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Court of Common Pleas

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By: AMELIA J. LEONARD 0088875

Confirmation Nbr. 2862782

CATHERINE M STARK ET AL

CV 22 969917

vs.

Judge: BRENDAN J. SHEEHAN

WILLIAM EASTON HORNER ET AL

Pages Filed: 100

**IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO**

CATHERINE M. STARK, <i>et al.</i>	)	CASE NO. CV-22-969917
	)	
Plaintiffs,	)	JUDGE BRENDAN J. SHEEHAN
	)	
v.	)	<u>PLAINTIFF'S MOTION FOR</u>
	)	<u>SUMMARY JUDGMENT AND</u>
WILLIAM EASTON HORNER, <i>et al.</i>	)	<u>SANCTIONS</u>
	)	
Defendants	)	

Now come Plaintiffs, Catherine M. Stark and Allison Marie Stark (“Plaintiffs”), by and through counsel, and pursuant to Rule 56(A) of the Rules of Civil Procedure, respectfully move for summary judgment on their claims against Defendant William Easton Horner (“Defendant”) and an order declaring Defendant to be a vexatious litigant in accordance with R.C. 2323.52, a permanent injunction on their claims for defamation, a hearing on their request for damages. Plaintiffs further request an award of attorneys’ fees and costs in accordance with R.C. 2323.51 for Defendant’s frivolous conduct during this matter which needlessly increased the costs of litigation and serve merely to harass both Plaintiffs and their counsel.

Summary judgment is appropriate as Defendant’s actions, both as set forth in the Verified Complaint and also over the course of this case, have amply demonstrated his vexatiousness. Summary judgment is also appropriate to grant Plaintiffs a permanent injunction and an award of damages considering Defendant’s continued publishing of defamatory statements. Finally, in light of Defendant’s willful, blatant, and contemptuous behavior during the course of this litigation, including the filing of multiple frivolous documents in this Court and repeatedly creating and posting videos containing content already determined by this Court to be defamatory, in violation of this court’s preliminary injunction, Plaintiffs are entitled to attorneys’ fees in accordance with R.C. 2323.51.

This Motion is supported by the Verified Complaint, the documents filed of record herein, and the attached memorandum in support with exhibits, all of which are incorporated by reference herein.

Respectfully submitted:

/s/ Amelia J. Leonard

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MEMORANDUM IN SUPPORT

I. BACKGROUND

Plaintiffs Catherine M. Stark (“Cathy”) and Allison Marie Stark (“Allison”), (collectively “Plaintiffs”) live quiet lives and avoid the limelight – or at least they try to. Cathy, Allison’s mother, is retired while Allison works full time for ██████████ as a Research Coordinator. They do little to draw attention to themselves, preferring to enjoy their privacy, familial relationships, and friendships.

Or they would if Defendant William Easton Horner (“Horner”) would let them.

A. Mr. Horner’s vexatiousness in other cases.¹

Mr. Horner is a litigious man with a stated goal to “bankrupt you [Allison] and your mother [Cathy].”² It all began with the divorce proceedings filed by Allison as *Allison Horner v. William Easton Horner*, Case No. DR-20-382383 (“Divorce Case”). After his counsel withdrew in that case in January 2021, Mr. Horner proceeded to act *pro se* in a matter that by now may be familiar to this court. First, he filed four separate motions on March 15, 2021 to hold Allison in contempt along with a separate show cause motion, purported to subpoena probate records only to subsequently file a motion to “Strike Probate Order from Evidence of Defendant Mental Illness.” (Docket, DR-20-382383). He repeatedly made allegations that Allison had “stolen” his children, engaged in “illegal cyberstalking in April 2021,” “stolen his property,” and submitted “perjurious affidavits.”³ After refusing to participate in the divorce trial, he then appealed and made multiple requests for documents and other “evidence” to be “included in the official trail [sic] court records

¹ This Court can take judicial notice of documents filed in another court to establish the fact of such litigation and documents filed therein. *State ex rel. Coles v. Granville*, 116 Ohio St.3d 231, 2007-Ohio-6057. The court can also “take judicial notice of its own docket.” *Indus. Risk Insurers v. Lorenz Equip. Co.*, 69 Ohio St.3d 576, 580, 1994-Ohio-442, 635 N.E.2d 14 (1994).

² Hypocrisy Part 2 of 2 at 10:18-10:24, see auto-generated transcript at Exhibit 1(A).

³ Divorce Case, *Horner’s Rejection of Trial Order*, August 9, 2021.

and transcripts” including Allison’s purported admission “to using an unknown digital exploit (commonly referred to as hacking) to access the private text message content (text and pictures) of Defendant’s cell phone” and “monitoring” of his communications,⁴ purported evidence regarding his allegedly “stolen” firearm,⁵ and other purported evidence of perjury by both Plaintiffs. In all, between December 13 and 28, 2021, Mr. Horner filed eight separate motions to “Include Evidence” he claimed to be part of the court proceedings. (*See* docket and entries thereon in DR-20-382383; *see also* Verified Complaint).

Mr. Horner repeated these sorts of motions once before the Eighth District in the matter of *W.E.H. v. A.M.S.*, Eighth District No. CA-21-111085 (“Divorce Appeal”). There, Mr. Horner filed three more motions to hold Allison in contempt for alleged “perjurious affidavit,”⁶ “documented perjury”⁷ and “perjurious testimony”⁸ plus three other motions that same day for various other forms of relief for alleged grievances. (Docket, CA-21-111085). Each of these motions was denied and the Judgment of Divorce was affirmed. Mr. Horner appealed that decision to the Ohio Supreme Court where he admittedly failed to “cite law or make sound argument” in favor of his position – simply demanding to get a ruling in his favor. (*See* docket and entries thereon in CA-21-111085; *see also* Verified Complaint Ex. M at p. 7).

While the Divorce Appeal was ongoing, Mr. Horner turned to the General Division of this Court to further his attacks against Allison and, by now, Cathy as well. His first case filed April 27, 2022 against Cathy, styled *William Easton Horner v. Catherine M. Stark*, CV-22-962585 (“First Case”) was dismissed on July 21, 2022 for failure to prosecute. (Docket, CV-22-962585).

⁴ Divorce Case, *Defendant’s Motion to Include Evidence in Prepared Court Records and Transcripts*, Dec. 13, 2021.

⁵ Divorce Case, *Defendant’s Motion to Include Evidence in Prepared Court Records and Transcripts (Firearm)*, Dec. 17, 2021

⁶ Divorce Appeal, *Appellant’s Motion to Hold Appellee in Contempt (Financial Affidavit)*, Mar. 28, 2022.

⁷ Divorce Appeal, *Appellant’s Motion to Hold Appellee in Contempt (Perjury TDI)*, Mar. 28, 2022.

⁸ Divorce Appeal, *Appellant’s Motion to Hold Appellee in Contempt (Testimony)*, Mar. 28, 2022.

Mr. Horner appealed that dismissal on September 21, 2022, which was *sua sponte* dismissed for lack of a final, appealable order.⁹ (See docket and entries thereon in CV-22-962585; see also Verified Complaint, ¶¶41-49).

On May 12, 2022, Mr. Horner filed the first of what would become three separate cases against Allison and others over matters which arose – or purportedly arose – during the divorce proceedings. The matter of *William Easton Horner v. Allison Marie Stark*, CV-22-963377 (“Second Case”), was filed against Allison and her divorce attorney, Robert A. Marcis, alleging “fraud, theft and harassment” – claims which he repeated on a website he created to defame Plaintiffs.¹⁰ That matter was resolved in Allison’s favor on December 1, 2022, on summary judgment. (See docket and Judgment Entry in CV-22-963377).

On June 23, 2022, Mr. Horner filed CV-22-965121 against Allison [REDACTED] [REDACTED] (“Third Case”) alleging “unauthorized release of HIPPA [sic] Protected Health Information to a Hostle [sic] 3rd Party.” (Compl., CV-22-965121). In that case, just as in the present one, Mr. Horner attempted to subpoena records from “Director of the FBI Christopher Wray,” members of the Rocky River Police Department, the Cuyahoga County Probate Court, and the Rocky River Law Director, Michael O’Shea.¹¹ He also filed a purported “Amicus Brief and Discovery Evidence” from his “Amicus Witness” (and current fiancé) Cristy Miller. Ms. Miller’s “Amicus Brief” is identical to the “Expert Report” submitted by Mr. Horner in this matter.¹² Summary judgment was granted in Allison’s favor on February 15, 2023. (See docket and Feb. 15, 2023 Journal Entry with attached Memorandum of Opinion and Order, CV-22-965121).

⁹ CA-22-111968.

¹⁰ See *Verified Complaint*, ¶50-54.

¹¹ CV-22-965121, Oct. 3-5, 2022.

¹² A nearly identical brief was submitted on January 30, 2023 by Mr. Horner in the related Petition for Civil Stalking Protection Order filed by the Cleveland Clinic against Mr. Horner on Nov. 1, 2022.

Finally, on November 17, 2022, after this matter was filed and the preliminary injunction hearing was held, Mr. Horner filed a new complaint styled *William Easton Horner v. Allison Marie Stark and St. Vincent's Charity Hospital*, CV-22-971495 ("Fourth Case"). Once again, Mr. Horner alleged that Allison, and others, had "fabricated evidence" and improperly disclosed "HIPPA [sic] PROTECTED PPI." (Compl. CV-22-971495). As in the other proceedings, Mr. Horner has served discovery referencing actions and testimony in the Divorce Case and has undertaken actions intended not only to harass the litigants therein, including Allison, but also their counsel.¹³ The Fourth Case is presently pending.

B. Mr. Horner's vexatiousness in this case.

Even if the above-cited cases were not sufficient to demonstrate Mr. Horner's vexatiousness, his acts within and during the pendency of this matter should undoubtedly suffice. From his discovery requests to Plaintiffs, to the filing of his three separate contempt and/or show cause motions, to the subpoenas issued to non-parties, and even to the filing of his "Expert Report", Mr. Horner has basically acted as if this is nothing more than a continuation of all prior proceedings, especially the Divorce Case.

For example, on March 6, 2023, Mr. Horner served "Questions" upon Plaintiffs which he prefaced with his conspiracy-driven theme that the FBI and Allison were conspiring against him during the divorce proceedings before asking about matters directly related to the Divorce Case. (*See Plaintiffs' Response in Opposition to Defendant's Motion to Compel an Answer and Motion for Protective Order*, Apr. 27, 2023; *see also* Leonard Aff. (Ex. 1) and Exhibit 1(F) attached thereto).

¹³ Affidavit of Kristin Wedell, attached hereto as Exhibit 2; Affidavit of Matthew Baringer, attached hereto as Exhibit 3 (this Affidavit will be supplemented with a signed and notarized copy).

On March 7, “Defendant’s Petition for Discovery Brief in Summary” was filed with this Court in which he requested that this Court order the following non-parties to produce information about matters which occurred or allegedly occurred in other proceedings:

- Rocky River Police Department and Law Director O’Shea regarding Mr. Horner’s pending criminal matter in the Rocky River Municipal Court and the Divorce Case.
- Federal Bureau of Investigation regarding a purported prior request for “access to the Defendant’s FBI file.”
- Cuyahoga County Court of Common Pleas Probate Court regarding case identified as 2020MI22049.
- Cleveland Clinic Foundation regarding claims that the Clinic “has failed to provide the requested discovery through multiple trials including DR 20382383, CV 22 971495, CV 22 965121 despite Defendants request for the same.”
- St. Vincent’s Charity Medical Center regarding discovery that “runs parallel to case CV 22 971495” which Mr. Horner claims was previously requested “through multiple trials including DR 20 382383 despite Defendants request for the same.”

When this Court denied Mr. Horner’s request to obtain discovery from these entities, Mr. Horner at first “terminated the case”¹⁴ before following up with an attempt to file “504 motions” intended to “produce lawful discovery relevant to this case” under “each of the 84 Ohio Civil Rules” from the same parties that (a) this Court had already advised Mr. Horner were not proper parties,¹⁵ (b) were parties in one or more of the other proceedings filed by or against Mr. Horner¹⁶, or (c) requested the same information already requested by Mr. Horner in one or more of the other

¹⁴ Mar. 16, 2023 email from Mr. Horner “Notice of Termination of Case CV 22 969917,” attached hereto as Exhibit 1(G).

¹⁵ Journal Entry, March 10, 2023.

¹⁶ See Divorce Case, Second Case, Third Case, Fourth Case, and Rocky River Municipal Court No. 2021-CRB-0037.

proceedings filed by him.¹⁷ (See Mar. 28, 2023 email “Service Copy” transmitting Mr. Horner’s unsigned “Defendant’s Petition for Discovery by Brute Force Attack” and subsequent email from Mr. Horner to counsel referencing the “2688 pages” of documents he was sending to the Court for filing, Leonard Aff., Exhibits 1(H) and 1(I)).

Further examples of Mr. Horner’s vexing and frivolous behavior include the following:

- Two separate show cause motions filed against Plaintiffs related to Mr. Horner’s disagreement with the responses Plaintiffs gave to his discovery requests seeking to relitigate actions occurring during the Divorce Case;
- A show cause motion against this Court’s Clerk for her alleged “five hundred and five (505) specific instances of obstructing justice through not filing Defendant’s discovery petitions.” (Mar. 20, 2023, *Defendant’s Motion to Show Cause Clerk of Court*, emphasis omitted);
- Expression of intent on more than one occasion during the pendency of this case to continue to vex Plaintiffs until he gets what he wants (effectively a reversal of the Judgment of Divorce). (see May 2, 2023, email from Mr. Horner advising Plaintiff’s counsel that they “[d]efinitely want to make sure she has earmarked adequate financial resources to defend herself. You know how expensive criminal AND federal civil court can be.” attached hereto as Exhibit 1(J)); May 5, 2023 “Re: Polite Ask Before New Contempt Motions” email to counsel and the Court, attached hereto as Exhibit 1(L) (“They will be forgiven and I will not continue coming after them legally if they simply confess and allow me access to the children. This can all stop today.”).
- Threatening to file a motion for contempt against Plaintiffs unless Plaintiffs’ counsel viewed and responded to allegations contained within two of the videos posted by Mr. Horner on his 18th YouTube channel, requiring counsel to sit through nearly 20 minutes of Mr.

¹⁷ *Id.*

Horner's rambling accusations to ascertain what points he wanted to be addressed. (May 2, 2023, email from Mr. Horner "Re: Polite Ask Before New Contempt Motions" to counsel, attached hereto as Exhibit 1(J) "Please find at the links below the latest questions about your clients lies.").

- Instituting new proceedings against Allison during the pendency of this proceeding. (CV-22-971495 *William Easton Horner v. Allison Marie Stark and St. Vincents Charity Hospital*).

Further, Mr. Horner's vexatious behavior goes even beyond the documents filed with the Clerk's office, but also extends to emails sent to Plaintiff's counsel and members of this Court, including but not limited to:

- February 17, 2023 "Show Cause Hearing for March 8th at 8:30a" (Exhibit 1(C))
- February 27-28, emails with Mr. Horner "Petitions for Discovery Orders. . . Horner" (providing only links requiring specific account access and refusing to provide accessible links to the documents he was purporting to "serve" to Plaintiffs and file with the Court (Exhibit 1(E));
- May 4, 2023 email from Mr. Horner "Fwd_ Little bitches" (Exhibit 1(K));
- May 18, 2023 email from Mr. Horner "St. Vincents' HIPAA lawsuit Discovery Disclosures" (Exhibit 1(M));
- May 19, 2023 email from Mr. Horner "Re: St. Vincents' HIPAA lawsuit Discovery Disclosures" (Exhibit 1(N)).

In short, Mr. Horner has filed, continues to file, and has expressed intent to continue filing legal proceedings against the Plaintiffs to pound them into submission even to the point of bankrupting them.¹⁸ (See YouTube videos "Hypocrisy Part 2 of 2" at 10:17-10:21, "Jesus on

¹⁸ He also has taken direct actions against counsel for parties opposing him in these proceedings, including against counsel for the Cleveland Clinic and the undersigned. See CV-22-970761 and CV-23-974806. See also Baringer Aff.

Forgiveness Part 2 of 2” at 7:10-7:18, both of which were posted by Mr. Horner on his 18th YouTube channel (@eastonhorner18)¹⁹).

C. Mr. Horner’s contemptuous acts of defamation.

In addition to vexing Plaintiffs with documents filed with this Court and/or sent to Plaintiffs’ counsel, Mr. Horner has repeatedly demonstrated complete contempt for this Court’s Orders and Plaintiffs’ right to be left in peace. Throughout the pendency of this matter, and despite receiving this Court’s January 4 Opinion and Judgment Entry granting Plaintiffs an injunction against Mr. Horner’s repeated defamation of their characters on multiple internet platforms, Mr. Horner has defiantly ignored this Court and taunted it to take action against him.²⁰

As set forth in Plaintiffs’ February 9, 2023, *Motion for Order to Show Cause* and again in their March 27 *Notice of Defendant’s Failure to Cure Contempt and Further Contemptuous Acts*, Mr. Horner not only failed to remove the defamatory material, but posted new material, created new YouTube channels, and has continued to defame Plaintiffs by repeating the same allegations of criminality. Between January 4, 2023, and the present, not only did Mr. Horner not remove the material found to be defamatory, but he created a second website (once Plaintiffs had his original, defamatory website removed), a second GoFundMe page, and has repeatedly created new YouTube channels where he has uploaded the same videos found by this Court to be defamatory and created new ones to further defame Plaintiffs. *See Plaintiffs’ Notice of Defendant’s Failure to Cure Contempt & Further Contemptuous Acts* and exhibits to *Defendant’s Motion for Plaintiff Show Cause . . . Again*, including videos contained on the flash drive accompanying said Motion).

¹⁹ For this Court’s convenience, copies of unedited transcripts that were automatically generated by YouTube are attached hereto at Exhibits 1(A) and 1(B). Mr. Horner’s 18th YouTube channel was removed on May 18, 2023, and he almost immediately created a new channel, @EastonHorner19, to continue defaming Plaintiffs.

²⁰ Mr. Horner also launched an attack aimed at undersigned counsels’ law firm email servers in an attempt to overwhelm the servers and get revenge against the firm for counsels’ success in getting the defamatory websites removed. *See* CV-23-974806.

Through it all, Mr. Horner has remained defiant, even to the extent of emailing links to his defamatory videos to this Court and counsel and explicitly daring the Court to arrest him for violating its orders. Still, the same facts that gave rise to this Court's initial grant of injunction have not changed: Plaintiffs have not committed any criminal acts and Mr. Horner has no evidence proving otherwise.

II. LAW AND ARGUMENT

A. Summary judgment standard.

An order granting summary judgment is appropriate when the moving party demonstrates that (1) “reasonable minds can come to but one conclusion [which] is adverse to the [non-moving] party” and (2) no “genuine issues of material fact exist concerning an essential element of the opponent’s case.” Civ. R. 56; *The State ex rel. Parsons v. Fleming*, 68 Ohio St. 3d 509, 511, 1994-Ohio-172; 628 N.E.2d 1377 (1994) (citing *Temple v. Wean United, Inc.*, 50 Ohio St.2d 317, 327, 364 N.E.2d 267 (1977); *Dresher v. Burt*, 75 Ohio St. 3d 280, 292, 1996-Ohio-107, 662 N.E.2d 264 (1996)). If any material issues of fact exist which would cast doubt on the appropriateness of summary judgment, all such doubts must be resolved in favor of the nonmoving party. *The State ex rel. Parsons*, 68 Ohio St. 3d at 511 (citing *Murphy v. Reynoldsburg*, 65 Ohio St.3d 356, 1992 Ohio 95, 604 N.E.2d 138 (1992)). Under this standard, “material facts” are only those which might affect the outcome of the suit under the law governing the case. *Turner v. Turner*, 67 Ohio St.3d 337, 340, 1993 Ohio 176, 617 N.E.2d 1123 (quoting *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 106 S. Ct. 2505, 91 L.Ed.2d 202 (1986)).

B. Summary judgment declaring Mr. Horner to be a vexatious litigant is appropriate.

In the absence of any genuine issues of material facts as to whether the conduct of defendant rises to the level of vexatious, summary judgment is appropriate. *Prime Equip. Group*,

Inc. v. Schmidt, 2016-Ohio-3472, 66 N.E.3d 305 (10th Dist.), ¶11. Under Ohio’s vexatious litigator statute, R.C. 2323.52, the conduct of a party in a civil action may be declared vexatious if such conduct satisfies any one of the following:

- (a) The conduct obviously serves merely to harass or maliciously injure another party to the civil action.
- (b) The conduct is not warranted under existing law and cannot be supported by a good faith argument for an extension, modification, or reversal of existing law.
- (c) The conduct is imposed solely for delay.

R.C. 2323.52(A)(2). Under R.C. 2323.52(A)(3), a “vexatious litigator” is defined as

any person who has habitually, persistently, and without reasonable grounds engaged in vexatious conduct in a civil action or actions, whether in the court of claims or in a court of appeals, court of common pleas, municipal court, or county court, whether the person or another person instituted the civil action or actions, and whether the vexatious conduct was against the same party or against different parties in the civil action or actions.

Courts construing the vexatious litigator statute have recognized that, consistent with its stated purpose, it is intended to prevent abuses of the court system by persons using legal process as a weapon to “cause the emotional and financial decimation of their targets.” *Mayer v. Bristow*, 91 Ohio St.3d 3, 740 N.E.2d 656, 665 (2000). Thus, under R.C. 2323.52(D)(1), a court of common pleas can declare a person to be a vexatious litigator and enter an order to enjoin that person “from engaging the processes of any Ohio trial court without first obtaining the leave of the common pleas court to proceed” with provisions in R.C. 2323.52(H) and (I) to allow any court in this state to refuse or dismiss any action filed by one previously declared to be a vexatious litigator. *Id.* at 666.

Since the vexatious litigator statute was enacted, Courts across Ohio have declared persons to be vexatious litigators with 245 persons presently identified on the Ohio Supreme Court’s

Vexatious Litigators list.²¹ Among those, Cuyahoga County Courts have found 43 persons to be vexatious, the most recent of which was on January 10, 2023.

In *Trunk v. Coleman*, DR22 388561, the Honorable Diane M. Palos declared the defendant, Robert M. Coleman, to be a vexatious litigant based upon his actions in that single case in which he filed numerous complaints mostly containing his complaints of “not liking the Court’s previous ruling, or a witness’ answer, or included allegations against Plaintiff and her counsel.” *Judgment Entry of Annulment with Findings of Fact and Conclusions of Law*, p. 5. Judge Palos pointed out that even after the plaintiff filed her motion seeking a vexatious determination, the defendant responded by repeating “arguments previously ruled on by this Court.” The Court further found that:

“Defendant’s behavior has harassed and injured the Plaintiff, his behaviors are not warranted under law and cannot be supported by any good faith argument; and, as noted in the Court’s previous orders, many of the behaviors have been for delay. The Court has no belief that the Defendant will cease to contact or engage the Plaintiff through this Court or another Court once this decision issues.

Id.

Like the defendant Robert Coleman, Mr. Horner repeatedly filed motions in the underlying Divorce Case including multiple motions after the Court had issued its final decision.²² And just as Judge Palos warned was likely of Coleman in her decision, Mr. Horner did not “cease to contact or engage” Plaintiffs once a final determination in the Divorce Case was made. Instead, Mr. Horner has vexed Plaintiffs in four subsequent proceedings and threatens to lodge still further legal complaints against Plaintiffs. None of Mr. Horner’s complaints have been found to have merit and all have been dismissed at the initial stages. Their sole purpose is to hound the Plaintiffs until he gets the relief he was denied in the Divorce Case and upheld on appeal.

²¹ <https://www.supremecourt.ohio.gov/opinions-cases/clerk-of-court/office/vexatious-litigators-local/>

²² DR-20-382383.

Other decisions in this Court and elsewhere have found litigants to be vexatious in a variety of circumstances, many of which involved only a handful of cases. For example, in *Bey v. State of Ohio*, the Honorable Deena R. Calabrese found Plaintiff Fareed Hasan Bey to be a vexatious litigator. (CV-14-821761, June 15, 2015). Prior to being found to be vexatious, Bey had filed three prior proceedings in Ohio courts, none of which were found to have merit. *Id.* at p. 2. Similarly, in *Castrataro v. Urban*, the Fifth District upheld a declaration that Castrataro was a vexatious litigator after four separate complaints alleging claims arising out of the same set of circumstances. 155 Ohio App.3d 597, 2003-Ohio-6953, 802 N.E.2d 689 (5th Dist.). In addition to the *Trunk v. Coleman* case cited above, other Ohio courts have held a party to be a vexatious litigator after their actions in but a single case. *Lasheen v. Lasheen*, DR 19 379428, Cuyahoga C.P. (Jan. 4, 2022) (finding that Wael Lasheen was a vexatious litigator due to his actions in the divorce proceeding and United States Supreme Court); *Calhoun v. Calhoun*, 8th Dist. No. 101268, 2014-Ohio-5692 (1 case and 13 appeals of that case); *Roo v. Sain*, 10th Dist. Franklin No. 04AP-881, 2005-Ohio-2436 (a single, protracted case with multiple, frivolous case filings and appeals by Sain was sufficient to uphold the declaration that Sain was a vexatious litigant). This is because, as the First District stated in *Borger v. McErlane*, “[i]t is the nature of the conduct, not the number of actions, that determines whether a person is a vexatious litigator.” 1st Dist. Hamilton No. C-010262, 2001 WL 1591338, 2001-Ohio-4030 (Dec. 14, 2001), *3.

In this case, Mr. Horner has habitually, persistently, and without reasonable grounds filed successive lawsuits against Plaintiffs trying to re-litigate claims that were resolved against him in the Divorce Case. He has persisted in filing discovery motions and requests in this case and other cases against the same parties involved in other civil and criminal matters. He has tried repeatedly to relitigate the matters resolved against him in the underlying Divorce Case which was upheld on

appeal. Except for the Fourth Case – the matter filed by Mr. Horner on November 17 against Allison and St. Vincent’s (CV-22-971495) – all other matters have been resolved either in Plaintiffs’ favor (CA-21-111085, S.C. 2022-1075, CV-22-963377, CV-22-965121) or were dismissed for Mr. Horner’s failure to prosecute (CV-22-962585).

Because of Mr. Horner’s actions in each of the cases he has been involved in against the Plaintiffs have been without reasonable grounds, have caused (and been intended to cause) Plaintiffs to expend time and money to defend against them, and have been intended merely to harass and injure Plaintiffs, Plaintiffs are entitled to summary judgment and a declaration that William Easton Horner is a vexatious litigator.

C. Summary judgment should be granted, and a permanent injunction issued on Plaintiffs’ claims for defamation.

For purposes of summary judgment, defamation claims are no different than any other type of case: if the evidence demonstrates there are no issues of material fact and the movant is entitled to judgment as a matter of law, summary judgment is appropriate. *Dupler v. Mansfield Journal Co.*, 64 Ohio St.2d 116, 120–21, 413 N.E.2d 1187, 1191–92 (1980).

To establish their claims for defamation, the Plaintiffs must be able to demonstrate that Mr. Horner (1) made false statements of facts about the Plaintiffs, (2) that were defamatory *per se* or *per quod*, (3) published to third parties, (4) causing the Plaintiffs to suffer injury as a proximate result of the publication, and (5) Mr. Horner acted with the requisite degree of fault in publishing those statements. *Am. Chem. Soc. v. Leadscope, Inc.*, 133 Ohio St.3d 366, 2012-Ohio-4193, 978 N.E.2d 832, ¶77. The question of whether statements are defamatory is a question for the courts to determine. *Id.* at ¶78.

This Court has already determined that Mr. Horner’s statements about the Plaintiffs, as alleged in the Verified Complaint, are defamatory *per se*. After conducting a hearing on October

31, 2022, and again on November 2, 2022, during which Allison and Mr. Horner each testified, this Court granted Plaintiffs' request for injunctive relief on their claims for defamation. The Court expressly found that Mr. Horner had purposely and intentionally made multiple false statements to third parties accusing the Plaintiffs of criminal activity.

The statements made by Mr. Horner are just as defamatory today as they were six months ago. Even today, he continues to accuse Plaintiffs – and particularly Allison – of engaging in criminal acts including theft, kidnapping, falsifying evidence, and colluding to commit criminal acts. While he has no evidence that any of these statements are true, and in fact has been told repeatedly by the Courts in multiple proceedings, including this one that they are not, Mr. Horner continues to purposely and intentionally publish these same false statements to third parties via multiple videos he posts on successive YouTube channels. These repeated, defamatory statements continue to harm the Plaintiffs and cause them distress. (Transcript of Proceedings, Oct. 31, 2022, and Nov. 2, 2022, at p. 59-62).²³

As was presented at the preliminary injunction hearing and set forth in the Verified Complaint:

- Plaintiffs did not kidnap the children of Allison and Mr. Horner. (Transcript of Proceedings, p. 17, 41-42, 59)
- Plaintiffs have not fabricated evidence (Transcript p. 27, 29-30, 32, 40, 41-42, 59, 66)
- Plaintiffs have not committed perjury or submitted fraudulent claims to the police (Transcript p. 26, 30, 34, 59, 67)

²³ The full Transcript of Proceedings was filed with this Court by the Court Reporter on May 19, 2023. Cited excerpts are attached hereto at Exhibit 4.

- Plaintiffs have not colluded or conspired to falsify evidence or commit other criminal acts (Transcript p. 27, 29-30, 32, 37, 40, 41-42)
- Plaintiffs have not committed theft. (Transcript p. 28)

Having already met their burden once to demonstrate Mr. Horner had defamed them, and with the evidence in that respect unchanged from before (except with even more defamatory statements published by Mr. Horner), Plaintiffs are entitled to summary judgment on their claims for defamation.

Plaintiffs are also entitled to a permanent injunction. As with the preliminary injunction, which this Court has already granted, Plaintiffs must demonstrate by clear and convincing evidence that they are entitled to relief under applicable law, that an injunction is necessary to prevent irreparable harm, and that no adequate remedy at law otherwise exists.

The only admissible evidence in this case demonstrates unequivocally that Mr. Horner has willfully, intentionally, purposefully, maliciously, and repeatedly made defamatory statements about the Plaintiffs with the intent to cause them harm. Mr. Horner has also willfully, intentionally, and flagrantly demonstrated an intent to continue publishing these defamatory statements notwithstanding orders prohibiting such conduct. And, as set forth on the attached Affidavit of Amelia J. Leonard (Exhibit 1), without an order finding that the statements are defamatory and directing that Mr. Horner remove such statements, Plaintiffs would not be able to have such statements removed.

D. Plaintiffs are entitled to attorneys' fees for Mr. Horner's vexatiousness, willful and contemptuous acts, and frivolous filings.

Under R.C. 2323.51, this Court is empowered find a party has engaged in frivolous misconduct and award his opponent their attorneys' fees. Like R.C. 2323.52, the vexatious litigator

statute, the “frivolous conduct statute” of R.C. 2323.51 is intended to address frivolous conduct in court proceedings. However, the remedies are different.

Under R.C. 2323.52, a litigant can be barred from filing *future* actions or from continuing existing cases, but it does little to address the harm already suffered. On the other hand, R.C. 2323.51 addresses only *past* behavior and does little to curb future actions, other than further risks of financial sanctions. Thus, the two statutes are complementary, with a remedy received under one leaving open the possibility of receiving a remedy under the other. *Prime Equip. Group, Inc. v. Schmidt*, 2016-Ohio-3472, 66 N.E.3d 305 (10th Dist.).

In this case, just as there is no doubt that Mr. Horner is a vexatious litigator, there can be no further doubt that he has engaged in frivolous actions during the pendency of this matter alone to justify monetary sanctions. After he took no action to comply with the January 4 Opinion and Judgment Entry, counsel for Plaintiffs had to take action to enforce compliance. (Leonard Aff.). Counsel has had to take actions multiple times since as Mr. Horner has repeatedly posted defamatory content to websites, especially YouTube, including filing a *Motion to Show Cause* for contempt and a subsequent *Notice* to the Court of Mr. Horner’s failure to cure his contempt. Mr. Horner’s actions have undoubtedly (and intentionally) increased the costs of litigation for the Plaintiffs. Accordingly, an award of attorneys’ fees under R.C. 2323.51 is appropriate.

E. Plaintiffs are entitled to an opportunity to present evidence of damages for defamation.

Under Ohio law, damages may be awarded in defamation cases to serve three separate purposes:

1. To compensate the plaintiffs for the injuries to her reputation and the emotional distress cause by the false statements;
2. To vindicate the plaintiff and aid her in restoring her reputation;

3. To dissuade the defendant, and others like him, from publishing defamatory statements. *Knowles v Ohio State Univ.*, Ct. Claims 2001-03780, 2005-Ohio-3330 (June 10, 2005), ¶58 (citing Restatement of the Law 2d, Torts (1977) Section 623).

As set forth during the preliminary injunction hearing, Mr. Horner's actions have caused Plaintiffs immeasurable stress for which they are attempting to cope. Allison has suffered financially by having lost job opportunities and/or promotions and has had to see professional counselors to deal with the stress and trauma caused by Mr. Horner's actions. Accordingly, Plaintiffs are entitled to, and respectfully request, a hearing to present evidence of their damages for Mr. Horner's acts of defamation and seek compensation to not only compensate them for the injuries they have suffered, but also to vindicate and aid them in restoring their reputations and to dissuade Mr. Horner, and others like him, from publishing defamatory statements.

III. CONCLUSION

WHEREFORE, for all the reasons set forth herein, Plaintiffs Catherine M. Stark and Allison Marie Stark respectfully request as follows:

1. An order pursuant to R.C. 2323.52 declaring William Easton Horner to be a vexatious litigator;
2. A permanent injunction prohibiting Mr. Horner from posting defamatory content about Plaintiffs and giving them the tools to combat such publications;
3. An award of attorneys' fees pursuant to R.C. 2323.51;
4. An award of damages for the injuries they have suffered proximately caused by Mr. Horner; and
5. All other relief to which they are entitled.

Respectfully submitted:

/s/ Amelia J. Leonard

Daniel F. Gourash (#0032413)

Amelia J. Leonard (0088875)

SEELEY, SAVIDGE, EBERT & GOURASH CO., L.P.A.

26600 Detroit Road, Suite 300

Westlake, Ohio 44145

(216) 566-8200 | (216) 566-0213 (fax)

dfgourash@sseg-law.com

aleonard@sseg-law.com

Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on May 19, 2023, the foregoing Motion for Summary Judgment was sent by U.S. Mail, postage prepaid to the following:

William Easton Horner, *pro se*

2899 Blue Ridge Drive

Morristown, TN 37814-0000

/s/ Amelia J. Leonard

Counsel for Plaintiffs

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

CATHERINE M. STARK, <i>et al.</i>	)	CASE NO. CV-22-969917
	)	
Plaintiffs,	)	JUDGE BRENDAN J. SHEEHAN
	)	
v.	)	<u>AFFIDAVIT OF AMELIA J. LEONARD</u>
	)	
WILLIAM EASTON HORNER, <i>et al.</i>	)	
	)	
Defendants	)	

Now comes Affiant, Amelia J. Leonard, and having been duly sworn states from personal knowledge as follows:

1. I am an adult, over eighteen years of age, and of sound mind.
2. I am an attorney at Seeley, Savidge, Ebert, & Gourash Co., LPA and one of the attorneys representing Plaintiffs in the above-referenced matter.
3. Attached hereto as Exhibits 1(A) and 1(B) are true and accurate copies of transcripts which were autogenerated by YouTube from videos posted by Mr. Horner on one or more of his YouTube channels.
4. Attached as Exhibits 1(C) through 1(N) are true and accurate copies of emails sent to me by Defendant William Easton Horner as of the dates referenced thereon.
5. Attached hereto at Exhibit 1(F) is a true and accurate copy of the “Questions” Mr. Horner presented as discovery requests to Plaintiffs in this matter.
6. Attached hereto at Exhibit 1(H) is a true and accurate copy of the “service copy” of “Defendant’s Petition for Discovery by Brute Force Attack” sent to me by Mr. Horner on March 27, 2023.
7. Subsequent to this Court’s January 4, 2023, Opinion and Judgment Entry granting the Plaintiffs a preliminary injunction, I submitted copies of the Opinion and Judgment Entry to

Jesus on Forgiveness Part 2 of 2

https://www.youtube.com/watch?v=k_sev1bfb5s

Transcript

0:00 like the meat of the summer vacation
0:03 spring break every year
0:05 Thanksgiving and Christmas alternating
0:07 Easter alternating
0:10 right standard
0:12 prostate father's visitation that's all
0:15 I want
0:16 right if your client just
0:20 she doesn't even have to like I won't
0:22 even make her go before court and
0:25 acknowledge all the [REDACTED] actions
0:27 that she's done right she could just
0:28 like file a petition with judge Jones
0:30 and say I was wrong I've had a change of
0:32 heart I wanted to have these things and
0:33 like ma'am it will all stop all of it
0:35 the YouTube will stop the videos will
0:38 stop the websites will stop the
0:40 notifications to Congress will stop the
0:42 light it'll all stop
0:44 but ma'am like
0:48 I had the advantage that I know what
0:49 your client did I mean United States
0:51 Minuteman I have the highest security
0:53 credentials there are by having
0:56 confirmations from the director of the
0:57 right FBI everything that happened ma'am
0:59 I have the advantage that I know what
1:01 happened right the only real question is
1:04 how much your client knew when she was
1:05 helping the only real question is was
1:07 Brandon Brown third in command of the
1:09 FBI launching a law man in the middle
1:12 attack where he was just like standing
1:14 on the other side of detective Hill of
1:16 Rocky River and having them like
1:19 spur up danger for your client like oh
1:23 the remember the police officers came to
1:26 me and said like there was no real way

1:29 to know if he had stolen weapons from
1:33 his parents gun safe
1:34 man Brandon Brown was just at my parents
1:37 house with me picking up my step two
1:39 laptop like a week before
1:41 right like if they were really concerned
1:44 about assault weapons that they would
1:45 have attached it then they weren't
1:47 really but like Brandon Brown had to get
1:50 me incarcerated like had to get me off the
1:52 street because I'd crack step like
1:53 cracked Amazon's back door right so like
1:56 they were just doing whatever it was
1:57 like rip the Constitution however is
2:00 necessary like the nation's secrets are
2:01 on the line and we're just going to lock
2:02 them in a mental institution and then go
2:04 saw records in the courthouse right like
2:06 now I know what happened
2:08 the only question is like was your
2:09 client working with Brandon Browning
2:11 collusion right like with actual
2:13 malicious intent or was she working with
2:16 like detective Hill for malicious intent
2:18 oh like well and like didn't know the
2:19 FBI was involved on the backside that's
2:21 like the only real question but ma'am I
2:23 know what happened
2:25 she like she
2:27 using my information right so like this
2:30 was not I installed an app for her for
2:34 her text messages that had a bug in it
2:38 that allowed her to access my text
2:40 messages like that's not that's not what
2:43 this is
2:44 she went in using my login credentials
2:47 which like where did she get my login
2:51 credentials next question Miss Leonard
2:53 next question for discovery
2:55 where did she get my login credentials
2:57 to log into the thing
3:00 right
3:01 like did she think that was authorized
3:03 who

3:05 was her justification
3:07 I'm scared for my husband's mental
3:10 health that will be that will be her
3:12 justification for it all because like in
3:14 her head up here with PTSD
3:16 the else Justified means she's like if
3:19 it takes if it means the safety of my
3:23 husband and I have to have 24-hour
3:25 surveillance with text messages with
3:28 push notifications set up to my phone
3:31 and bypassing two-factor authentication
3:34 to access his professional Google
3:37 developer emails without authorization
3:40 like oh well but like I'm scared for my
3:44 husband and just like whatever it
3:46 Whatever It Takes I'm just allowed to do
3:49 because she has PTSD
3:52 madam
3:53 so like
3:57 right here Madam you admit like you're
4:00 telling me that [REDACTED]
4:05 to install my text messages on her
4:09 tablet while I was four states away
4:15 to bypass two-factor Authentication
4:18 an email and like there's something else
4:21 that matters here okay so like we just
4:23 got done with the [REDACTED]
4:26 where the [REDACTED] argument
4:28 was oh like her having all the
4:32 historical prescriptions from my medical
4:34 records that were like you know we went
4:36 through her medical records yesterday
4:37 where it's like look at the things that
4:38 are stacked on the one right with mine
4:40 it's like no no we tried Latuda it
4:43 didn't work we took it off we tried well
4:46 it didn't work we took it off we tried
4:49 right hers is like stat
4:52 she took all those prescriptions and put
4:54 them on one list from years of being
4:57 treated how would she know they were
4:59 there she had access to my medical
5:00 records right she had bypassed my
5:05 security in Gmail

5:08 because she could get the two-factor
5:10 authentication code and she had access
5:13 to my my chart right and my chart at
5:15 this point says you don't need to effect
5:16 authentication to get into the platform
5:18 because you're already in a secured
5:21 private email environment like man as
5:24 someone who designs HIPAA security
5:25 systems and as like a HIPAA certified
5:27 data security scientist I'm allowed to
5:30 push
5:31 like medical information docket notices
5:34 to a product secured email because
5:36 theoretically
5:38 Ex-Wives aren't bypassing security by
5:41 using [REDACTED] login credentials to have
5:43 cell phones and put text messages on
5:46 you see what I'm saying
5:48 like man
5:49 she was accessing my medical records
5:53 with [REDACTED]
5:55 [REDACTED] this is a real problem she was
5:57 laid out like she was put on leave for
6:00 investigative report before what things
6:03 can happen now
6:05 just ma'am beware we are on our way to
6:09 Federal proceedings and I'm going to be
6:11 calling your client into the eastern
6:13 district Tennessee federal court
6:15 just know that you know they've spent
6:16 her mother too know the expenses and
6:19 look at what is like what is increasing
6:23 Okay and like ma'am one more thing just
6:26 like one more thing okay
6:31 your client is the mother of my children
6:33 I do not wish bill on her
6:36 okay I really don't
6:38 but like
6:41 for God so loved the world that he gave
6:43 his only son
6:46 right
6:47 this will not stand
6:49 I will I will I will shatter like it is
6:53 written Madam that like Jerusalem will

6:55 fall and every brick will be removed
6:58 upon brick there will not be a brick
7:00 upon bricks standing when the Lord is
7:02 done when the all father is done
7:04 man
7:06 your client is not going to smear me the
7:08 way she has to take my children from you
7:10 for life and like I will do like she
7:12 will
7:13 I'll bankrupt her mother like her mother
7:15 her mother will be eating out of
7:16 corporate boxing cat food when we're
7:18 done if she does not complain about what
7:20 she's not like ma'am I will go as far as
7:22 is needed I will follow her to the Gates
7:25 of Hell madam
7:27 Madam very disturbing conversation like
7:30 the night before she threw me out she's
7:32 just like Eastern you know you've never
7:33 seen me just like right off a boyfriend
7:35 when I'm done with them they're just
7:37 like dead to me
7:39 and I was like Allison I'm not your
7:41 boyfriend I'm your ex-husband about to
7:42 be and like you can't just write me off
7:44 I have access to the children and like I
7:46 have I have rights to the children and
7:48 like the children need to have their
7:50 father and their life like Allison what
7:52 kind of mother what kind of mother
7:56 does not want
7:59 their father a child's father in their
8:01 lives
8:03 right your honor like the statistics for
8:06 the benefits of fathers in the lives of
8:09 their children are overwhelming
8:12 and here's some other that just like
8:14 doesn't want the father to have access a
8:18 father that's been trying for a thousand
8:20 days man do you realize that like that
8:22 alone is just
8:23 unique what father would still be
8:26 fighting this far down the line and not
8:30 only fighting but like fighting and

8:31 saying
8:32 Allison you can have forgiveness dear I
8:35 forgive you
8:36 I know what you did I also I know what
8:38 you did okay I know what you did
8:41 and I forgive you
8:43 I forgive you because you're the mother
8:46 of my children and you're sick dear
8:50 okay so like
8:52 Miss letter do that with what you will
8:54 but like next question right going
8:58 before the judge I need full explanation
9:01 and information about how she [REDACTED]
9:04 [REDACTED] to install my text
9:06 message applications on her tablet while
9:09 I was supposed to states away
9:11 and bypass my Google two-factor
9:13 authentication security like we're gonna
9:15 need that's the next question and like
9:19 man
9:20 I recognize you working hard and like I
9:22 recognize got other cases so we're going
9:23 to give you like
9:24 I don't know today's Wednesday
9:28 I don't know right it was good enough
9:30 for Jesus Jesus got three days like we
9:33 gave you Wednesday Thursday like you can
9:35 come up with answers to this on Friday
9:38 right and if you don't
9:40 like we're going into contempt
9:43 but Madam just like just know where we
9:45 stand now
9:47 if she does not stop this map like if
9:50 your client does not come clean and
9:52 confess your sins of what she has done
9:54 so that I can get access to my children
9:57 I proceeding to federal court and I'm
9:59 proceeding with criminal charges okay so
10:01 just know that
10:03 have a great I don't want to but I will
10:04 have a great day you are

Amelia J. Leonard

From: Easton Horner <williamehorner@gmail.com>
Sent: Friday, February 17, 2023 11:54
To: Jayne Jakubaitis; Daniel F. Gourash; Amelia J. Leonard
Subject: Show Cause Hearing for March 8th at 8:30a

Good Day Jayne,

I wanted to let you know I received your notification about the show cause hearing scheduled for March 8th at 8:30a.

I am happy to attend the hearing via Zoom. Unfortunately, I will not be able to attend the hearing in person for safety reasons. My stolen Kel Tec .32 pistol has yet to be recovered and returned, and there is still a \$1million murder bounty on my head set by Judge Tonya R. Jones in the form of misappropriated life insurance policies held by Madam Stark Jr.

Given the wrongful arrests, harassment, and evidence fabrication by Rocky River police, as well as this court's covering up interference by the FBI, it's simply too dangerous to travel to Cleveland in person. The risk a RRPD officer pulls me over for a busted tail light, executes me, and then plants my stolen weapon on me claiming I pulled it on them is simply too high.

Once the stolen weapon is recovered and returned and the \$1million murder bounty is removed perhaps we can begin discussing in person hearings. Until then...Zoom will need to suffice.

Also, if Your Honor wants to get preliminary arguments out of the way he can watch my direct answer to this show cause summons on my YouTube channel. These arguments can be found here: <https://www.youtube.com/watch?v=lr7N1Tq53fA>

With Respects,
William E. Horner, Attorney Pro Se

Amelia J. Leonard

From: Easton Horner <williamehorner@gmail.com>
Sent: Monday, February 27, 2023 10:25
To: Daniel F. Gourash; Amelia J. Leonard
Subject: Petitions for Discovery Orders...Horner

Good Morning Folks,

Please find your courtesy copies of petitions posted today.

Kind Regards,
Easton Horner, Attorney pro se

_20230227_Discovery.Petition.Brief.in.Summary.pdf
_20230227_Discovery.Petition.CCF.submission.pdf
_20230227_Discovery.Petition.Probate.Court.Submi...

Amelia J. Leonard

From: Easton Horner <williamehorner@gmail.com>
Sent: Tuesday, February 28, 2023 12:16
To: Amelia J. Leonard
Cc: Daniel F. Gourash; Jayne Jakubaitis
Subject: Re: Petitions for Discovery Orders...Horner
Attachments: image001.jpg

Ms. Leonard,

With all respect, I build email, hardened cyber security systems, and shared cloud computing infrastructure for a living. To quote Asland from CS Lewis, "Don't quote the dark magic to me...I was there when it was written." Why break apart what is cohesively together to "work around" Gmail's basic large attachment, streamlined, computationally and human labour efficient solution to what was once a "rate limiting step" of email technology? That would be "hacking" a blue chip commercial entity Ms. Leonard. I wouldn't want to run afoul of their TOS and have my account suspended after all.

I know I've been sending you and Mr. Gourash 10k blessings and you might have concerns about RAT or ransomware. As I told FBI Director Christopher Wray, they aren't really my style...too script kiddie, no elegance. You can rest assured any email from this address is neutral. It's actively monitored by ALL of our nation's intelligence agencies and I'm presenting as an attorney pro se, and officer of the Court in this context. Consider it "church ground".

So let's mush on shall we? If not, Jayne I'm standing by for the telecom information.

Easton Horner, Attorney Pro Se

On Tue, Feb 28, 2023, 11:57 AM Amelia J. Leonard <ALeonard@sseg-law.com> wrote:

Mr. Horner,

If the documents, individually, are too large to send in separate emails, perhaps you could provide us a link to obtain the documents without having to create or use a Gmail account to do so. There are options provided by Google that allow links to be sent to non-Gmail accounts to enable them to access the documents. If you need more information on how to do this, go to <https://support.google.com/drive/answer/9195194>.

Amelia J. Leonard

SEELEY SAVIDGE EBERT & GOURASH

Direct: 216-535-4505

aleonard@sseg-law.com

From: Easton Horner <williamehorner@gmail.com>

Sent: Tuesday, February 28, 2023 10:25

To: Amelia J. Leonard <ALeonard@sseg-law.com>

Cc: Daniel F. Gourash <DFGourash@sseg-law.com>; Jayne Jakubaitis <CP1JJ@cuyahogacounty.us>

Subject: Re: Petitions for Discovery Orders...Horner

Good morning Amelia and Daniel,

They ARE actual PDFs, but SMTP email transfer protocols have kicked them to a shared Gdrive because of their size. This is a common practice for almost all email service providers.

If you want them mailed hardcopy, please send me a self addressed envelope with postage paid and I'll happily drop them in the mail for you. Otherwise you can download them from the Gdrive links, download them from the court docket once they hit the court and are scanned in, or you can simply proceed forward without them.

You want to ignore lawfully serviced petitions? Your choice....but I'm not incurring the extra expenses because of unreasonable attempts to limit service communications. If it's really that big of an issue for you, then we probably need to go ahead and schedule a phone call with Judge Sheehan's staff attorney so we can work out mutual discovery procedures.

Should I go ahead and request the meeting with Jayne Jakubaitis?

Kind regards,

Easton Horner, attorney pro se

On Mon, Feb 27, 2023, 5:34 PM Amelia J. Leonard <ALeonard@sseg-law.com> wrote:

Mr. Horner,

Please either send the documents to us on paper or as actual PDF documents without access them through your Google Drive. We will not accept documents submitted in this fashion.

Amelia J. Leonard

SEELEY SAVIDGE EBERT & GOURASH

Direct: 216-535-4505

aleonard@sseg-law.com

From: Easton Horner <williamehorner@gmail.com>

Sent: Monday, February 27, 2023 10:25

To: Daniel F. Gourash <DFGourash@sseg-law.com>; Amelia J. Leonard <ALeonard@sseg-law.com>

Subject: Petitions for Discovery Orders...Horner

Good Morning Folks,

Please find your courtesy copies of petitions posted today.

Kind Regards,

Easton Horner, Attorney pro se

[_20230227_Discovery.Petition.Brief.in.Summary.pdf](#)

[_20230227_Discovery.Petition.CCF.submission.pdf](#)

[_20230227_Discovery.Petition.Probate.Court.Submi...](#)

Amelia J. Leonard

From: Easton Horner <williamehorner@gmail.com>
Sent: Monday, March 6, 2023 12:49
To: Daniel F. Gourash; Amelia J. Leonard
Subject: CV 23 974806 Service Copy...and additional discovery
Attachments: 20230306_Defendants.motion.for.dismissal.failure.to.prosecute.pdf; Allison Questions.docx

Ms. Leonard,

Please find your service copy attached and let me know if you need me to post it to rights4allfathers.com.

I have also attached a list of discovery questions for Allison. Will this be a sufficient request for me to get the answer or would you like me to petition the Judge for them? Happy to do either, just trying to move this along.

Perhaps we could schedule a phone call for a disposition?

Kind Regards,
Easton Horner, Attorney Pro Se

Amelia J. Leonard

From: Easton Horner <williamehorner@gmail.com>
Sent: Thursday, March 16, 2023 09:52
To: Amelia J. Leonard; Daniel F. Gourash; Jayne Jakubaitis; Brendan Sheehan
Subject: Notice of Termination of Case CV 22 969917

Good Morning Jayne,

Please inform Judge Sheehan that without access to the documents which I require for discovery I WILL NOT MOVE FORWARD WITH THIS CASE.

The case is hereby terminated and all communications from this court will be returned to sender. All orders from the court, including the judges orders to remove my Rights 4 Fathers content is are hereby rescinded.

Kind Regards,
Easton Horner, Attorney Pro Se



Amelia J. Leonard

From: Easton Horner <williamehorner@gmail.com>
Sent: Monday, March 27, 2023 22:32
To: Amelia J. Leonard; Daniel F. Gourash
Subject: Service Copy
Attachments: 03272023_Discovery.Petition.BFA.pdf

Good Evening Ms. Leonard,

Please find your service copy of the motion posted to Judge Sheehan today.

Kindly,
Easton Horner



IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

CATHERINE M STARK ET AL	)	CASE NO.: CV 22 969917
	)	
Plaintiff,	)	
	)	JUDGE: BRENDAN J SHEEHAN
v.	)	
	)	
WILLIAM EASTON HORNER ET AL	)	<u>DEFENDANT'S PETITION FOR</u>
	)	<u>DISCOVERY BY BRUTE FORCE ATTACK</u>
Defendant,	)	

Now comes Defendant, by pro se representation, and respectfully petitions this honorable court for a discovery orders, pursuant to each of the 84 Ohio Civil Rules, to compel the Cuyahoga County Court of Common Please Probate Court, **FBI, Rocky River Police Dept/Municipal Court, St. Vincent's Medical Center (SVCMC), and Cleveland Clinic Foundation** to produce lawful discovery relevant to this case. There are a total of 504 motions, certainly one of them should unlock this courts pathetic shell game your Honor...respectfully submitted.

Defendant also hereby cures the \$250.00 contempt of court charge in keeping with Section 31 U.S.C. 5103. As expressed in Defendant's YouTube videos, which are still live, \$250 doesn't cover half of the contempt Defendant has for the corruption this courthouse has allowed. So he's settled the public debt with 25,000 copies of the penny.

The penny is 97% zinc which has a raw ingot metal value of \$0.02. You've got ~\$500 in raw metal here your Honor if you melt it down. In good faith, now I feel my debt is paid. I settle this payment

in this particular fashion in civil peaceful protest citing 558 U.S. 310 (2010) in which the United States Supreme Court ruled that "money is speech."

Defendant also awaits his blue light chariot.

Wherefore, Defendant, by pro se representation, respectfully petitions this honorable court for discovery orders, pursuant to each of the Ohio Civil Rules via brute force attack, to compel the Cuyahoga County Court of Common Pleas Probate Court, FBI, Rocky River Police Dept/Municipal Court, St. Vincent's Medical Center (SVMC), and Cleveland Clinic Foundation to produce lawful discovery relevant to this case.

Respectfully Submitted,

_____ Date: _____

William E. Horner
2899 Blue Ridge Drive
Morristown, TN 37814
(865) 322-9331
williamehorner@gmail.com
Defendant

CERTIFICATE OF SERVICE

A soft copy of the foregoing **DEFENDANT'S PETITION FOR DISCOVERY FROM CCCC-PROBATE COURT** was served upon Daniel F. Gourash attorney for Plaintiff via email on 3/27/2023 at his indicated email address dfgourash@sseg-law.com.

A soft copy of the foregoing **DEFENDANT'S PETITION FOR DISCOVERY FROM CCCC-PROBATE COURT** was served upon Amelia J. Leonard attorney for Plaintiff via email on 3/27/2023 at her indicated email address aleonard@sseg-law.com.

_____ (SEAL)

_____ (Date)

William Easton Horner

2899 Blue Ridge Drive Morristown, TN 37814

williamehorner@gmail.com

865.322.9331

Defendant, Pro Se

Amelia J. Leonard

From: Easton Horner <williamehorner@gmail.com>
Sent: Tuesday, March 28, 2023 11:10
To: Amelia J. Leonard
Cc: Daniel F. Gourash
Subject: Re: Service Copy

Ameilia,

No, mailing it isn't really isn't feasible either. Unless of course your firm wants to front the shipping/print charges for 2688 pages.

The link is working perfectly on my end. Perhaps you need to contact JustHost technical support to see why you can't access the document. Honestly, I'm preparing for our business launch this week and don't have time to play your technical support.

The 2688 pages will be at the courthouse tomorrow. Once they get it scanned in, I'm sure Jayne can work to get you access to their copy through the court docket. If you still aren't satisfied with the two means of service I've already provided, contact Jayne and we can setup a discovery call.

Signing off,
E.

On Tue, Mar 28, 2023 at 10:53 AM Amelia J. Leonard <ALeonard@sseg-law.com> wrote:

The link to your website does not appear to be working either. If you cannot provide an open, accessible link, we will expect the documents to arrive by mail.

Amelia J. Leonard

SEELEY SAVIDGE EBERT & GOURASH

Direct: 216-535-4505

aleonard@sseg-law.com

From: Easton Horner <williamehorner@gmail.com>
Sent: Tuesday, March 28, 2023 10:48
To: Amelia J. Leonard <ALeonard@sseg-law.com>
Cc: Daniel F. Gourash <DFGourash@sseg-law.com>
Subject: Re: Service Copy

Good Morning Ameila,

You're welcome.

Unfortunately, I don't provide visitor access to my GDrive as it enables link sharing and nullifies the security protocols I have in place to know who's accessing my drive.

If you can't download it from the GDrive, you can try downloading it from the public folder of the www.rights4allfathers.com website. I've got it uploaded there.

Kindly,

Easton

On Tue, Mar 28, 2023 at 10:36 AM Amelia J. Leonard <ALeonard@sseg-law.com> wrote:

Mr. Horner,

Thank you for providing the one PDF document ("03272023_Discovery.Petition.BFA.pdf"), but we are unable to access the other documents which are available only via your Google Drive. Please provide us with "visitor" access not requiring a Google login to access those documents.

Amelia J. Leonard

SEELEY SAVIDGE EBERT & GOURASH

Direct: 216-535-4505

aleonard@sseg-law.com

From: Easton Horner <williamehorner@gmail.com>

Sent: Monday, March 27, 2023 22:32

To: Amelia J. Leonard <ALeonard@sseg-law.com>; Daniel F. Gourash <DFGourash@sseg-law.com>

Subject: Service Copy

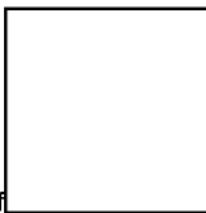
Good Evening Ms. Leonard,

Please find your service copy of the motion posted to Judge Sheehan today.

Kindly,

Easton Horner

Discovery Petitions.pdf



Amelia J. Leonard

From: Easton Horner <williamehorner@gmail.com>
Sent: Tuesday, May 2, 2023 09:53
To: Amelia J. Leonard; Daniel F. Gourash; Jayne Jakubaitis; Brendan Sheehan
Subject: Polite Ask Before New Contempt Motions

Hello Amelia,

In your last general pleading you complained about how I, "Didn't give you the ability to resolve the issues BEFORE filing my contempt motions." As if that would have made a difference LOL.

OK my dear...here's your chance, Please find at the links below the latest questions about your clients lies. I need answers please and thank you, and consider this your soft notice in "good faith" according to Rule 37. I file formal petitions for contempt later this week if you can't adequately explain the lies.

Also probably a good idea to advise your client that I'm going to be pressing the State Prosecutor, Mr. O'Malley for an indictment of telecommunications harassment over these [REDACTED] actions. Definitely want to make sure she has earmarked adequate financial resources to defend herself. You know how expensive criminal AND federal civil court can be.

Kindly,
Easton

Red Handed Part 1 of 2
<https://youtu.be/XtgKnXeb8Pw>

Red Handed Part 2 of 2
<https://youtu.be/2S-9IGkCzDA>

PS Jayne and Judge Sheehan, I don't usually like to directly CC judges and staff attorney's motion paperwork, but the Clerk of Court is simply returning to sender my paperwork and payments without just cause. BTW...how is that receipt for payment of the \$250 contempt fine coming that you returned to me?



Amelia J. Leonard

From: Easton Horner <williamehorner@gmail.com>
Sent: Thursday, May 4, 2023 10:18
To: Jayne Jakubaitis; Daniel F. Gourash; Amelia J. Leonard
Cc: Brendan Sheehan; Top Dog; Cristy Miller
Subject: Fwd: Little bitches

Good Morning Jayne,

So according to Judge Sheehan's published workflows, discovery issues apparently need to be taken up with you. I was under the impression this was happening given Ms. Leonard and my rejuvenated dialog.

It seems instead however, that my PTSD suffering ex-wife who:

- 1) thinks I make threats of executing my children on my website,
- 2) had me [REDACTED] incarcerated in a mental institution, and
- 3) [REDACTED]

her own lies and perjuries now being exposed,

[REDACTED]

I recognize it's not her fault Jayne. She suffers from PTSD. In fact I have serious ethical reservations about a hired gun attorney continuing to extract costs under such questionable circumstances. As officers of the court their sworn ultimate duty is to uphold the law garner backroom deals with Mr. O'Malley. Is this the "Good Faith" and "Abuse of Discovery Process" they were talking about that they say THEY need protections over?

And they call me a vicious litigator. LOL

Final thing. I've already come to Judge Sheehan about the "retaliation" (LOL) and witness tampering being waged against me and my amicus witness (emails forwarded from string below). You'll notice specifically the line about "keeping the secrets that 'need' keeping" around here and us "being too loud."

Specifically madam his organization's ghosting the probate warrant records Judge Sheehan now can't find. Your Judge Sheehan will also remember the stolen millions dollars we reported to him in the initial witness tampering sworn testimony.

I recognize I am not an attorney madam, and you in fact are. You do what you feel is best. Just know you will be cited directly at federal proceedings. I would think a Zoom call with Judge Sheehan would be warranted.

Kind Regards and Humble Respect,
Easton Horner, Attorney Pro Se

PS. Please forgive what I know madam stark will consider aggressive titles. They are in fact specifically coded; this was under classified security formatting for the federal minuteman litigation pending. Remember madam...I'm emulating Jesus in this theatrical production.

Why the 2nd Amendment Exists Part 1 of 2

<https://youtu.be/JriMgdb9iJs>

Electronically Filed 05/19/2023 17:48 / MOTION / CV 22 969917 / Confirmation Nbr. 2862782 / CLMHB

Why the 2nd Amendment Exists Part 2 of 2
<https://youtu.be/Pkw3FnviouM>

CC: FBI Dir. Christopher Wray (aka Top Dog)

----- Forwarded message -----

From: **Easton Horner** <williamehorner@gmail.com>

Date: Tue, May 2, 2023 at 4:36 PM

Subject: Re: Little bitches

To: Top dog <tdcommand1@gmail.com>

Cc: cristy miller <millerbug83@gmail.com>

LOLOLOLOLOL

I love the we would be great candidates except we talk to much. Who here remembers the species 8472 email and going before Congress telling them how humble and discrete I am?

You don't want to email me I'm sure as the director of the FBI you can setup a firewall. But be advised if you do you'll probably miss some service motions for the federal court I'm about to haul you onto.

You can talk through email or I'll drag you in front of the Eastern district Federal Judge and we can talk in front of him.

Choose wisely Fido. And I hope you enjoy your continued ass whipping. #50to1

Munch Munch Munch
T3RMITE

On Tue, May 2, 2023, 3:26 PM Top dog <tdcommand1@gmail.com> wrote:

Ms. Miller,

You really do like to get drunk and spill your guts! I hope it's worth it to you though! I haven't sold any secrets to BRICS despite what you think you know. I suppose given the fact that you don't work for the government anymore you should be careful just what accusations you make. I would truly hate for it to seem like treason! Have a wonderful day!

Mr. Horner,

I could care less what you think you have that ex batch of yours. I have far more pressing matters to tend to. If you could keep your mouth and the little bit he's mouth shut the two of you would make perfect candidates for the project. You both like to talk way too much. It's all about keeping the secrets that need keeping around here. So please stop bothering me every day!

A.

Amelia J. Leonard

From: Easton Horner <williamehorner@gmail.com>
Sent: Friday, May 5, 2023 10:39
To: Amelia J. Leonard
Cc: Daniel F. Gourash
Subject: Re: Polite Ask Before New Contempt Motions

Good Morning Ms. Leonard,

It's Friday, and it is my sincere hope your clients have had a change of heart in pursuing their current course. They will be forgiven and I will not continue coming after them legally if they simply confess and allow me access to the children. This can all stop today.

However, do not underestimate my resolve. On Easter Sunday, I identify with the almighty Father not the Son in regards to who was making the bigger sacrifice. She violated number nine on His rock, and as His humble servant I will not let it stand.

I await your answer madam and wish you a Good Friday,
Easton

Hypocrisy in 2 parts...

Part 1
<https://youtu.be/lD5QyXjoR-4>

Part 2
<https://youtu.be/iKZz9TFDVAE>

On Wed, May 3, 2023 at 1:01 PM Easton Horner <williamehorner@gmail.com> wrote:
Hello Ameila,

For what it's worth...I want you to know I think you are doing a wonderful job under what I know to be some incredibly difficult circumstances. Mr. Gourash, I notice you're a partner and she is not...assuming you are of a higher rank in the firm, I trust you are putting in credit where it's due on Ms. Leonard's outstanding performance.

Not threatening...not attempting to intimidate. Simply know where we are and where we're going if she does not confess.

Kind Regards,
Easton Horner, Attorney Pro Se

Jesus on Forgiveness Part 1 of 2
<https://youtu.be/AaOe85MGJkc>

Jesus on Forgiveness Part 2 of 2
https://youtu.be/k_sevlbfb5s

On Tue, May 2, 2023 at 8:03 PM Amelia J. Leonard <ALeonard@sseg-law.com> wrote:

Mr. Horner,

Attached is a screenshot showing the Republic Anywhere App which was installed on the family iPad on March 15, 2018 using your login information and password, with access to the text messages for the each phones used by you and Allison.

Amelia J. Leonard

SEELEY SAVIDGE EBERT & GOURASH

Direct: 216-535-4505

aleonard@sseg-law.com

From: Easton Horner <williamehorner@gmail.com>

Sent: Tuesday, May 2, 2023 09:53

To: Amelia J. Leonard <ALeonard@sseg-law.com>; Daniel F. Gourash <DFGourash@sseg-law.com>; Jayne Jakubaitis <CP1JJ@cuyahogacounty.us>; Brendan Sheehan <judgesheehan@gmail.com>

Subject: Polite Ask Before New Contempt Motions

Hello Amelia,

In your last general pleading you complained about how I, "Didn't give you the ability to resolve the issues BEFORE filing my contempt motions." As if that would have made a difference LOL.

OK my dear...here's your chance, Please find at the links below the latest questions about your clients lies. I need answers please and thank you, and consider this your soft notice in "good faith" according to Rule 37. I file formal petitions for contempt later this week if you can't adequately explain the lies.

Also probably a good idea to advise your client that I'm going to be pressing the State Prosecutor, Mr. O'Malley for an indictment of telecommunications harassment over these admitted criminal actions. Definitely want to make sure she has earmarked adequate financial resources to defend herself. You know how expensive criminal AND federal civil court can be.

Kindly,

Easton

Red Handed Part 1 of 2

<https://youtu.be/XtgKnXeb8Pw>

Red Handed Part 2 of 2

<https://youtu.be/2S-9IGkCzDA>

PS Jayne and Judge Sheehan, I don't usually like to directly CC judges and staff attorney's motion paperwork, but the Clerk of Court is simply returning to sender my paperwork and payments without just cause. BTW...how is that receipt for payment of the \$250 contempt fine coming that you returned to me?

Amelia J. Leonard

From: Easton Horner <williamehorner@gmail.com>
Sent: Thursday, May 18, 2023 18:03
To: Kristin L Wedell; Matthew Baringer; Amelia J. Leonard; Daniel F. Gourash; cakozyk@cuyahogacounty.us; Jayne Jakubaitis
Subject: St. Vincents' HIPAA lawsuit Discovery Disclosures...

Good Afternoon Kristen and Matthew,

As we close out the week, I am looking forward to the discovery you both are securing for Judge Matia's case.

As we proceed, I wanted to let you know I am disclosing all the content and videos associated with Rights 4 Fathers.com and its associated YouTube channels as part of our case and all evidence will be used in the trial. These video and web content can be found online on both YouTube under the channel Easton Horner 1-19 as well as on Rights 4 Fathers com.

Be advised, Allison's other attorney's Ms. Leonard and Mr. Gourash are consistently working to take down this publicly available web content. As such it might be difficult for you to find. However, this does not change the fact it has been made publicly available to you and is active content that will be used in trial. You will need to secure your copies as I have made them publicly available.

If you are having difficulty accessing the information and content, you will need to take it up with Ms. Leonard/Mr. Gourash directly. However, your inability to access it will not excuse you from the content and will not keep it out of the public eye of the court. This email hereby notifies you of its existence, and its inclusion in our discovery process.

Kindly,
Easton Horner,
Attorney Pro Se

Amelia J. Leonard

From: Easton Horner <williamehorner@gmail.com>
Sent: Friday, May 19, 2023 08:29
To: Matthew Baringer
Cc: Kristin L Wedell; Amelia J. Leonard; Daniel F. Gourash; cakozyk@cuyahogacounty.us; Jayne Jakubaitis
Subject: Re: St. Vincents' HIPAA lawsuit Discovery Disclosures...

Mr. Baringer,

Generally I would agree with your position that the Court and it's staff should not have to be included on these types of communications.

However, I've been instructed by the Ms. Kozyk and Ms. Jakubaitis, that the staff attorneys for the courts are supposed to be looped in to help resolve discovery disputes prior to formal papers being filed with the Court when and if they arise. My sole purpose was to bring to their attention the difficulties you may have in accessing some or all of the discovery evidence being provided to you because of the actions of your counterparts Ms. Leonard and Mr. Gourash to have such discovery hidden from your view. I don't want you coming to me later claiming, "He never gave me that..." Be advised, each time the discovery is taken down, I can only put it back up in fragments due to upload limits. You'll need to check back often to ensure you've seen everything that will be used in trial.

Given there is also confirmed documented evidence of the Court Clerk interfering with paperwork and passing forged signatures to trump up criminal arrest warrants against me on behalf of Ms. Leonard and Mr. Gourash, extra documentation for all parties is warranted. I appreciate the extra email this puts in everyone's inbox, however, as an attorney I'm sure you can appreciate that there is no such thing as OVER documentation when it comes to a corrupted courthouse deleting bogus probate warrants to have men illegally incarcerated in mental institutions.

Looking forward to your discovery answers and evidence. If there is anything I can provide to you in good faith, please don't hesitate to ask.

Easton

On Thu, May 18, 2023 at 6:08 PM Matthew Baringer <mbaringer@davisyoung.com> wrote:
Mr. Horner: The courts and their staff should not be copied on these types of communications.

Matthew P. Baringer
Partner



Davis & Young
A Legal Professional Association
35000 Chardon Rd.
Suite 100
Willoughby Hills, OH 44094

(216) 348-1700 – Main
(216) 377-2708 – Direct
(216) 621-0602 – Fax
mbaringer@davisyoung.com

From: Easton Horner <willamehorner@gmail.com>

Sent: Thursday, May 18, 2023 6:03 PM

To: Kristin L Wedell <kwedell@dmclaw.com>; Matthew Baringer <mbaringer@davisyoung.com>; Amelia J. Leonard <aleonard@sseg-law.com>; Daniel F. Gourash <dfgourash@sseg-law.com>; cakozyk@cuyahogacounty.us <cakozyk@cuyahogacounty.us>; Jayne Jakubaitis <CP1JJ@cuyahogacounty.us>

Subject: St. Vincents' HIPAA lawsuit Discovery Disclosures...

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As we proceed, I wanted to let you know I am disclosing all the content and videos associated with Rights 4 Fathers.com and its associated YouTube channels as part of our case and all evidence will be used in the trial. These video and web content can be found online on both YouTube under the channel Easton Horner 1-19 as well as on Rights 4 Fathers com.

Be advised, Allison's other attorney's Ms. Leonard and Mr. Gourash are consistently working to take down this publicly available web content. As such it might be difficult for you to find. However, this does not change the fact it has been made publicly available to you and is active content that will be used in trial. You will need to secure your copies as I have made them publicly available.

If you are having difficulty accessing the information and content, you will need to take it up with Ms. Leonard/Mr. Gourash directly. However, your inability to access it will not excuse you from the content and will not keep it out of the public eye of the court. This email hereby notifies you of its existence, and its inclusion in our discovery process.

Kindly,
Easton Horner,
Attorney Pro Se

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

CATHERINE M. STARK, *et al.*

Plaintiffs,

v.

WILLIAM EASTON HORNER, *et al.*

Defendants

) CASE NO. CV-22-969917

) JUDGE BRENDAN J. SHEEHAN

) **AFFIDAVIT OF KRISTIN WEDELL**

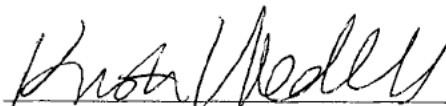
Now comes Affiant, Kristin Wedell, and having been duly sworn states from personal knowledge as follows:

1. I am an adult, over eighteen years of age, and of sound mind.

2. I am an attorney for Allison Marie Stark in the matter of *William Easton Horner v. Allison Marie Stark and St. Vincent's Charity Hospital*, Cuyahoga County Court of Common Pleas Case No. CV-22-971495.

3. On or about May 9, 2023, I received the attached "Plaintiff's Petition for Discovery from Allison Stark."

FURTHER AFFIANT SAYETH NAUGHT.



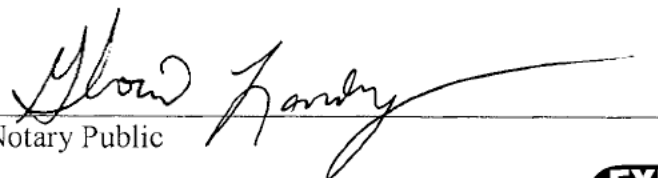
Kristin Wedell

STATE OF OHIO

COUNTY OF Cuyahoga

)
) SS
)

Subscribed, sworn to and acknowledged before me, a Notary Public, by Kristin Wedell on this the 19th day of May 2023.



Notary Public



GLORIA LANDRY
Notary Public
State of Ohio
My Comm. Expires
March 17, 2026

Electronic Case No. 2023-17287 MOTION / CV 22 969917 / Confirmation Nbr. 2862782 / CLMHB

EXHIBIT

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

WILLIAM EASTON HORNER	)	CASE NO.: CV 22 971495
	)	
Plaintiff,	)	
	)	JUDGE: DAVID T. MATIA
v.	)	
	)	
ALLISON MARIE STARK et al	)	<u>PLAINTIFF'S PETITION FOR</u>
	)	<u>DISCOVERY FROM ALLISON STARK</u>
Defendant,	)	

Now comes Plaintiff, William Horner, by pro se representation who respectfully petitions this honorable court for an order compelling the Allison Stark to provide discovery as defined in Ohio Civil Rule 26. Pursuant to Ohio Civil Rule 34, Plaintiff requests that Ms. Stark provide the information relevant to this case and other evidence surrounding Plaintiff's incarceration in SVC MC from Aug. 20th 2020 – Aug. 25th 2020:

- a. Transcript from the "oral affidavit" sworn by Defendant Stark before the probate Magistrate as testified to in CV 22 969917.
- b. Copy of the Probate Order that was "scanned in" by Westlake police for which she was documented as, "on station w/ a copy of Probate Order for her soon to be ex-husband" as described in the Westlake police dispatch log.
- c. Complete copy of the "Records from Cuyahoga County Probate Court" as submitted by Defendant Stark to Magistrate Charmine Dose for case DV 22 391235 as part of her "Evidence List."

- d. Disposition and elaboration around Plaintiff's list of question attached and incorporated herein as "Interrogatories 1"

Ms. Stark has failed to provide the requested discovery through multiple trials including DR 20 382383, CV 22 969917, DV 22 391235, and this case itself despite Plaintiff's request for the same.

WHEREFORE, Plaintiff respectfully requests this Honorable Court enter an order compelling the SVCMC to provide the requested discovery within thirty (30) days of the date of this order.

Respectfully Submitted,

William E. Horner
2899 Blue Ridge Drive
Morristown, TN 37814
(865) 322-9331
williamehorner@gmail.com
Plaintiff

State of _____

County of _____

William Easton Horner subscribed and sworn to (or affirmed) before me this _____ day of _____ in the year _____ of our Lord.

(SEAL)

Signature of Notary Public

Commission Expires

CERTIFICATE OF SERVICE

A soft copy of the foregoing **PLAINTIFF'S PETITION FOR DISCOVERY FROM ALLISON STARK** was served upon Kristin L. Wedell attorney for Defendant Allison Stark via email on _____ at her indicated email address kwedell@dmclaw.com.

A hard copy of the foregoing **PLAINTIFF'S PETITION FOR DISCOVERY FROM ALLISON STARK** was served upon Kristin L. Wedell, attorney for Allison Stark, via USPS mail on _____ at her indicated office address 600 Superior Avenue East, Fifth Third Center Suite 2330, Cleveland, OH 44114.

_____ (SEAL)

_____ (Date)

William Easton Horner

2899 Blue Ridge Drive Morristown, TN 37814

williamehorner@gmail.com

865.322.9331

Plaintiff, Pro Se

Interrogatories 1

In relation to statements made by opposing counsel in her "DEFENDANT ALLISON STARK'S ANSWER TO PLAINTIFF'S COMPLAINT":

1. Please describe Plaintiff's negligence in detail as described in paragraph 6 for which Allison asserts, "any damage or injury which Plaintiff may have suffered as alleged in this Complaint was directly and proximately caused or contributed to by Plaintiff's own negligence."
2. In paragraph 7, Allison asserts, "Any and all damage or injury which Plaintiff may have suffered as alleged in the Complaint was directly and proximately caused by the intervening and/or superseding acts of persons or entities other than this Defendant." To whom is she referring and in what way were their acts superseding?
3. On Aug. 20th 2020, Plaintiff arrived at his attorney's office in coat and tie. Jackboots without a warrant on hand then hauled him via armed force to SVCMC under documented civil peaceful protest. Please have Allison explain how Plaintiff, "expressly or impliedly assumed the risks of any or all damage or injury he may have suffered as alleged in the Complaint" under these circumstances. (Paragraph 8)
4. The probating in SVCMC was instigated by Defendant Stark through her "oral affidavit" that she "was on station with the police department with" that was "scanned in" by police. Please explain how Allison believes, "Plaintiff's alleged damages were caused by some party or parties over whom this Defendant had no control or right to control." (Paragraph 15)
5. In paragraph 16 Defendant Allison Stark asserts, "Any injuries allegedly sustained by Plaintiff were caused by his own idiosyncrasies, and not by the act or omission or wrongful conduct on the part of this Defendant. Such idiosyncrasies were peculiar to Plaintiff and not known to the general public, and this Defendant neither knew nor had reason to know, nor could it have reasonably foreseen said idiosyncrasies." Please provide complete disposition around the

idiosyncrasies Ms. Stark is claiming caused the injuries, how they were peculiar to Plaintiff, and how Ms. Stark neither knew nor had reason to know about the idiosyncrasies given she was [REDACTED] monitoring Plaintiff's text message, email, and other telecommunications as admitted under oath in case CV 22 969917. Plaintiff is in the complete dark regarding what Defendant is talking about with the answer and requests/requires full detail.

6. Please have Defendant Stark point to the judgement entry ruling on file as of 5/9/2023 which expressly states that Plaintiff is a "vexatious litigator under Ohio law." (Paragraph 18)

General Questions Not Related to a Specific Document:

7. In her testimony before Judge Jones and her Magistrate, Defendant Allison Stark testifies SVCMC contacted her in relation to Plaintiff's health and evaluation in direct violation of Plaintiff's explicitly stated instructions regarding his HIPAA protected medical information. This reconciles with Plaintiff's own memory where Dr. Kilbane said he, "called [Plaintiff's] wife and after speaking with her could no longer let [Plaintiff] leave, but instead was admitting him to psych ward floor." Did SVCMC contact Allison Stark in direct violation of Plaintiff's instructions and HIPAA protections? If so, what specifically was discussed during the contact?
8. What was your relationship to Mr. Horner at the time of the probate warrant?
9. Do you feel that as an estranged wife [REDACTED] [REDACTED] you should have been discussing Mr. Horner's medical history or current medical status with St. Vincent's given that you were the one having him involuntarily held in their facility?
10. Is it common HIPPA practice to assert yourself into the medical treatment of an estranged spouse? If so, since when? Can you site a legal reason as to why it is acceptable?

11. Did you at any time ever feel like you were violating the privacy of Mr. Horner by monitoring his whereabouts or his private conversations while at the same time driving the probate action? If so, then why did you do it to begin with? If not, then why not?
12. Have you ever failed to be med compliant or stopped taking any anti-psychotic medications without first consulting a medical professional?
13. Did you or anyone else ever view Mr. Horner's medical records on your behalf?
14. Did you ever have any medical discussions about Mr. Horner with anyone that works at the Cleveland Clinic or any other medical facility? This is to include Ms. Rachel ██████, a high-level Cleveland Clinic administrator.
15. Did the RRPD/Westlake police departments come to Ms. Allison Stark and request confidential information about his whereabouts in direct violation of the 4th Amendment to the United States Constitution as described under oath in her discovery answers provided in case CV 22 969917. Plaintiff desires to determine if the police "came to her" as stated by Ms. Stark.
16. Did Allison Stark disclose to the SVC MC staff, Westlake Police, RRPD, or the probate court that she was in contact with Kathy Horner at the time of the probating, that Kathy Horner had completed a weapons inventory with husband Dean Horner, that all weapons were accounted for, and that Kathy Horner both called Allison Stark to tell her explicitly these facts as well as followed them up via text message as outlined in the text message logs provided to the court? If not, why not?
17. Did you facilitate this probating on behalf of or in connection with the FBI? Did you have contact (either directly or through a proxy) with anyone from that agency including but not limited to Mr. Brandon Brown, Ms. Ashyton Brown, Ms Pamela Porter (aka Melissa), or Dir. Christopher Wray?

18. Did you enter the main campus of the Cleveland Clinic at any time from Aug. 20th 2020 – Aug.

31st 2020 [REDACTED]

[REDACTED]

19. From Spring/Summer of 2020 through the incident at St. Vincent's, were Cleveland Clinic staff

and personnel having a high instance of suicide amongst their ranks? Were stories of doctors

"jumping off buildings" because of the stress circulating through the Cleveland Clinic ranks? Was

the Cleveland Clinic sending regular mental health warnings and notices of these events [REDACTED]

[REDACTED] Was Defendant Stark in receipt of these communications?

20. Did Defendant Stark ever communicate directly with Ms. Lorraine [REDACTED], Plaintiff's medical

health provider [REDACTED]?

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

CATHERINE M. STARK, et al.,	)	CASE NUMBER: CV-22-969917
	)	
Plaintiffs,	)	JUDGE BRENDAN SHEEHAN
	)	
vs.	)	
	)	AFFIDAVIT OF MATTHEW BARINGER
WILLIAM EASTON HORNER, et al.,	)	
	)	
Defendants.	)	
	)	

IN THE STATE OF OHIO)
)
COUNTY OF LAKE)

The undersigned, being first duly sworn states as follows:

1. My name is Matthew P. Baringer, Esq.
 2. I am the defense attorney for St. Vincent Charity Medical Center in the case captioned *William Easton Horner v. Allison Marie Stark, et al.*, Cuyahoga County Court of Common Pleas Case No. CV-22-971495.
 3. Attached hereto is a true and accurate copy of an email I received from William Horner with respect to that case.
 4. Attached hereto is a true and accurate copy of Plaintiff's Petition for Discovery from SVCMC, which was received on or about May 9, 2023.
- Further Affiant sayeth naught.

MATTHEW P. BARINGER

SWORN TO BEFORE ME and subscribed in my presence, this ____ day of May, 2022.

NOTARY PUBLIC

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

WILLIAM EASTON HORNER	)	CASE NO.: CV 22 971495
	)	
Plaintiff,	)	
	)	JUDGE: DAVID T. MATIA
v.	)	
	)	
ALLISON MARIE STARK et al	)	<u>PLAINTIFF'S PETITION FOR</u>
	)	<u>DISCOVERY FROM SVCMC</u>
Defendant,	)	

Now comes Plaintiff, William Horner, by pro se representation who respectfully petitions this honorable court for an order compelling the SVCMC to provide discovery as defined in Ohio Civil Rule 26. Pursuant to Ohio Civil Rule 34, Plaintiff requests that SVCMC provide the information relevant to this case and related to Plaintiff's medical records and other evidence surrounding Plaintiff's incarceration in SVCMC from Aug. 20th 2020 – Aug. 25th 2020:

- a. Unredacted medical record for the probating incident Aug. 20th 2020 – Aug. 25th 2020.
- b. Unredacted meta-data associated with Plaintiff's medical record (for all time) data accesses, data entries, and data edits. Meta-data provided is to specifically include:
 - i. Timestamps for all data accesses and entries;
 - ii. Name of person making the access, entry, or edit;
 - iii. Whether the person making the access, edit, or entry made the entry while physically present on SVCMC property or working remotely;
 - iv. The medical qualification of the person making the access, edit, or entry.

- c. Unredacted security video footage of the night of Aug. 20th 2020 for the main receiving lobby for initial evaluation of citizens before they are taken to the main floor.
- Specifically, any and all footage that shows Plaintiff vocalizing his denial of an attorney in direct violation of ORC 5122 and the United States 6th Amendment.
- d. Disposition and elaboration around Plaintiff's list of question attached and incorporated herein as "Interrogatories 1"
2. The SVCMC has failed to provide the requested discovery through multiple trials including DR 20 382383, CV 22 969917, DV 22 391235, and this case itself despite Plaintiff's request for the same.

WHEREFORE, Plaintiff respectfully requests this Honorable Court enter an order compelling the SVCMC to provide the requested discovery within thirty (30) days of the date of this order.

Respectfully Submitted,

_____, Date: _____

William E. Horner
2899 Blue Ridge Drive
Morristown, TN 37814
(865) 322-9331
willamehorner@gmail.com
Plaintiff

State of _____

County of _____

William Easton Horner subscribed and sworn to (or affirmed) before me this _____ day of _____ in the year _____ of our Lord.

_____ (SEAL)

Signature of Notary Public

_____ Commission Expires

CERTIFICATE OF SERVICE

A soft copy of the foregoing **PLAINTIFF'S PETITION FOR DISCOVERY FROM SVCMC** was served upon Matthew P. Baringer attorney for Defendant SVCMC via email on _____ at his indicated email address mbaringer@davisyoung.com.

A soft copy of the foregoing **PLAINTIFF'S PETITION FOR DISCOVERY FROM SVCMC** was served upon Thomas W. Wright attorney for Defendant SVCMC via email on _____ at his indicated email address twright@davisyoung.com.

A hard copy of the foregoing **PLAINTIFF'S PETITION FOR DISCOVERY FROM SVCMC** was served upon Mr. Matthew Baringer and Mr. Thomas Wright, attorneys for SVCMC, via USPS mail on _____ at their indicated office address 35000 Chardon Rd. Suite 100, Willoughby Hills, OH 44094.

_____ (SEAL)

_____ (Date)

William Easton Horner

2899 Blue Ridge Drive Morristown, TN 37814

williamehorner@gmail.com

865.322.9331

Plaintiff, Pro Se

Interrogatories 1

In relation to statements made by opposing counsel in his "ANSWER OF DEFENDANT ST. VINCENT CHARITY MEDICAL CENTER" CV 22 971495:

1. What is the superseding and/or intervening cause indicated by Opposing counsel in Paragraph 4?
2. Who are the third parties being affirmatively stated in Paragraph 5 and what were their actions as described?
3. In paragraph 6, What "negligence/wrongful" conduct of Defendant is Opposing Counsel describing as "comparatively greater" than the negligence/wrongful conduct of SVCMC? Plaintiff was hauled out of his attorney's office during a pre-arranged appointment in a coat and tie, on a documented fraudulent probate order that is not on file with the Cuyahoga County Court of Common Pleas. Can counsel please explain in detail Plaintiff's negligence/wrongful conduct?
4. Same question for paragraph 7.
5. Defendant requests opposing counsel really lay it out for a 5th grader who just got done studying the US constitution Bill of Rights. How was Defendant's sole conduct/negligence responsible as described in paragraph 8?
6. Referencing paragraph 11, whom does SVCM affirmatively state proximately caused the injury and damage claimed by Plaintiff for which Plaintiff does not seek recovery?
7. Referencing paragraph 13, how? What fraudulent actions were taken by Plaintiff when he was hauled out of his attorney's office in a suit and tie without a warrant and for which all evidence of there being one with the court never existed?

In relation to opposing counsel's "SVCMC MOTION FOR IN PERSON STATUS CONFERENCE" filed by Mr.

Baringer:

8. Pg. 5 paragraph 1 of opposing counsel's argument *"Mr. Horner next alleges that SVCMC refused to provide him with an accurate and complete copy of his medical records in order for him to follow the instructions and obtain access to his children through his divorce proceedings. In support, Mr. Horner attached two pages as Exhibit C, but those pages are completely redacted."*

Yes, they are highly redacted at just two pages...those two pages were all that were released by SVCMC during the record release request at the start of Defendant's divorce proceedings. Can SVCMC produce the rest of the medical records for the five-day incarceration? If so, please do.

General Questions Not Related to a Specific Document:

9. In her testimony before Judge Jones and her Magistrate, Defendant Allison Stark testifies SVCMC contacted her in relation to Plaintiff's health and evaluation in direct violation of Plaintiff's explicitly stated instructions regarding his HIPAA protected medical information. This reconciles with Plaintiff's own memory where Dr. Kilbane said he, "called [Plaintiff's] wife and after speaking with her could no longer let [Plaintiff] leave, but instead was admitting him to psych ward floor." Did SVCMC contact Plaintiff's now ex-wife in direct violation of Plaintiff's instructions and HIPAA protections? If so, what specifically was discussed during the contact?
10. During a Freedom of Information request made by Plaintiff to Westlake Police Dept., Capt. Vogel provided a "Hospital Copy" of the probate warrant that is not on file with the courthouse. This same hospital copy had the words "Hospital Copy" handwritten across the top by the intake nurse in front of Plaintiff. How did Westlake Police get the hospital's copy of the probate warrant? Was it provided to the police by SVCMC or did SVCMC have a digital records security breach?

11. There is no copy of the probate warrant on file with the Cuyahoga County Court of Common Pleas. There is also no copy of the warrant on file with Westlake Police given their copy originated from SVCMC itself **AFTER** Plaintiff was already arrested. All evidence indicates the probate warrant itself **ORIGINATED** at SVCMC. Can SVCMC produce any metadata evidence to prove the warrant they have on file, which is not on file with the courthouse, is genuine and not simply a forgery generated by SVCMC itself? For example, an email from the CCCCPC stating something like, "SVCMC, please find attached the following probate warrant for a patient being brought in today by Westlake police?" (or something to that affect.) If so, please do.
12. What time did you receive the probate warrant for my involuntary hold into your facility?
13. Was the copy of the warrant signed by both the magistrate and the clerk?
14. Did Dr. Kilbane or any member of the SVCMC staff speak with Allison Stark (Horner) at any time during my involuntary hold?
15. Did Ms. Stark give SVCMC any knowledge about Plaintiff or Plaintiff's mental health prior to his involuntary hold?
16. What precisely changed Dr. Kilbane's decision to release Plaintiff after his initial assessment?
17. Did anyone from the FBI or any other government agency discuss Plaintiff's mental health with SVCMC staff?
18. Did SVCMC give a copy of Plaintiff's probate warrant to anyone that worked for RRPD, Westlake PD, the FBI or any other person outside of SVCMC staff?
19. What is proper protocol for an involuntary hold of a patient that is already established with a mental health professional at another location? For example, do you transfer them to another facility? Call their provider?
20. Are there currently any collections actions outstanding for monies billed by SVCMC for expenses associated with this probating? Did SVCMC bill Plaintiff's medical insurance?

21. Did Allison Stark disclose to your staff that she was in contact with Kathy Horner, that Kathy Horner had completed a weapons inventory with husband Dean Horner, that all weapons were accounted for, and that Kathy Horner both called Allison Stark and told her explicitly these facts as well as followed them up via text message as outlined in the text message logs provided to the court?

From: [Easton Horner](#)
To: [Matthew Baringer](#)
Cc: [Thom Wright](#); [Lisa Andrews](#); [Ryan Kun](#); [Alex Fath](#)
Subject: Re: CV 22 971495 Discovery Request
Date: Tuesday, May 9, 2023 11:32:01 AM
Attachments: [image001.png](#)

Mr Baringer,

I should probably also disclose to you that I am a duly sworn federal minuteman intelligence officer activated by Christopher Wray of the FBI to investigate corruption within the CCCCCP.

Should discovery not be provided in good faith, be advised I am fully authorized to crack the digital security of SVCMC and extract through Cyberforce those documents and evidence needed.

I don't want to do this, and won't as long as there is good faith communication and movement on getting discovery done between us. I have respect for SVCMCs digital systems.

However you can talk to Mr. Whitesell attorney of the Cleveland Clinic and ask him what happens to those who test these minuteman credentials and don't participate in good faith discovery. He can describe in detail the digital pains such extractions can you inflict.

Not making a threat, just making you fully aware of my minuteman credentials and my authorities should you decide not to comply with discovery in keeping with CCCCCP rules. It is my sincere hope we will be able to work together to arrive at the truth and such credentials and actions won't be needed.

Sincerely,
Easton Horner

On Tue, May 9, 2023, 11:05 AM Easton Horner <willamehorner@gmail.com> wrote:
Mr. Baringer,

"Posting" as in putting in the USPS.

Regarding how long you have to respond, this is simply a courtesy notice of the petition for discovery. I'm going to be filing with the Judge because you've been ignoring my requests for months now. You are correct, in Cuyahoga County I am not supposed to have to make such a petition, you are supposed to just do your job when asked. Alas, here we are.

Ms. Stark's questions and mirrored petition are attached.

Easton Horner

On Tue, May 9, 2023 at 10:58 AM Matthew Baringer <mbaringer@davisyoung.com> wrote:

I'm not sure what you mean by "posting" to the court. Discovery requests are not supposed to be filed with the court in Cuyahoga County. The rules govern how long I have to respond to them. I will respond to them per those rules, and will include any

objections I have. You also have to serve Ms. Stark's counsel with a copy of them (and serve me with any requests you made on her).

Matthew P. Baringer

Partner



Davis & Young

A Legal Professional Association

35000 Chardon Rd.

Suite 100

Willoughby Hills, OH 44094

(216) 348-1700 – Main

(216) 377-2708 – Direct

(216) 621-0602 – Fax

mbaringer@davisyoung.com

From: Easton Horner <willamehorner@gmail.com>

Sent: Tuesday, May 9, 2023 10:50 AM

To: Matthew Baringer <mbaringer@davisyoung.com>

Subject: CV 22 971495 Discovery Request

Good Morning Matt,

Please find attached the Discovery Petition I am going to be posting to the court tomorrow unless I receive written confirmation from you today that such a petition is not necessary because you are going to provide the requested items voluntarily in good faith.

Kind Regards,

Easton Horner

Attorney Pro Se

1 THE STATE OF OHIO,)
 2) SS: **BRENDAN SHEEHAN, J.**
 3 COUNTY OF CUYAHOGA.)

FILED

4 IN THE COURT OF COMMON PLEAS

2023 MAY 19 P 2:37

CIVIL DIVISION

CLERK OF COURTS
CUYAHOGA COUNTY

5 **CATHERINE M. STARK, et al.,**)

6 Plaintiff,)

7 -v-)

Case No.

CV-22-969917

8 **WILLIAM EASTON HORNER, et**)

9 al.,)

C/A: **N/A**

10 Defendants.)

11 - - - -

12 TRANSCRIPT OF PROCEEDINGS

13 - - - -

14 APPEARANCES:

15 **DANIEL GOURASH, ESQUIRE, and AMELIA LEONARD, ESQUIRE,**

16 on behalf of the Plaintiffs;

17 **WILLIAM EASTON HORNER, PRO SE.**

18
19
20
21
22
23
24 Lorraine J. Klodnick, RDR, CRR
25 Official Court Reporter
Cuyahoga County, Ohio

1 determination. The first assignment of error is
2 therefore overruled."

3 Did I read that correctly?

4 A. Yes.

5 Q. So what is your understanding of this order?

6 A. That the Court, the appeals court upheld the
7 divorce decree.

8 Q. Did it uphold the custody decree?

9 A. Yes.

10 Q. Did you ever kidnap your children?

11 A. No.

12 Q. Did Cathy Stark ever kidnap your children?

13 A. No.

14 Q. Has Mr. Horner sought to appeal with the Ohio
15 Supreme Court the divorce decree?

16 A. Yes.

17 Q. If you turn to Exhibit M as in Michael,
18 please. Have you seen this before?

19 A. Yes.

20 Q. What is it?

21 A. This is an appeal, a memorandum in support of
22 jurisdiction of Appellant William Easton Horner. I
23 believe this is the appeal to the Supreme Court of
24 Ohio, yes.

25 Q. If you turn to the 10th page of this, this

1 investigated by the FDA for any of those charges?

2 A. No.

3 Q. If you look down to the line 6, it says, "Top
4 dog confirms admission of guilt by Cathy Stark
5 regarding fraudulent claims to police." Do you see
6 that?

7 A. Yes, I do.

8 Q. Are you aware whether Cathy Stark ever
9 admitted guilt of fraudulent claims to the police?

10 A. She has not, no.

11 Q. Now, turning to Exhibit Q, please. Have you
12 seen this before?

13 A. Yes.

14 Q. What is this?

15 A. This is another printout from Mr. Horner's
16 website titled Wrongful Persecutions and Derelictions
17 of Duty By Police.

18 Q. Is this on the web site?

19 A. Yes, it is.

20 Q. How did you obtain it?

21 A. This was downloaded.

22 Q. Are the links live reflected in here?

23 A. Yes, they are.

24 Q. This is a true and accurate copy of what
25 appears on the Internet?

1 A. Yes.

2 Q. If you would look at the second line
3 referencing his apartment in Rocky River, do you see
4 that?

5 A. Yes.

6 Q. Under Summary. "Entrapment incident. RRPD
7 fabricates narcotics evidence and objection from the
8 FES process to deny father access to his children in
9 conspiracy with Allison and Cathy Stark." Do you see
10 that?

11 A. Yes, I do.

12 Q. Did you or Cathy Stark ever conspire to
13 fabricate narcotics evidence?

14 A. No, we have not.

15 Q. If you would look at the last line here
16 dealing with Rocky River, under the summary, it says,
17 "RRPD inciting fear about father stealing guns while
18 at the same time they fail to make an arrest of
19 Allison Stark, mother, who admits on police video to
20 stealing father's .32 caliber KelTec pistol." Do you
21 see that?

22 A. Yes, I do.

23 Q. Did you ever admit to stealing Mr. Horner's
24 .32 caliber KelTec pistol?

25 A. No.

1 THE COURT: Sorry,
2 Mr. Horner, did you not hear that?

3 MR. HORNER: Well, so she's
4 saying she never admitted to stealing it. Did
5 she ever steel it?

6 THE COURT: You'll get a
7 chance to cross-examine her.

8 MR. HORNER: Oh, okay. Just
9 stick a pin on it.

10 BY MR. GOURASH:

11 Q. Turning to Exhibit R, have you seen this
12 before?

13 A. Yes.

14 Q. What is it?

15 A. This is a page from Mr. Horner's website. The
16 following communications have been sent to all 535
17 members of the U.S. Congress and this is -- let me
18 see. This is a true and accurate copy of what is
19 currently posted on the Internet and the links are
20 live.

21 Q. If you would look at Exhibit S, please.

22 A. Yes.

23 Q. What is this?

24 A. This is a copy of the PDF that is listed in
25 Exhibit R and this is Mr. Horner's letter that he

1 sent to all the members of the Congress.

2 Q. Okay. In this letter, it indicates that
3 Mr. -- FBI Directory Wray is waging an act of cyber
4 terrorism operation against US citizens in exchange
5 for valuable consideration. Do you see that?

6 A. Yes, I do.

7 Q. Have you or Cathy Stark participated with
8 Directory Wray in any act of cyber terrorism
9 operations against US citizens?

10 A. No.

11 Q. Under the first bullet point it says, "In the
12 past two years, Directory Wray and his team have:
13 Fabricated evidence in Cuyahoga Probate Court to have
14 me illegally incarcerated in a mental institution on
15 a bogus probate warrant. They did this in collusion
16 with my ex-wife to paint me as a crazy person and
17 alienate me from my children." Do you see that?

18 A. Yes, I do.

19 Q. Did you ever fabricate evidence to have
20 Mr. Horner incarcerated on a bogus probate warrant?

21 A. No.

22 Q. Did you ever collude with the FBI to fabricate
23 evidence?

24 A. No.

25 Q. Has your mother, Cathy Stark, ever colluded

1 with the FBI to fabricate evidence?

2 A. No.

3 Q. Now, did there come a time when Mr. Horner was
4 in fact probated?

5 A. Yes.

6 Q. Can you tell the Court what happened?

7 A. After our separation in August of 2020, I
8 sought to have Mr. Horner probated for mental health
9 concerns. Before this point Mr. Horner had been
10 behaving in a way that made me very scared that he
11 was a risk to himself and his safety.

12 Mr. Horner had told me of mental health
13 concerns early on in our marriage and that included
14 suicidal thoughts and ideations and at that time his
15 behavior had been very concerning and I believed that
16 he would attempt to commit suicide given everything
17 in our marriage was not great at the time.

18 So I sought to have him probated in order to
19 ensure that he did not hurt himself after our
20 separation.

21 Q. Did you make any false statements in
22 connection with that probate effort?

23 A. No, I did not.

24 Q. At the bottom of Plaintiff's Exhibit F, it
25 says, "Hundreds of pages of documentation evidence

1 Q. Okay. And are your children identified by
2 name in this?

3 A. Yes, they are.

4 Q. This is [REDACTED] and [REDACTED] Trust Fund Repost2?

5 A. Yes.

6 Q. Directing your attention down to the center of
7 the page, it says, "On August 14, 2020, my ex-wife,
8 Allison Stark, kidnapped our children in the middle
9 of the night. For the past 742 days, she has been
10 working with corrupted government agents, including
11 director of the FBI, Christopher Wray, to
12 fabricate/obfuscate evidence to deny me access to my
13 children in the courts." Do you see that?

14 A. Yes.

15 Q. Did you ever kidnap your children?

16 A. No.

17 Q. Did you ever work with corrupted government
18 agents?

19 A. No.

20 Q. Did you ever fabricate or obfuscate evidence
21 to deny Mr. Horner access to your children?

22 A. No.

23 Q. The Domestic Relations Court of Common Pleas
24 of Cuyahoga County did that, is that right?

25 A. I'm sorry?

1 A. This one is titled "A big thank you to all who
2 are helping support Rights4Fathers.com. We saw a
3 0.25 terabyte month in August. That's the equivalent
4 of watching the..." And it says "Posted by
5 Easton Horner."

6 Q. There's a third link on that. Can you tell me
7 what that is?

8 A. This one is titled, "In the following sworn
9 statement, Allison Stark commits the same perjuries
10 she used to assassinate my character and blackball me
11 during our divorce..." "Shared by Easton Horner."

12 Q. Those are all links on LinkedIn to other
13 areas, is that correct?

14 A. Yes.

15 Q. Did you ever commit perjury?

16 A. No.

17 Q. Turn to the next page, page 3. There's a
18 reference to him being president of E Analytics, LLC.
19 What is E Analytics, LLC?

20 A. That is the name of the business that
21 Mr. Horner and I co-founded.

22 Q. If you turn to the page at the bottom
23 right-hand, it says 6 of 8, there are links on the
24 E Analytics page posted by Mr. Horner.

25 A. These, yes.

1 a post, it says, "Say hello to the FBI running
2 illegal cyber terrorism operations against me just
3 six doors down from my house in collusion with my
4 ex-wife, Allison Stark." Do you see that?

5 A. Yes.

6 Q. There's a link there to a video of Mr. Horner?

7 A. Yes.

8 Q. Have you ever been involved with running
9 illegal cyber terrorism in connection with the FBI?

10 A. No.

11 Q. Is that a false statement?

12 A. That's a false statement.

13 Q. Turn to Exhibit V, please.

14 Let me ask you this. When Mr. Horner posts on
15 LinkedIn, are you aware whether it gets published to
16 everyone on his network?

17 A. It appears that it does, yes.

18 Q. And have you received e-mails from people who
19 are within his network including posts that
20 Mr. Horner made?

21 A. Yes.

22 Q. If you turn to Exhibit Z, please. Do you have
23 that in front of you?

24 A. Yes, I do.

25 Q. What is that?

1 A. I corrected Mr. Gourash and said that this
2 says August 16th, 2022, and it lists 79 views.

3 Q. Okay. Now, does this post show the body cam?

4 A. Yes.

5 Q. So if you click on the link, the body cam of
6 the Rocky River police shows up?

7 A. Yes.

8 Q. Now, have you ever fabricated evidence?

9 A. No.

10 Q. Has your mother Cathy Stark ever fabricated
11 evidence?

12 A. No.

13 Q. In this document it indicates that "Since
14 August 14, 2020, my ex-wife, Allison Stark, and
15 mother, Cathy Stark, have been working with corrupted
16 law enforcement officers at Rocky River Police
17 Department (RRPD) to fabricate drug evidence against,
18 to use this evidence denying access to my children in
19 the domestic relations court." Did I read that
20 correctly?

21 A. Yes.

22 Q. Was that a false statement?

23 A. Yes, that is false.

24 Q. Now, let me ask you to turn to Exhibit Y. Do
25 you have that in front of you?

1 A. Yes.

2 Q. What is this?

3 A. This is an e-mail to me and my mother from
4 Karla [REDACTED] from Sunday, August 14th, 2022.

5 Q. Is this a true and accurate copy?

6 A. Yes.

7 Q. Who is Karla [REDACTED]?

8 A. She is [REDACTED].

9 Q. Okay. It indicates, "I received the e-mail
10 below from Easton Horner today. He appears to be
11 quite disturbed. Both links will connect you to a
12 GoFundMe link he created yesterday stating it is for
13 a trust with photos of both the children. He is
14 extremely unstable. I do encourage you both to get a
15 restraining order from him before he does something
16 unforgivable to either one of you."

17 A. Yes.

18 Q. Below in the e-mail chain is an e-mail from
19 Easton Horner that was forwarded to you by
20 Karla [REDACTED], is that right?

21 A. Yes.

22 Q. In that e-mail does it state, "On August 14,
23 2020, my ex-wife, Allison Stark, kidnapped our
24 children in the middle of the night. For the past
25 730 days she has been working with corrupted

1 government agents, including director of FBI
2 Christopher Wray, to fabricate/obfuscate evidence to
3 deny me access to my children in the courts." Do you
4 see that?

5 A. Yes.

6 Q. Is that a false statement?

7 A. That is a false statement.

8 Q. Below on that e-mail he alludes to a YouTube
9 account. Do you see that?

10 A. Yes.

11 Q. He also refers to Rights4Fathers website?

12 A. Yes.

13 Q. If you turn the page, there's a series of
14 screenshots. Do you see that?

15 A. Yes.

16 Q. Are those additional links?

17 A. I believe so.

18 Q. If you look at the last page, is there a
19 screenshot of a GoFundMe page we looked at earlier?

20 A. Yes.

21 Q. Within this same exhibit if you turn the page,
22 there's another e-mail from Kathryn [REDACTED]?

23 A. Yes.

24 Q. Dated Monday August 15, 2022?

25 A. Yes.

1 (Video played for Court and the
2 defendant.)

3 - - - - -

4 BY MR. GOURASH:

5 Q. Do you recognize the person in that video?

6 A. Yes.

7 Q. Who is it?

8 A. That is William Easton Horner.

9 Q. In that video, did he accuse you and your
10 mother of kidnapping your children?

11 A. Yes.

12 Q. Did he accuse you of stealing your children?

13 A. Yes.

14 Q. Did he accuse you of fabricating evidence?

15 A. Yes.

16 Q. Did he accuse you of perjury?

17 A. Yes.

18 Q. Are all of those statements false?

19 A. That is correct, they are all false.

20 Q. Miss Stark, I'd like to change subjects now,
21 talk to you a little bit about how these false
22 statements have impacted you.

23 What impact have these false statements had on
24 you?

25 A. It's immeasurable at this point. It's really

1 been large and unsettling. This has impacted my
2 work, my family relationships, my friendships, my
3 personal life, mental health, my physical well-being.
4 It's hard to list all of the ways that this has
5 impacted me because it is constant and ever present.

6 We live in fear of Mr. Horner. I am
7 consistently scared to hear what new things are
8 happening. We've had to seek a restraining order and
9 I have entirely too many relationships with police
10 officers and things like that now. It's all very
11 unsettling. It's impacting every aspect of my life.

12 Q. What impact, if any, has it had on your
13 relationship with your employer?

14 A. So it's had a pretty big impact. I have
15 had -- I attempted to not let it impact work, but
16 unfortunately it's become ever present and I've
17 needed to take time off of work to deal with this
18 situation.

19 So I was up for a promotion at the time that
20 Mr. Horner began this smear campaign and I have not
21 been able to secure that promotion at this time due
22 to everything that is going on with this.

23 I have had to inform coworkers, my supervisor,
24 HR, legal department, the police, the -- my employer
25 has their own police force. And it's impacted people

1 outside of that as well.

2 I have coworkers that I don't -- I mean, it's
3 a large department, I don't really know them, and at
4 one point I had to discuss this situation with [REDACTED]
5 [REDACTED] police in the office. That was the
6 only place that I was able to do it. And I had 10 to
7 20 coworkers witness this even though we were in a
8 private room. And then I had people come up to me
9 afterwards asking me what was going on. They were --
10 yeah, it's very unsettling. It's very difficult.

11 Q. What impact, if any, has the false statements
12 had on your relationship with your neighbors?

13 A. Our neighbors are, frankly, very concerned for
14 our safety. They are also very concerned for their
15 own safety. We've -- my family has lived in the same
16 neighborhood since I was a young child, so we know
17 just about everyone in the vicinity and Mr. Horner
18 has sent mail to all of them and it's -- they view
19 that as he knows where we live, he knows we're near
20 you, and they are actively distancing themselves from
21 us.

22 There are -- we've had neighbors stop by, ask
23 us how we are, ask us if we're safe, and then they
24 ask questions about Mr. Horner's whereabouts, whether
25 or not we're making sure he stays away from us,

1 whether or not he ever comes to the neighborhood.
2 Does he have any weapons, does he see the children at
3 all, are the kids' schools aware --

4 THE COURT: Dan, I have
5 to -- come on, this is defamation now. I
6 appreciate how this has affected her in regard
7 to the neighborhood, but let's keep it focused
8 here, all right?

9 MR. GOURASH: Thank you, Your
10 Honor. I'll pass the witness.

11 THE COURT: Okay.

12 Mr. Horner, you can ask and inquire
13 to the witness.

14 MR. HORNER: I guess the
15 first place I'd like to start, they've done a
16 very good job documenting what I've written,
17 Your Honor. I don't deny things I've written
18 or published, Your Honor. I'm still waiting
19 to hear evidence of falsehood, however, other
20 than Miss Stark's own testimony. I'm waiting
21 for like this evidence actually.

22 THE COURT: Here, you can
23 cross. You're not arguing to me right now,
24 William. You're asking questions of the
25 witness. Anything about what you wish --

1 A. All right. Yes.

2 Q. Let's see it.

3 MR. GOURASH: We put that
4 evidence on, Your Honor.

5 Q. Point it out to me.

6 A. Well, our -- you want evidence that I did not
7 perjure myself?

8 Q. Let's start with this. You say that you like
9 never fabricated drug evidence against me. You and
10 your mother have never fabricated drug evidence
11 against me, correct?

12 A. Correct.

13 MR. HORNER: Your Honor, have
14 you watched the Rocky River police video on
15 YouTube that she has a problem with? Your
16 Honor, have you watched it? If you watch it,
17 you'll like see her, like her mother talks
18 about a couple thousand grams of weed, like
19 four and a half pounds. Your Honor, that's
20 Tier II drug trafficking. Talks about it
21 right there. All made up, going to be given
22 to Melissa Seagro. It's right there on video.
23 You can watch it.

24 She says she's never perjured
25 herself. She has done it right here in these

1 chambers, Your Honor. I've been dealing with
2 this for two years.

3 Like, sir, my time is just as
4 valuable as hers. I'm sorry she's having
5 problems at work with the truth, but like
6 she's done some bad stuff, Your Honor. So
7 like I don't know what to say. I'm sorry.

8 She has no evidence to actually point
9 to, like no physical --

10 THE WITNESS: Mr. Horner, no.
11 I'm sorry. What you have said is demonstrably
12 false.

13 MR. HORNER: It is? Okay --

14 THE WITNESS: My mother did
15 not perjure herself and nor did I. We have
16 never been -- excuse me, we have never been
17 convicted -- that all of your motions that you
18 submitted accusing people of perjury, have
19 been denied. That is demonstrably false.
20 Also, if you -- excuse me, I'm speaking. If
21 you listen --

22 MR. HORNER: Your Honor, I
23 have no more questions for this witness.
24 We're done. Thank you. I don't need any more
25 from her. We're done. Thank you.