off due to limitations on printing. Defendant Blair

1 is willing to produce an electronic form of the exchange, in Microsoft
2 Outlook .pst format, with instructions on how to open, in the event
3 This Honorable Court so chooses.) In it she stated the following:

4 22. In the first paragraph (cf. EXHIBIT E), Plaintiff Shell stated, "In
5 **accordance with Matthew 18: 15-17 I now tell you that you have offended**
6 **me and harmed with your recent scornful and vicious PUBLIC**
7 **communications to me and about me. In accordance with that, this is**
8 **between you and me, for now. Whether or not it stays between us is**
9 **entirely up to you. Trust me when I say I do not take this offense**
10 **lightly and am prepared to act accordingly."** She clearly indicated
11 that she was offended, and that the issue will stay between her and
12 Defendant Blair, with a veiled threat that she is "prepared to act
13 accordingly" if it doesn't go her way.

14 23. In the second paragraph (cf. EXHIBIT E), Plaintiff Shell stated, "I do
15 **not know what cause I have ever given you to respond to my simple**
16 **request for a copy of the interview in such a nasty and derogatory**
17 **manner. You have never approached me with any concerns that would**
18 **justify your public display of such disrespect for me. Your inferences**
19 **that I would not give credit where credit is due or that I would profit**
20 **from any fair use (see U.S.C Title 17) of portions of this interview**
21 **was totally uncalled for and clearly designed to malign my character.**
22 **You literally chose to slap me in the face with copyright issues (are**
23 **you jealous of my intellectual property?), but unfortunately, you erred**
24 **in your analysis. I can only presume that your association with Nancy**
25 **Luckhurst, who has made no secret of her jealous derision for me, has**

1 tainted your perception of me. Yours has not been the conduct of any
2 person worthy of being called a Christian, much less a Christian
3 chaplain."

4 24. As one can clearly see in ¶23 above, Plaintiff Shell goes on and on
5 about her feeling disenfranchised by Defendant Blair's previous email
6 (cf. EXHIBIT D), and she showed particular disdain for a party not
7 named in this suit, Nancy Luckhurst, whom Defendant Blair had a
8 professional relationship with. She also attacked Defendant Blair's
9 Christianity and faith.

10 25. In the third paragraph (cf. EXHIBIT E), Plaintiff Shell stated "You
11 **have deliberately cast my activities in the most negative construction**
12 **possible, in an effort to malign me and elevate your stature at my**
13 **expense. I will advise you, based on the communications I have been**
14 **receiving as a result of your malicious postings, that you are failing**
15 **in that endeavor. If you want to take me down. . .just say so, no need**
16 **to be hypocritical. But I don't think you are adequately armed to do**
17 **so. I've prevailed over far better adversaries than you."** Notice that
18 Plaintiff Shell refers to Defendant Blair as an "adversary".

19 26. In the fourth paragraph (cf. EXHIBIT E), Plaintiff Shell stated,
20 **"Regarding your protests that you have not used my intellectual**
21 **property, I take this opportunity to point out the following principles**
22 **which are posted on your website which are directly from my**
23 **intellectual property:"**

24 27. In the fifth paragraph (cf. EXHIBIT E), Plaintiff Shell stated, "**The**
25 **Foundation for Children's Rights is dedicated to educating the public**

1 to the dangers of losing their children to the Child Protective Service
2 industry across the country and we do advocate for innocent families
3 across the country in their personal fight in any state. I created the
4 practice of family advocacy as well as devising and publishing the
5 practices employed by advocates and parents around the country. You use
6 it because the ideas and practices are good - if they weren't, you
7 wouldn't use them. I never asked for any recompense for this nor even
8 credit. I created it and disseminated it to be used and passed on. But
9 do not forget where it originated and do not give credit where it isn't
10 due at my expense." Emphasis added. Notice that she stated she NEVER
11 asked for ANY recompense and that its purpose was to be used and passed
12 on. This was as of late June 2004.

13 28. In the sixth paragraph (cf. EXHIBIT E), Plaintiff Shell stated, "...I
14 did the research and published them [the "sad facts" which were
15 statistics gleaned from government websites] freely. They were meant to
16 be used as you have used them." This was a tacit statement that, even
17 if the material published was copied word for word, although it wasn't,
18 she gave express permission to use it just as it was used.

19 29. In the seventh paragraph (cf. EXHIBIT E), Plaintiff Shell clearly
20 indicated that the intellectual property in question that she claimed
21 to be giving away without compensation consists of her website and
22 books she has published. Defendant Blair has never owned, seen, or
23 read a copy of any of her books, based entirely upon the shoddy
24 craftsmanship, poor research, and ineffectual legal advice given on her
25

1 website as well as scathing reviews by third parties on Amazon.com and
2 similar online sites.

3 30. In the eighth paragraph (cf. EXHIBIT E), Plaintiff Shell indicated that
4 she was the founder of family advocacy. Such a delusional self-
5 aggrandizing claim is one of the many reasons that Defendant Blair is
6 deeply concerned about producing any personal information to this court
7 without it being under seal, but more on that later.

8 31. In the ninth paragraph (cf. EXHIBIT E), Plaintiff Shell admitted,
9 contradicting what she said earlier, that she is seeking praise and
10 adulation from Defendant Blair and others.

11 32. In the tenth paragraph (cf. EXHIBIT E), Plaintiff Shell went on another
12 hysterical rant about it being her choice to sell or give away her
13 intellectual property. At that point, she was selling her book, and
14 giving away for free things on her website.

15 33. In the eleventh paragraph (cf. EXHIBIT E), Plaintiff Shell made some
16 very shocking statements, **"I drive a 13 year old car, I live in a**
17 **single wide mobile home with my inlaws[sic]. I live below the poverty**
18 **level and don't take a govenment[sic] red cent for anything. So stick**
19 **that in your pipe and smoke it in your nice middle class home and new**
20 **car with your live-in paramour (is this fornication, "chaplain"?)"** Far
21 from being a reasonable person looking to work things out, she
22 slanderously attacked Defendant Blair with an accusation that he was
23 having an illicit love affair. Later, it will be shown that this,
24 among many other factually incorrect, slanderous things, were not only
25 threatened to be published by Plaintiff Shell, but were actually

1 published by her. This only increased the level of anxiety he and his
2 family suffered by her intentional infliction of emotional distress.
3 This should also show, that up to late June 2004, Plaintiff Shell can
4 claim no actual damages from Defendant Blair, or frankly, any other
5 defendant for any copyright infringement.

6 34. In the twelfth paragraph (cf. EXHIBIT E), Plaintiff Shell alleged that
7 Defendant Blair has engaged in "copyright infringement" even though she
8 admitted to giving away for free, to use just as they were being used,
9 the very information she would claim is infringed. She also attacked
10 Defendant Blair's Christianity and faith, for a second time.

11 35. In the thirteenth paragraph (cf. EXHIBIT E), Plaintiff Shell wrote in a
12 self-aggrandizing way, puffing herself up to give a false impression of
13 her self-importance. At the same time, implied that Defendant Blair
14 can share in that delusional glory.

15 36. In the fourteenth paragraph (cf. EXHIBIT E), Plaintiff Shell again
16 mentions Nancy Luckhurst, a professional associate, and how Plaintiff
17 Shell plans on publishing information on her slanderous website called
18 "Bad Advocates". This website is a place where Plaintiff Shell writes
19 ridiculous rants about those whom she views as competitors, on a deeply
20 personal level. It could be compared to the CEO of McDonald's writing
21 slanderous things about the CEOs and other important officials of
22 competing fast food companies, in an attempt to ridicule them so as to
23 elevate oneself and increase business.

24 37. In the fifteenth paragraph (cf. EXHIBIT E), Plaintiff Shell actually
25 wrote the text to slander Defendant Blair, as follows: "**RANDY BLAIR:**

1 Beware of this self-professed 'chaplain' who doesn't know the most
2 basic concepts about how to treat a brother or sister in Christ. He has
3 openly and publicly put the worst construction on others because of his
4 need to seek glory. He has exhibited jealousy at the successes of other
5 advocates and activists by publicly maligning them without justifiable
6 cause. He regards the sharing of information and resources among
7 certain advocates and activists to be a profit-making endeavor,
8 charging exorbitant[sic] fees. Is entirely too casual with seeking
9 permission for use of anyone's intellectual property (notably[sic] in
10 his newsletters) and exceeding fair use. Gives credit selectively,
11 based on personal biases, in order to elevate his own stature within
12 this movement. Not trained as an advocate, and has not done the
13 requisite research to be a qualified advocate. Lacks discernment and
14 chooses not only to associate with but to forward the personal agenda
15 of Nancy Luckhurst, which agenda is inconsistent with the efficacy,
16 values and success of this movement. A divisive[sic] element, prideful
17 and enthusiastic. Deliberately misinterprets circumstances to gain
18 unfair advantage and cast himself in a better than earned light. Not to
19 be trusted. (this will be refined if I need to publish it, but this is
20 the gist.)"

21 38. Referencing ¶37 above, this was an attempt to extort Defendant Blair
22 into doing what Plaintiff Shell wanted, and proved beyond a reasonable
23 doubt the animosity that she had for him. She attacked his pastoral
24 credentials, his associations, and his professionalism within the
25 "industry", in an intentional infliction of emotional distress.

1 39. In the sixteenth paragraph (cf. EXHIBIT E), Plaintiff Shell stated,
2 "This is what it boils down to. . .you have called me out on a public
3 list. I am giving you this single chance to recall your challenge and
4 preserve your position within this movement. You will repent. Publicly.
5 You will apologize for every offense I've described, and you will post
6 it on the cp_proseutions list. I am a moderator on that list, and I
7 can block any post you wish to make on that list until you make that
8 apology, and make it sincere. I will graciously accept your sincere
9 apology just as publicly and nothing more will be said about anything
10 as long as you remain on good behavior. Do it well and you could be a
11 hero. The precedent has already been established on the AFRA Cen_com
12 list - and I had nothing to do with extracting that apology. People who
13 sincerely admit their mistakes and apologize get many spontaneous kudos
14 from the best people in this movement. They are held in higher regard
15 for making that apology. You've already been gently warned by Kay on
16 the list for your conduct toward me. What does that say about what
17 people on that list think about your conduct? Whose side do you think
18 they will take if this situation between us escalates? I will not
19 engage in debates with you. You do what you think is right., and deal
20 with the ramifications either way."

21 40. What the sixteenth paragraph (cf. EXHIBIT E) refers to is a plain,
22 threatening extortion attempt by Plaintiff Shell to Defendant Blair,
23 whom she believed (and still believes) is her business competitor. His
24 placement on her "bad advocate" hate site has nothing to do with
25 Defendant Blair's work product, advocacy skills, or professional

1 standing. It refers to the fact that she believed that he "called her
2 out on a public list".

3 41. In plain language, Defendant Blair asks the court who is the true
4 victim in this litigation? Plaintiff Shell has a long history of doing
5 this to not only this Defendant, but others as well, perhaps even those
6 named in this suit. Her intentional infliction of emotional distress
7 upon this Defendant over half a decade certainly overshadows anything
8 she could possibly accuse him of. She threatened to put him on her
9 "bad advocates" page if he didn't comply with her ridiculous and
10 unreasonable demands. That is criminal extortion in both Colorado, and
11 in Michigan.

12 42. Criminal Extortion in Colorado is defined by § 18-3-207 which states,
13 "(1) A person commits criminal extortion if: (a) The person, without
14 legal authority and **with the intent to induce another person against**
15 **that other person's will to perform an act** or to refrain from
16 performing a lawful act, makes a substantial threat to confine or
17 restrain, cause economic hardship or bodily injury to, or **damage the**
18 **property or reputation of,** the threatened person or another person; and
19 (b) The person threatens to cause the results described in paragraph
20 (a) of this subsection (1) by: (I) Performing or causing an unlawful
21 act to be performed; or (II) Invoking action by a third party,
22 including but not limited to, the state or any of its political
23 subdivisions, whose interests are not substantially related to the
24 interests pursued by the person making the threat." Emphasis added.

1 43. In the sixteenth paragraph (cf. EXHIBIT E), Plaintiff Shell stated that
2 she gave a copy of her book to Leonard Henderson, who was at the time
3 CEO of AFRA, which is not, in and of itself, a corporate entity, to the
4 best of Defendant Blair's knowledge. Again, she makes threats against
5 Defendant Blair.

6 44. In the seventeenth paragraph (cf. EXHIBIT E), Plaintiff Shell made
7 these incredible statements: "As an act of good faith, in addition to
8 the public apology, you will cease all professional association with
9 Luckhurst. She has fleas, and if you continue association with her, you
10 will have fleas, also. If I have been able to document serious problems
11 with her, you may have reservations about her yourself, so you may want
12 to take this opportunity to extricate yourself from her. Blame me for
13 her removal if she asks, but she will be removed from your board of
14 directors or your entire organization will be listed on my Bad
15 Advocates page (guilt by association if you will - think of how this
16 movement will react to a group that is revealed to turn in parents to
17 CPS or who harbors an associate who does so). She will no longer write
18 for your newsletter or advocate or lobby for your org. Foundation for
19 Children's Rights will disavow her publicly, but nobody will implicate
20 me in that decision in any way, publicly or privately - I will bite if
21 provoked in this manner. She will be marginalized by you and AFAC [AFAC
22 stands for American Family Advocacy Center, which is Plaintiff Shell's
23 non-for-profit business through which she disseminates her writings]
24 will publicly endorse that move on your behalf. I believe AFRA could be
25

1 **persuaded to do so, also, if you feel that is necessary.**" Emphasis
2 added.

3 45. The statements above in ¶45 are incredible, almost mind boggling, and
4 clearly match the description of criminal extortion as defined in the
5 Colorado Statutes.. Her hatred of Luckhurst had been so strong that
6 she issued the clearly extortionist statement, "**...but she will be**
7 **removed from your board of directors or your entire organization will**
8 **be listed on my Bad Advocates page...**" Such statements, like, "Pay me
9 a thousand dollars OR I'll vandalize your car," and "Give me sexual
10 favors OR I won't give you a promotion," are clearly extortion. The
11 statements from Plaintiff Shell are no different. This is one of the
12 reasons why Defendant Blair and all those close to him are very jumpy
13 when it comes to dealing with Plaintiff Shell on any level. But,
14 incredibly, there's more.

15 46. In the eighteenth paragraph (cf. EXHIBIT E), Plaintiff Shell states,
16 **"The choice is yours. I will not take any other action for 48 hours**
17 **unless you provoke me further. I suggest you give careful prayer and**
18 **consideration to your next move. . . my adversaries have learned the**
19 **hard way that I always have an ace in the hole which I don't reveal at**
20 **this stage of the process and I am not afraid to use it. God reveals**
21 **many things to me in many ways. . .because I diligently try to be**
22 **obedient to his call in this work. I frequently hold things closely**
23 **until called upon to reveal them. This is your wake-up call, Mr. Blair.**
24 **In true Christian spirit, practicing mercy and putting the best**
25 **construction on your conduct, I prefer to proceed as if you are merely**

1 misguided and willing to correct a mistake, rather than presume you are
2 malicious[sic], self-serving and incompetent. After all, nobody is
3 perfect and I see no reason to punish well-intentioned mistakes if the
4 offender wishes to repent and correct that mistake." These aren't
5 quite as direct as the previous threats had been, but are, nonetheless
6 threats, causing concern because of the intentional infliction of
7 emotional distress they were designed for.

8 47. The balance of Plaintiff Shell's email (cf. EXHIBIT E) is yet more
9 pontification, chest beating, and bloviating, which serves as the
10 capstone of an otherwise extremely disturbing and frightening
11 communication from her, causing Defendant Blair to be extremely
12 concerned because of her intentional infliction of emotional distress.

13 48. Defendant Blair responded with an appeal to Plaintiff Shell's
14 sensibilities and an apology for offending her, in true Christian
15 spirit (cf. EXHIBIT F).

16 49. Plaintiff Shell did not accept this apology and brought Karen "Kay"
17 Marie Henson and Alan Dale "Slade" Henson, who are both co-conspirators
18 in Plaintiff Shell's ongoing hate campaign against Defendant Blair,
19 into the fray (cf. EXHIBIT G) to further abuse him by implying that he
20 should "retire" from the movement, among other things.

21 50. Defendant Blair responded with (cf. EXHIBIT H), **"I'm sorry that I**
22 **offended you, please forgive me. Again, it was not my intention at all**
23 **to do so. Please, let's just move on..."** It was a sincere attempt to
24 bury the hatchet and move on to more important things, even though
25

1 Defendant Blair knew he was dealing with a vicious sociopath who could
2 never be placated.

3 51. Plaintiff Shell responded to Defendant Blair (cf. EXHIBIT I) refusing
4 the above apology (cf. EXHIBIT H) and stating that she would recommend
5 the removal of Defendant Blair's membership to an online Internet group
6 where many leaders of this industry congregate. Note that she claimed
7 to be a moderator of that online group, insisting that Defendant Blair
8 would not be able to post anything that didn't match her approval (cf.
9 EXHIBIT E, paragraph sixteen). Previously, Defendant Blair had no such
10 "disciplinary" problems with the owners of that group. Again, it was
11 an attempt by her to invoke her will upon Defendant Blair for the
12 intentional infliction of emotional distress upon him.

13 52. Defendant Blair responded to Plaintiff Shell (cf. EXHIBIT J) with,
14 **"I've done all that I can to try to smooth this over, even giving you a**
15 **media lead, and inviting you into my home for free should you be in the**
16 **area and need a place to stay. Like I said, you will do what you are**
17 **going to do, and there's nothing that I can (or could have) said that**
18 **will change that. And I'm not apologizing because you threatened me**
19 **(and the Foundation), but I am apologizing because you are offended and**
20 **I am sorry for that. I don't know of any other way to put it."** He did
21 this in a vain attempt to appease her, which turned out to be a futile
22 effort. He soon learned that she would make good on her plan to
23 slander and malign him on her "bad advocates" website.

24 53. Plaintiff Shell then responded to Defendant Blair, fishing for
25 information to put on her "bad advocate" site (cf. EXHIBIT K).

1 Specifically, she was looking for Defendant Blair's record as a pastor,
2 to further malign him.

3 54. Defendant Blair responded to Plaintiff Shell (cf. EXHIBIT L) saying
4 that he felt uncomfortable providing personal information, particularly
5 considering the extortion threats she made. He expressed that he
6 wanted no further contact with her and for her to contact him would be
7 unconsented.

8 55. At some time later, Plaintiff Shell published the following on her "bad
9 advocates" website, which was part of her main site, [www.profane-](http://www.profane-justice.org)
10 [justice.org](http://www.profane-justice.org). "Randy Blair - Self-professed 'chaplain' for Foundation
11 for Children's Rights. In accordance with Matthew 18:17 - Blair is
12 unto [AFAC] as a heathen man and a publican. When asked for his
13 denomination, education and ordination credentials, he refused to
14 provide them. AFAC requested them after a confrontation with him
15 during which he demonstrated an unrepentant refusal to conform to
16 scriptural mandates regarding the resolution of of problems between
17 brothers/sisters in Christ acted in a shockingly disrespectful manner
18 in an effort to sway public opinion to his side - creating divisiveness
19 and making a very poor public spectacle. As he has proclaimed himself
20 to be a religious leader, we have held him to an accordingly high
21 standard. He failed to live up to that standard. AFAC has observed in
22 the past that certain members of the 'clergy' will use their religious
23 vestments to further themselves personally at the expense of others. We
24 make no comment in this regard to Blair, but leave that up to the
25 reader to determine. The fact that Blair is an ass is not sufficient,

1 in and of itself, for his inclusion on this page. However, Blair has
2 violated standards we adhere to, which does warrant his inclusion on
3 this page. Recently, it has come to our attention that he is as
4 associated with and is/has been reportedly protecting and/or harboring
5 another self-professed advocate who has reportedly turned in multiple
6 parents to CPS. (Since this person has not yet been personally
7 contacted by AFAC, we will refrain from publishing any further details
8 on this at this time.) He is untrained as an advocate, and fails to
9 maintain a professional posture by disrupting our important business
10 with personal attacks against other advocates publicly. He appears to
11 have no concept of professional ethics or practices and inappropriately
12 places his advocacy related interactions at a personal level. He has
13 demonstrated an inability to set aside personalities or personal
14 differences to work effectively with others based on their merits and
15 abilities, regardless of his personal feelings about them. This
16 results in his competing with others in this movement instead of being
17 part of the team effort or supporting the work of others in this
18 movement, undermining the efforts and integrity of the entire movement.
19 more We were rather shocked when he demanded an unreasonably high
20 "free-will donation" (\$50) to cover the cost of duplicating a brief
21 tape of a radio show that he appeared on as a guest, a show which he
22 doesn't even own the rights to (we would have been happy not only give
23 full credit in our broadcast programming but to provide money for the
24 tape and postage and a little extra, but \$50!!!???). Is this a pattern
25 of demanding money for his advocacy or a very public personal dig at

1 the person who requested it? Either way, it is inconsistent with best
2 advocacy practices. It looks to us like a carbon copy of the worst
3 practices of money-grubbing televangelists. He has given the title
4 'chaplain' a bad rap, so bad that other, highly ethical religious
5 leaders in this movement shun that title for themselves because of his
6 highly publicized mis-'use' of it. Like the Dutkiewicz's, he has
7 demonstrated an inability to exercise appropriate professional
8 discretion or to be trustworthy. He even appeared to turn on his own
9 associate. Blair took a private communication between himself and AFAC
10 which included information (information that he was already privy to)
11 about another advocate and published it on a public list. This
12 information was not his to release to the public, and should have not
13 been released publicly before the other advocate had been contacted by
14 AFAC and had been given the opportunity to respond to the accusations.
15 (If this is how he shabbily treats his compatriots, we understand
16 better, why he treats those he doesn't like so poorly.) We believe the
17 only reason he could have for disrespecting the privacy of others would
18 be to serve his own personal agenda at the expense of others in this
19 movement. We believe Mr. Blair cannot be trusted to act ethically,
20 preferring to save his own hide, no matter who else or what else is
21 harmed in the process, including the efficacy and effectiveness of this
22 movement. He has also disparaged those seeking or needing his help,
23 demonstrating an appalling lack of compassion and understanding. In
24 our opinion, Blair is unqualified by temperament, skills or character
25 to be in any leadership position, and most particularly, appallingly

1 unqualified to be in a position to be representing the Christian
2 religion with any authority. If he were an AFAC employee or
3 contractor, he would be fired immediately. Furthermore, even if he
4 were to seek training, we will not train him for any advocacy work in
5 this movement. Copyright 2004-2005 © Suzanne Shell Copyright terms
6 published at www.profanejustice.org" (cf. EXHIBIT M)

7 56. In the above "bad advocates" publication, Plaintiff Shell clearly
8 identifies herself with her company AFAC, saying that Defendant Blair's
9 alleged actions warranted a bad review from AFAC.

10 57. Later that same year (2004), Defendant Blair resigned as Chaplain of
11 the Foundation for Children's Rights. Plaintiff's attacks on him
12 didn't cease, even though he had "publicly" apologized and removed
13 himself from the organization that she had viewed as her hated
14 competition.

15 58. Defendant Blair totally and irrevocably removed himself from family
16 advocacy altogether in 2005 and could no longer be considered a
17 "competitor" to Plaintiff Shell and her business.

18 59. In May 2006, Plaintiff Shell opened up an online forum called
19 FamilyRightsAdvocacyIMPROVEMENTProject which is located at:
20 <http://groups.yahoo.com/group/FamilyRightsAdvocacyImprovementProject>.

21 60. On this forum, Plaintiff Shell purports it to be a venue to discuss
22 issues in family advocacy.

23 61. In post 612 found at this url:

24 [http://groups.yahoo.com/group/FamilyRightsAdvocacyIMPROVEMENTProject/me](http://groups.yahoo.com/group/FamilyRightsAdvocacyIMPROVEMENTProject/message/612)
25 [ssage/612](http://groups.yahoo.com/group/FamilyRightsAdvocacyIMPROVEMENTProject/message/612), Plaintiff Shell says that Defendant Blair "hooked up" with

1 **"psychic, a witch (Wiccan), bona-fide diagnosed mental health cases,**
2 **incompetents, con artists, homosexuals, pathological liars, thieves and**
3 **batterers"**. [Note, this is not attached as an Exhibit because of
4 printing issues - Plaintiff Shell tends to use exceedingly wide
5 typespace, which prohibits effective printing. The address above can
6 be typed into a browser to pull up the germane writings.] This implies
7 a sexual immorality that Plaintiff Shell had been continually
8 slandering Defendant Blair over, in not only an attempt to malign his
9 character, but also her longstanding intentional infliction of
10 emotional distress upon him. This publication remains on the Internet
11 to this day.

12 62. In post #283 (cf. EXHIBIT O) Plaintiff first coins the term "Shit
13 Throwing Monkeys" or "STMs" as Defendant Blair is later referred to,
14 along with other defendants. Defendant Blair is not a monkey, and has
15 never thrown any feces. Such a moniker was surely intended to demean
16 and harass Defendant Blair, castigating him in the same light as that
17 of a savage animal, for the sole purpose of the intentional infliction
18 of emotional distress as well as maligning his professional and
19 personal character.

20 63. In post #914, (cf. EXHIBIT P) Plaintiff Shell expressed a knowledge
21 that Defendant Blair is a "computer expert" and "is seeking as much
22 information on his talents as possible". This type of stalking
23 behavior spilled into Defendant Blair's professional life as well,
24 having been heavily involved in the professional computer industry
25 since 1984. It is this post that prompted Defendant Blair to set up a

1 dummy professional website and operate his true business under an
2 untraceable assumed name, to preserve his business relationships with
3 clients, while at the same time protecting himself from her ongoing
4 harassment and intentional infliction of emotional distress, now on a
5 professional level as well.

6 64. On 29 JUL 2006, Plaintiff Shell posted #959 to her online group, (cf.
7 EXHIBIT Q) where she claims her husband, Dennis Gene Shell, directed
8 her to cease activity in her activist efforts unless she gained express
9 support from the beneficiaries of her work. Therein, she outlines
10 expenses she had incurred up until that date. None of those expenses
11 had anything to do with Defendant Blair and in fact, it appeared that
12 not only was it poor marketing and business practices on Plaintiff
13 Shell's part, but she also claimed to be alright with operating her
14 business in the red. That she wanted to saddle Defendant Blair, a
15 fellow Shit Throwing Monkey per her account, with the responsibility of
16 her poor business choices was an intentional infliction of emotional
17 distress on Defendant Blair. This is a similar tactic she had used
18 over the years, to throw her own pity party to rally her co-
19 conspirators. However, the true purpose is even more sinister. Her
20 intention is to marginalize those she views as competitors, maligning
21 and slandering them, and blaming them for her own poor judgment.

22 65. Plaintiff Shell had often issued a challenge to the "Shit Throwing
23 Monkeys" to come on to her forum to discuss with her why they were put
24 on the "bad advocate" website. All of this, of course, was under her
25 control and moderation. She did not accept any other form of

1 communication, whether it be via telephone call or email. Defendant
2 Blair tried, over the years, to use both. Finally, on 01 AUG 2006,
3 Defendant Blair attempted to resolve things on Plaintiff Shell's forum,
4 but was promptly moderated and eventually kicked off and not let back
5 on. (cf. EXHIBIT R)

6 66. Sometime around 01 AUG 2006, Plaintiff Shell either directed, but most
7 certainly allowed Linda "Effie Belou" Bellas-Elf, another co-
8 conspirator, to post on her group what Elf believed to be Defendant
9 Blair's home address and phone number, as well as what they believed
10 was a photograph of his domicile. Included were the names of Defendant
11 Blair's sister-in-law (to be), his ex-wife, his cousin, and his sister.
12 Linda Elf has a history of being sent out by Defendant Shell to do her
13 nasty work of intentional infliction of emotional distress upon
14 Defendant Blair, his family and business associates. (cf. EXHIBIT N,
15 pp. 22-25 **NOTE: EXHIBIT N can only be provided in electronic format**
16 **only, as Plaintiff Shell has placed password protection on the document**
17 **to prevent printing. It may be found directly at this url:**
18 **<http://www.freewebs.com/badadvocates/blairbapages.pdf> and the password**
19 **to open is "I agree". It cannot be printed. Should Plaintiff Shell**
20 **destroy this document, Defendant Blair has a copy of it and is willing**
21 **to email to the court, or burn it to a CD for the Court's perusal.)**
22 Defendant Blair had the post removed every time Linda Elf put it up, by
23 contacting Yahoo, who agreed that it violated their Terms of Service
24 (TOS). Elf, through Plaintiff Shell's turning a blind eye, or actively
25 instigating her, managed to have it posted on the "bad advocates"

1 website instead, exposing Defendant Blair and his family to the world
2 wide web in a brazen intentional infliction of emotional distress upon
3 him and his family.

4 67. In the first week of August 2006, when confronted with his personal
5 information put on Plaintiff Shell's forum, Defendant Blair spoke with
6 a police officer about the ongoing harassment he was receiving at the
7 hands of Plaintiff Shell. Specifically, he gave the officer a copy of
8 Exhibit E and an updated copy of Defendant Blair's entry on the "bad
9 advocate" website (cf. EXHIBIT N). This officer advised Defendant
10 Blair that the threats contained therein constituted extortion
11 according to Michigan Law and that Defendant Blair would be wise in
12 filing a police report due to her ongoing online harassment and
13 intentional infliction of emotional distress. Defendant Blair did, in
14 fact, file a police report with the Michigan State Police, who then
15 forwarded it on to Elbert County Colorado law enforcement. To the best
16 of Defendant Blair's knowledge, the Colorado authorities did not pursue
17 it further.

18 68. Plaintiff Shell induced Karen "Kay" Henson, a co-conspirator, to
19 repeatedly call Defendant Blair's home number in an attempt to coerce
20 him into not filing a police report. Such unconsented stalking by
21 Henson prompted Defendant Blair to change telephone numbers, after
22 which he never gave out his home phone number to anyone involved with
23 the movement again. Receiving these hysterical telephone calls caused
24 great anxiety in Defendant Blair's family, prompting the above decision.

25

1 69. On 09 AUG 2009, Plaintiff Shell posted the following (cf. EXHIBIT S,
2 post #1303) where she goes on a hysterical rant about how Defendant
3 Blair is extorting her, when it was clearly the other way around.
4 Defendant Blair was acting on advice given to him by law enforcement,
5 and thus acted accordingly. Plaintiff Shell then changed her tack by
6 forming a pseudonym "The Editors" and allegedly giving the "bad
7 advocate" web page to "them". However, "The Editors" was just another
8 pseudonym for Plaintiff Shell's own writings, despite vain attempts to
9 declare otherwise. The "bad advocate" website became even worse.

10 70. Later that same day, Defendant Blair attempted to resolve the situation
11 with Plaintiff Shell for the final time. (cf. EXHIBITS T & U) It
12 didn't work. However, it is interesting to note that Plaintiff Shell
13 knew exactly how to appeal to "The Editors" on the new "bad advocate"
14 website, by filling in the online form. Defendant Blair tried that, as
15 she suggested, but, predictably, it didn't work either.

16 71. Sometime in the month of August 2006, William O. Tower, possibly a
17 defendant in this case, filed a lawsuit against Plaintiff Shell in
18 California court. She threatened and later made good on the threat to
19 countersue him and Defendant Blair, among others. Defendant Blair was
20 never served in that case, either. (cf. EXHIBIT V)

21 72. After this time, the "bad advocate" website had grown progressively
22 worse. (cf. EXHIBITS W & X) In fact, Plaintiff Shell accuses
23 Defendant Blair of being convicted of a felony, which is not true. She
24 uses the term Parole, which is a term used for felons.

1 73. The current, live version of the "bad advocate" website can be found at
2 this url: <http://www.badadvocates.com> which is a redirector for the
3 free site at <http://www.freewebs.com/badadvocates>.
4

5 **CONCLUSION**
6

7 74. Defendant Blair was not served in this case.

8 75. Defendant Blair has proof in the form of credit card receipts that he
9 was not at the address at the time that service was allegedly made.

10 76. Defendant Blair is fearful that disclosing those receipts to the
11 Plaintiff will give her more ammunition to further malign him on the
12 "bad advocate" website.

13 77. Defendant Blair bases this on having suffered incredible anxiety and
14 fear over the years due to Plaintiff Shell's extortionist, stalking,
15 and harassing tendencies towards him, his family, and his business
16 associates from both her directly and through her cohorts, including
17 Karen "Kay" Marie Henson, Alan Dale "Slade" Henson, Corinne Merwin,
18 Linda "Effie Belou" Bellas-Elf, Christine Korn, Myrna Ulrich, Misty
19 Ray, as well as others I may not know personally. They have all
20 contributed to an ongoing campaign of intentional infliction of
21 emotional distress upon Defendant Blair, his family, and business
22 associates.

23 78. Defendant Blair believes that he has shown more than ample proof in the
24 24 exhibits provided, that Plaintiff Shell's campaign of terror against
25 him began over a \$50 donation to his organization and spiraled out of

1 control due to her tendencies to intentionally inflict emotional
2 distress upon people she doesn't like. Efforts to placate her were
3 refused, and her actions mirror that of some of the most vicious of
4 sociopaths. Her "bad advocates" site is one such place.

5 79. Defendant Blair prays that This Honorable Court will quash service
6 (#263) and dismiss pursuant to FRCP 12(B)(4) and FRCP 12(B)(5) without
7 requiring copies of those receipts, as he believes they will be used to
8 further harm him, his family and business associates.

9 80. If This Honorable Court will not take Defendant Blair's word that he
10 was not present during the time of service, he humbly requests that
11 copies of those receipts be given to the court under seal and destroyed
12 when This Honorable Court is satisfied with their authenticity.

13
14 Dated this 21 AUG 2009

15 /s Randall Blair
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CERTIFICATE OF SERVICE

I hereby certify that a copy of this pleading and exhibits was served on Plaintiff via the Court's ECF system on 21 AUG 2009.

/s Randall Blair

I hereby certify that a copy of this pleading and exhibits was served on other known defendants via email (by mutual agreement) on 21 AUG 2009.