

John Lamb
(your name)
1627 West Main St, STE 101
(your street address)
Bozeman MT 59715
(city, state, zip code)
406-548-1622
(your phone number)
Petitioner Pro Se

GALLATIN COUNTY CLERK
OF DISTRICT COURT
JENNIFER SPANUTH

2010 FEB 21 PM 4:04

FILED

BY: [Signature] DEPUTY

MONTANA 18th JUDICIAL DISTRICT COURT,
(number of district in which your county is located)
Gallatin COUNTY
(name of your county)

John Lamb

Petitioner,

vs.

Shari Douale Peter Santilli
Redoubt News Guerrilla media
networks
SBN News Respondent.

Cause No. DV 18-196B

PETITION FOR Injunctive Relief
Including Temporary
Restraining ORDER

COMES NOW the Petitioner, John Lamb and respectfully requests that this Court

_____ . The Petitioner states the following information, with supporting information attached to this petition:

1. Attached: Injunctive Relief Including
Temporary Restraining Order.

2. _____

1

3. _____

4. _____

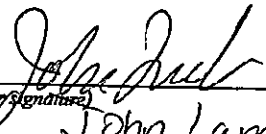
5. _____

THEREFORE the Petitioner respectfully asks this court to

1. See Attached letter bottom Paragraph A. AND B.

2. _____

3. _____


(Your signature)
John Lamb
(Print your name)
2-21-2018
(Date)

State of Montana

County of Gallatin)
: ss

John Lamb, being first duly sworn, upon oath, deposes and says as follows:
I am the Petitioner in the foregoing Petition. I have read the foregoing Petition and the facts of the matter contained herein are true, correct and complete to the best of my knowledge and belief.

[Signature]
Petitioner

Signed and sworn to (or affirmed) before me this 21 day of February, 2018.

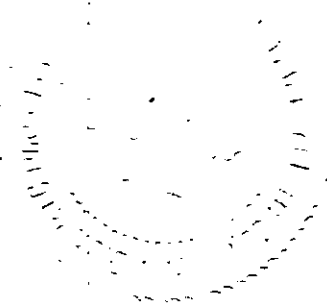
[Signature]
(Signature of notary)

Tamara Taylor
(Printed name of notary public)

Notary public for the state of Montana

Residing at: Belgrade

My commission expires: NA



APPLICATION FOR INJUNCTIVE RELIEF INCLUDING TEMPORARY RESTRAINING ORDER

COMES NOW, the Plaintiff, John Lamb, and hereby applies for injunctive relief prohibiting Redoubt News, aka Shari ~~Dove~~ ^{Dovale}, Guerilla media Networks, ~~SBN~~ News aka Peter Santilli, including, but not limited to, from uploading, editing, distorting or monetizing plaintiffs copyrighted exclusive interview on or about 2/10/2018

Plaintiff requests the following:

- a. That a restraining order be granted under 27-19-314, MCA, without notice to said Defendants as permitted under 27-19-315, MCA; and
- b. That a hearing be scheduled on Plaintiff's application for a preliminary injunction.

BRIEF IN SUPPORT OF APPLICATION

1. Plaintiff is a Montana resident, with place of business located in Bozeman, Gallatin county, Montana.
2. Upon information and belief, Defendants Redoubt News, aka Shari Dovale; Guerilla media Networks, ~~SBN~~ News, aka Peter Santilli, took without rights, videos that Plaintiff holds copyright to, uploaded Plaintiff's exclusive interview to their own YouTube, and Facebook channels, with edited, and distorted version of Plaintiff's copyrighted video as their own.

Plaintiff is entitled to a temporary restraining order under 27-19-314, MCA.

Notice should not be required, as permitted under 27-19-315, because:

- a. Defendant's on-going continued violations of my copyrighted infringement, will cause irreparable harm and damage to the Plaintiff.
- b. Plaintiff believes that unless immediately enjoined, Defendants will continue to attempt to upload Plaintiff's copyrighted video as their own on YouTube and Facebook.

Plaintiff requests the following:

- a. Temporary restraining order be issued rejoining Defendant's Redoubt News, aka Shari Dovale; Guerilla media Networks, ~~SBN~~ News, aka Peter Santilli, or any or their agents, representatives, or John Doe from using or attempting to use my videos on YouTube or Facebook until further order of this court, and
- b. A hearing be scheduled on this application for injunction, as soon as the court deems practical.

SEE Attached Exhibits A, B, C,

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

From: "Facebook" <case++aazribcua2mn5n@support.facebook.com>
Date: Feb 13, 2018 1:51 PM
Subject: Copyright Report Form #1997140623943069
To: <johnlamb72.jl@gmail.com>
Cc:

Hi John,

Hi, We are contacting you because we have received a counter-notification claiming that content we removed or disabled at your request was removed or disabled as a result of mistake or misidentification. The information provided to us by the person who submitted the counter-notification is included below.

Under the counter-notification process described in section 512(g)(2) of the Digital Millennium Copyright Act ("DMCA"), we will restore or cease disabling access to the removed or disabled material unless you notify us within 10 business days that you have filed an action seeking a court order to restrain the reported party from engaging in infringing activity on Facebook related to the material in question.

No response to this email is required unless you have filed an action as described above and wish to provide us with notice of the action (preferably, along with a copy of your filed complaint), either by replying to this email or by sending it to our designated agent at the address listed below. Please note that you will likely receive a faster response by replying to this email with notice of the action.

Facebook, Inc.
Attn: Facebook Designated Agent
1601 Willow Road
Menlo Park, California 94025
650.543.4800 (phone)
jp@fb.com

DMCA COUNTER-NOTIFICATION:

Name:
Peter T. Santilli

Mailing Address:
1915 Mears Avenue
Cincinnati, Ohio 45230

Telephone:
8287386588

Email:
bunker@thepetesantillishow.com

Please provide URL(s)/description leading to where the content appeared on Facebook:
<https://www.facebook.com/petesantillinews/videos/1379645205480005/>

Exhibit C

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

From: "YouTube" <copyright@youtube.com>

Date: Feb 19, 2018 5:25 PM

Subject: Re: [5-4196000021080] New Copyright Counter-Notification

To: <lambbo72@gmail.com>

Cc:

We received the attached counter notification in response to a complaint you filed with us. We're providing you with the counter notification and await evidence (in not more than 10 business days) that you've filed an action seeking a court order against the counter notifier to restrain the allegedly infringing activity. In most cases, such evidence would include a lawsuit against the uploader who filed the counter notification, which names the specific YouTube URL(s) at issue.

If we don't receive notice from you, we may reinstate the material to YouTube.

If you have any questions, please contact copyright@youtube.com.

Counter-Notification as follows:

Videos included in counter-notification:

- <http://www.youtube.com/watch?v=PmgtMpE7uYM>

Display name of uploader: Redoubt News

Shari Dovale

PO Box 1090

Priest River, ID 83856

editor@redoubtnews.com

208-597-4900

Re: <https://www.youtube.com/watch?v=PmgtMpE7uYM&feature=youtu.be>

EXHIBIT B

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

From: "YouTube Copyright" <youtube-disputes+2ys7ntf56b9nh07@google.com>
 Date: Feb 19, 2018 4:05 AM
 Subject: YouTube Copyright Complaint Submission
 To: <johnlambblastfreeman@gmail.com>
 Cc: <johnlamb72jl@gmail.com>

Hi johnlambblastfreeman@gmail.com,

Thank you very much for your notification. The content has been removed.

- The YouTube Team

Here is the information you filled in:

Copyright Owner Name (Company Name if applicable): John Lamb

Your Full Legal Name (Aliases, usernames or initials not accepted): John Lamb

Your Title or Job Position (What is your authority to make this complaint?): owner

Address:

1627 W Main St

Bozeman, MT 59715

US

Username: johnlambblastfreeman@gmail.com

Email Address: johnlambblastfreeman@gmail.com

Secondary Email Address: johnlamb72.jl@gmail.com

Phone: 4065381622

URL of allegedly infringing video to be removed: <http://www.youtube.com/watch?v=SrWmlmydeoA>

Describe the work allegedly infringed: My video (not from YouTube)

- o Title of original video: lavoy finicum
- o Link to video: <https://www.facebook.com/john.lamb.16121/videos/vb.100004007782851/1207815799362001/?type=3>
- o Where does the content appear? Entire video

Country where copyright applies: US

I state UNDER PENALTY OF PERJURY that:

- I am the owner, or an agent authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.
- I have a good faith belief that the use of the material in the manner complained of is not authorized by the copyright owner, its agent, or the law; and
- This notification is accurate.
- I acknowledge that under Section 512(f) of the DMCA any person who knowingly materially misrepresents that material or activity is infringing may be subject to liability for damages.
- I understand that abuse of this tool will result in termination of my YouTube account.

Authorized Signature: John Lamb

Help center • Email options

©2018 YouTube. LLC 901 Cherry Ave, San Bruno, CA 94066, USA

Exhibit A

2018 FEB 23 AM 11:28

FILED

MONTANA EIGHTEENTH JUDICIAL DISTRICT, GALLATIN COUNTY

BY _____ MCJ DEPUTY

JOHN LAMB,)	Cause No. DV-18-196B
)	
Plaintiff,)	
vs.)	
)	ORDER DENYING TEMPORARY
PETER SANTILLI, GUERILLA)	RESTRAINING ORDER
MEDIA NETWORKS, SBN NEWS,)	
SHARI DOVALE AND REDOUBT)	
NEWS)	
)	
Defendants.)	

On February 21, 2018, Plaintiff filed an Application for Injunctive Relief Including Temporary Restraining Order, against Defendant. Plaintiff seeks a Temporary Restraining Order requiring Defendants to refrain from "uploading, editing, distorting or monetizing plaintiff's copyrighted exclusive interview on or about 2/10.18." In support of Plaintiff's request for an ex parte temporary restraining order, Plaintiff alleges irreparable injuries based on Defendants' alleged copyright infringement.

Section 27-19-315, MCA, provides that a temporary restraining order may be granted ex parte without notice to the adverse party or the party's attorney only if:

- (1) it clearly appears from specific facts shown by affidavit or by the verified complaint that a delay would cause immediate and

irreparable injury to the applicant before the adverse party or the party's attorney could be heard in opposition; and

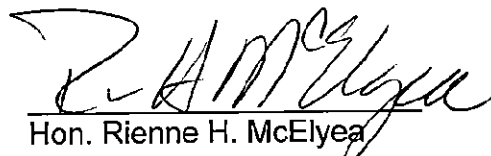
(2) the applicant or the applicant's attorney certifies to the court in writing the efforts, if any, that have been made to give notice and the reasons supporting the applicant's claim that notice should not be required.

Upon review of Plaintiff's Application, along with the attached exhibits, the Court concludes the allegations included in the Application do not provide sufficiently specific facts to support a determination that a delay in granting the relief requested would cause immediate and irreparable injury to Plaintiff before the adverse party can be heard in opposition. Therefore, the Court will require Plaintiff to serve Defendants with the Application for Injunctive Relief Including Temporary Restraining Order pursuant to Rule 4, M.R.Civ.P and allow Defendants an opportunity to respond prior to setting a hearing on the request for preliminary injunction.

IT IS HEREBY ORDERED as follows:

1) Plaintiff's Application for a Temporary Restraining Order is **DENIED**.

Dated this 23 day of February, 2018


Hon. Rienne H. McElyea
District Judge

c: John Lamb - mailed 2/23/18

From Montana Code Annotated (MCA):

27-19-315. When restraining order may be granted without notice. A temporary restraining order may be granted without written or oral notice to the adverse party or the party's attorney only if:

(1) it clearly appears from specific facts shown by affidavit or by the verified complaint that a delay would cause immediate and irreparable injury to the applicant before the adverse party or the party's attorney could be heard in opposition; and

(2) the applicant or the applicant's attorney certifies to the court in writing the efforts, if any, that have been made to give notice and the reasons supporting the applicant's claim that notice should not be required.

Digital Millennium Copyright Act (DMCA)

<https://www.copyright.gov/policy/section512/>

Section 512(f) provides that:

"Any person who knowingly materially misrepresents under [17 U.S.C. § 512] that material or activity is infringing ... shall be liable for any damages, including costs and attorneys' fees, incurred by the alleged infringer...who is injured by such misrepresentation, as the result of the service provider relying upon such misrepresentation in removing or disabling access to the material or activity claimed to be infringing..."

17 U.S.C. § 512(f).

2018 FEB 21 PM 4:04

FILED

BY [Signature] DEPUTY

John Lamb
Your name
1627 West main St STE 101
Your mailing address
Bozeman MT 59715
City State Zip
406 548 1622
Your phone number

Montana 18th Judicial District Court
Number of the judicial district where you are filing

Gallatin County
Name of the county where you are filing

John Lamb
Plaintiff
vs
Shari DOVALE
Redoubt News
Defendant

Cause No. DV 18-116B

CERTIFICATE OF SERVICE

I, John Lamb, swear (or affirm) under oath that:
(print your name)

I served a copy of the attached Application for Injunctive Relief Including Temporary Restraining Order
(name of each of the documents that you filed in Court)

upon _____
(name of the opposing party)

on 21st day of Feb., 2018,
(date) (month) (year)

by

mailing a true and correct copy with postage prepaid and addressed as follows:

Shari Douale
(opposing party's name or name of opposing party's attorney, if he/she has one)

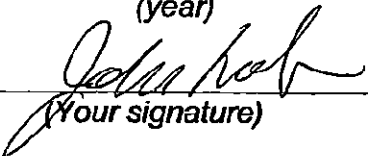
P.O. Box 1090
(opposing party's mailing address or mailing address of his/her attorney)

Pejest River Id. 83856
(city, state, zip code)

hand delivering a true and correct copy to:

(opposing party's name or name of opposing party's attorney, if he/she has one)

DATED this 21st day of Feb, 2018
(date) (month) (year)


(Your signature)

John Lamb

Your name
1627 West main St STE 101

Your mailing address
Bozeman MT 59715

City State Zip
406 548 1622

Your phone number

GALLATIN COUNTY CLERK
OF DISTRICT COURT
JENNIFER BRADY

2018 FEB 21 PM 4:04

FILED

BY JP DEPUTY

Montana 18th Judicial District Court
Number of the judicial district where you are filing

Gallatin County
Name of the county where you are filing

John Lamb

Plaintiff

vs Peter Santilli
Guerilla media networks
SBN NEWS

Defendant

Cause No. DV 18-196B

CERTIFICATE OF SERVICE

I, John Lamb, swear (or affirm) under oath that:
(print your name)

I served a copy of the attached Application for Injunctive Relief Including Temporary Restraining ORDER
(name of each of the documents that you filed in Court)

upon _____
(name of the opposing party)

on 21st day of Feb., 2018
(date) (month) (year)

by

mailing a true and correct copy with postage prepaid and addressed as follows:

Peter Santilli
(opposing party's name or name of opposing party's attorney, if he/she has one)

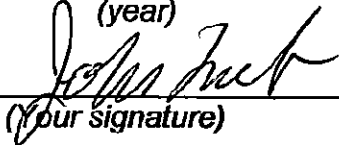
1915 MEARS AVE
(opposing party's mailing address or mailing address of his/her attorney)

Cincinnati Ohio 45230
(city, state, zip code)

hand delivering a true and correct copy to:

(opposing party's name or name of opposing party's attorney, if he/she has one)

DATED this 21st day of Feb., 2018.
(date) (month) (year)


(your signature)