

WILLIAM A. BOOTHE, M.D., and
WILLIAM A. BOOTHE, M.D., P.A.,

Plaintiffs,

v.

DAN MORIKAWA and BRENT HANSON,

Defendants.

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IN THE DISTRICT COURT OF

COLLIN COUNTY, TEXAS

219th JUDICIAL DISTRICT

DEFENDANT'S MOTION FOR ORDER TO HOLD WILLIAM BOOTHE'S THIRD PARTY SPOKESMAN, GLENN HAGELE, IN CONTEMPT OF COURT AND TO HOLD DOMINIC MORGAN, OWNER OF LASIKSUCKS4U.COM, IN CONTEMPT OF COURT

TO THE HONORABLE COURT:

Defendant Brent Hanson hereby moves this Court to hold Plaintiff's spokesman, Glenn Hagele ("Hagele") in contempt of court, and to hold Dominic Morgan ("Morgan"), owner of LasikSucks4u.com in contempt of court.

I. Procedural History

On January 28, 2005, Plaintiff and Defendant entered into a Settlement Agreement ("1st settlement agreement").

On February 2, 2005, Court entered an Agreed Judgment and Permanent Injunction in the above-entitled and numbered cause ("1st injunction").

On March 4, 2005, Plaintiff and Defendant entered into an Amended Settlement Agreement ("2nd settlement agreement").¹

On March 4, 2005, Court entered an Amended Agreed Judgment and Permanent Injunction in the above-entitled and numbered cause ("2nd injunction").

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Exhibit 1
COLLIN COUNTY, TEXAS

On June 27, 2005, the Court entered an Agreed Judgment of Contempt and Order of Commitment (“3rd injunction”).

II. Documents Suppressed from the Court Docket

On June 25, 2005, Defendant provided a copy of *Defendant’s Response to Plaintiff’s Motion for Ancillary Relief in Enforcement of Judgment*² to Plaintiff’s Attorney, Steven Malin. The documents described Plaintiff’s covert campaign to drive 26 of his competing ophthalmologists in North Texas out of business by secretly publishing derogatory information about them at the third party web site LasikInfocenter.net, Plaintiff’s own web site at Lasik-Eyesurgery-Lawsuits.com, and the guest book at Defendant’s LasikQuack.com.

On June 27, 2005 at the Collin County Courthouse, the Plaintiff’s attorneys offered to negotiate the 3rd injunction in exchange for the destruction of the documents that Defendant planned to file in court. During the course of the negotiations, Defendant notified Plaintiff’s attorneys that Defendant could not destroy all copies of the documents, as the Defendant had already delivered copies to various web site operators, ophthalmologists in North Texas, and members of the media on June 25, 2005.

On June 27, 2005 at the Collin County Courthouse, Plaintiff’s attorneys, Steven Malin, Alan Raul, and Edward McNicholas, negotiated the language of the 3rd injunction with Defendant, with full knowledge that the documents had already been distributed.

The 3rd injunction required in part that:

*all web site administrations, [sic] search engines, UseNet Groups, computer message boards, webhosting companies, e-mail service providers, electronic currency companies, and other providers of electronic communications services or remote computing services and expressly including Google, Inc., DSLReports.com, BroadbandReports.com, and Yahoo!, and their respective corporate affiliates, shall remove all links to LasikQuack.com.*³

² Document is not attached as an exhibit, as this would open Defendant to a possible counter-claim from Plaintiff’s attorneys alleging that Defendant failed to destroy document as required by the 3rd injunction. The document has been republished at LasikSucks4u.com as is described further in this motion.

³ Page 5.

The domain name LasikQuack.com is currently owned by Plaintiff and registered through Plaintiff's advertising agency, Miller Public Relations.

Defendant destroyed the copies of the documents in his own possession, but was unable to destroy the copies that were already distributed to web site operators, ophthalmologists in North Texas, and members of the media on June 25, 2005.

III. Public Silence is Required for Plaintiff and Defendant by Injunctions and Settlement Agreement

The 2nd injunction that was signed by the Plaintiff and Defendant on March 4, 2005 required in part that:

Plaintiffs and Defendant, and their agents, and anyone acting in concert with them are enjoined and prohibited from making any comment, statement, assertion, claim, allegation, mention, or other communication whatsoever – in any medium, context or forum – regarding or referring to the other party in this proceeding, directly or indirectly, other than in the context of proceedings before governmental authorities.⁴

The 2nd settlement agreement, which was signed by the Plaintiff and Defendant on March 4, 2005, required in part that:

Neither Mr. Hanson nor Dr. Boothe, nor their agents, attorneys, or anyone acting at their direction or in concert with them, shall make any statement, assertion, claim or other communication (in any form, verbally, in writing, electronically or otherwise) about the other in any forum whatsoever, including but by not way of limitation in e-mails, on websites, in chat rooms, news groups, message boards, etc. This prohibition shall be interpreted as broadly as is allowed by law and shall include but not be limited to any statement, assertion, claim or other communication regarding this Agreement, the Collin County Action, or any other statement, comment, or any communication of any kind whatsoever about the other party, the other party's websites or his attorneys including Dr. Boothe's Attorneys or Mr. Hanson's Attorney.⁵

and

neither party shall incite, contribute to, assist, support, aid or encourage any

⁴ Section B.

⁵ Section I.

*media cover[age] of the other. Any request for comment about the other party or this agreement shall be answered only with the words "I cannot speak about that subject" or "No comment."*⁶

and

*The parties agree that any violation of any clause of this Agreement will result in damages in an amount of not less than (\$10,000) per day for each and every day any clause of this Agreement is violated, provided that such damages shall not begin to accrue until forty-eight (48) hours after notice is sent to the following e-mail addresses jankele@spc-law.com, brent@brenthanson.com, brent@lasikfraud.com, araul@sidley.com, emcnicholas@sidley.com and smalin@sidley.com.*⁷

IV. Media Attention from the Wall Street Journal

On September 14, 2005, The Wall Street Journal published an article on the internet titled "*As Angry Patients Vent Online, Doctors Sue to Silence Them*".⁸ The author of the article described the case of Dr. William Boothe vs. Brent Hanson and Dan Morikawa, but conformed to the requirements of the 3rd injunction by not publishing a link to LasikQuack.com. Defendant complied with all injunctions and the 2nd settlement agreement by declining to comment on the case when contacted by David Kesmodal, the reporter for the Wall Street Journal.

V. Media Attention from LasikSucks4u.com

Morgan resides at 3360 Chichester Ave., M-11, Boothwyn, PA 19060, and operates consumer protection web sites at LasikSucks4u.com and FlawedLasik.com.

On July 27, 2005, at the request of Plaintiff's attorney, Edward McNicholas,⁹ Defendant sent a request to Morgan, the owner of LasikSucks4u.com, asking that he remove postings from his bulletin board made by Defendant regarding Plaintiff.¹⁰

⁶ Section 1.

⁷ Section 15.

⁸ Exhibit 2.

⁹ Exhibit 3.

¹⁰ Exhibit 4.

On September 22, 2005, at the request of Plaintiff's attorney, Edward McNicholas,¹¹ Defendant sent a request to Morgan, the owner of LasikSucks4u.com, asking that he not publish documents about Plaintiff that contained derogatory information.¹²

At some time after September 22, 2005, Morgan published a copy of *Defendant's Response to Plaintiff's Motion for Ancillary Relief in Enforcement of Judgment* at LasikSucks4u.com/images/hansondocs.pdf and LasikSucks4u.com/media/hansondocs.pdf in a format that can be read using Adobe Acrobat Reader.

Plaintiff's attorney, Larry Carlson, sent a computer expert to search Defendant's computer in North Carolina on October 10, 2005 in an attempt to prove that Defendant had provided the suppressed documents to Morgan after June 27, 2005, in violation of the 3rd injunction.

VI. Background History of Plaintiff's Third Party Spokesman, Hagele

Hagele operates an organization known as *CRSQA*¹³ that purports to be a consumer group representing Lasik patients, but actually operates as a referral service for approximately 36 Lasik surgeons across the country. Several of the surgeons have been the subject of intense media scrutiny for excessive malpractice claims, tax fraud, failure to pay bills, regulatory and criminal investigations (e.g., Dr. Glenn Kawesch, Dr. Joseph Dello Russo, and Dr. Robert Maloney).

Hagele lists the address of CRSQA as being at 8543 Everglade Drive, Sacramento, CA 95826, and resides at the same address.

Hagele operates web sites at USAeyes.org, LasikDisaster.org,¹⁴ SurgicalEyes.net,¹⁵ and

¹¹ Exhibit 5.

¹² Exhibit 6.

¹³ CRSQA is an acronym for "Council for Refractive Surgery Quality Assurance". Hagele sometimes refers to this surgeon referral network as "USAEYES".

¹⁴ LasikDisaster.org is designed to cause confusion with LasikDisaster.com, and is used to generate referrals for surgeons who are members of CRSQA.

GlennHagele.com.¹⁶ Plaintiff is not currently listed as a member of CRSQA on any of these web sites.

VII. Ongoing Violations of 2nd and 3rd Injunctions, and 2nd Settlement Agreement by Plaintiff's Third Party Spokesman, Hagele

Hagele began acting as Plaintiff's spokesman on February 16, 2005 by posting public comments regarding the case, using information that was previously only known by Plaintiff, and provided to him by Plaintiff. Hagele has continued to act as a spokesman for Plaintiff by publishing comments regarding the case via the *alt.lasik-eyes* newsgroup in defense of Plaintiff, and in opposition to Defendant. In his postings, Hagele has referenced the suppressed document, *Defendant's Response to Plaintiff's Motion for Ancillary Relief in Enforcement of Judgment*, and created links to LasikQuack.com, even though such links are prohibited by the 3rd injunction.

A summary of Hagele's postings between February 16, 2005 and December 28, 2005 is provided in the following pages.

Posting Date	Hagele's comments
02/16/2005 ¹⁷	Subject: <i>Re: Where did those Booth websites go?</i> It is my understanding from a very reliable source in Dallas that a swift and all-encompassing injunctive order from a Texas court against the owner of the website and against Brent Hanson elicited a quick settlement to cease and desist.

¹⁵ SurgicalEyes.net is designed to cause confusion with SurgicalEyes.org, and is used to generate referrals for surgeons who are members of CRSQA.

¹⁶ Hagele operates GlennHagele.com for the purpose of criticizing Defendant Brent Hanson who operates LasikFraud.com, Ariel Berschadsky who operates LasikInfocenter.net, and Ron Link, who formerly operated a web site at SurgicalEyes.org. Hagele currently pays fees to Google to feature the site in its listings.

¹⁷ Exhibit G1.

Posting Date	Hagele's comments
02/22/2005 ¹⁸	<p data-bbox="467 240 1052 275">Subject: <i>Where did those Booth websites go?</i></p> <p data-bbox="467 312 1438 420">I am quite certain that some of the information presented was accurate, but part of something being accurate may not make it a representation of the truth.</p> <p data-bbox="467 462 1414 602">I do not take the side of the plaintiff or the defendants. I consider instead the opinion of the judge. An injunctive order makes it clear to me that an impartial judge found the information as presented to be substantially untruthful.</p> <p data-bbox="467 644 1451 828">Finding the information on these websites to be untruthful does not go to the issue of whether or not you like the doctor in question, or like the methods by which he practices, or even if he is a good or bad doctor. This is only about whether or not the information published was truthful. A judge determined it was not. All other issues remain open for consideration.</p>
02/22/2005 ¹⁹	<p data-bbox="467 835 1052 870">Subject: <i>Where did those Booth websites go?</i></p> <p data-bbox="467 907 1433 1091">When a court makes an injunctive order against those who conspire to publish certain information, and when those same co-conspirators agree to remove the offending information within days of being served with the injunctive order, it seems to me to be reasonable to assume that the information as presented was not truthful.</p> <p data-bbox="467 1133 1333 1168">Inaccurate and misleading information does not serve anyone well.</p> <p data-bbox="467 1210 1443 1270">In my opinion, if the information was truthful the court and the people who published it would not have moved so quickly to remove it.</p>
09/15/2005 ²⁰	<p data-bbox="467 1276 1276 1311">Subject: <i>Wall Street Journal Nails Hanson of LasikFraud.com</i></p> <p data-bbox="467 1353 1443 1421">Hanson makes it in the Wall Street Journal, but he is not going to like what they say about him very much.</p> <p data-bbox="467 1425 1429 1533">http://online.wsj.com/public/article/0,,SB112568868274630508-LCeEmJwsVCTdLbpUXciwtBVJsek_20060914,00.html?mod=blogs Can you imagine that Hanson would decline to comment about anything?</p>
09/21/2005 ²¹	<p data-bbox="467 1539 1187 1574">Subject: <i>Look at all the lawsuits filed against Dr. Caro</i></p> <p data-bbox="467 1616 1419 1678">I imagine that Hanson is hoping Dr. Caro does not chat with Dr. Boothe's attorneys.</p>

¹⁸ Exhibit G2

¹⁹ Exhibit G3

²⁰ Exhibit G4

²¹ Exhibit G5

Posting Date	Hagele's comments
12/21/2005 ²²	<p data-bbox="467 240 1390 275">Subject: <i>Brent Hanson of LasikFraud "Protects" Refractive Surgeons!</i></p> <p data-bbox="467 312 1422 493">Can you believe it? Visit http://www.lasiksucks4u.com/images/hansondocs.pdf and you will see where Brent Hanson claims that he published story after story about William Boothe, MD as some sort of act to "protect" Hanson's doctor and competitor to Dr. Boothe.</p> <p data-bbox="467 536 1450 754">Hanson even creates yet another website (LasikQuack.com) where he published all sorts of bovine fertilizer about Dr. Boothe. LasikQuack.com was quickly shut down by legal action, but all the accusations are published over at Dominic Morgan's website. Very cleaver [sic], Hanson, but you should have told Dom to not label your package with your own' name. Makes the source a little too obvious, don't ya think?</p> <p data-bbox="467 797 1455 866">Hey! I'm in there too. It seems that Hanson thinks the only source for public information about his shenanigans is Dr. Boothe.</p>
12/21/2005 ²³	<p data-bbox="467 872 1390 907">Subject: <i>Brent Hanson of LasikFraud "Protects" Refractive Surgeons!</i></p> <p data-bbox="467 944 1422 1125">Dom, I referenced you only in passing...only as the person who published Brent Hanson's bovine fertilizer about Dr. Boothe. I didn't drag you anywhere. I did not force you to publish Hanson's documents. It is your prerogative to publish Hanson's docs if you want and I didn't say you should not.</p> <p data-bbox="467 1168 1414 1272">I don't see where you have any reason to chastise those who comment on the content of what you have published on your website, whether it be Hanson's docs or anything else.</p>

²² Exhibit G6

²³ Exhibit G7

Posting Date	Hagele's comments
12/21/2005 ²⁴	<p data-bbox="467 240 1386 273">Subject: <i>Brent Hanson of LasikFraud "Protects" Refractive Surgeons!</i></p> <p data-bbox="467 312 1370 381">I'm all for free speech too. I think people who have had bad outcomes should be able to tell their story and offer their opinions.</p> <p data-bbox="467 420 1451 638">What the documents you published regarding Brent Hanson, Ariel Berschadsky, and others show is that THEY decided what to do and what not to do regarding their websites. They each either voluntarily responded to Dr. Boothe's requests, or made a binding agreement with the court. Heck, Berschadsky is an attorney and he could have fought anything with anyone if he had wanted. Instead he complied...somewhat.</p> <p data-bbox="467 677 1451 789">I am a victim of Brent Hanson's outright lies.⁷ Take a look at http://glennhagele.com/brenthanson and judge for yourself. Does he have a "right" to do this. No, but he will until I take action to stop him.</p> <p data-bbox="467 828 1435 1006">I'm not the least bit sympathetic to Hanson and IMO his justification for attacking Dr. Boothe is pure bovine fertilizer. Come on, if Hanson didn't want bad things said about his doctor then you would think he would get is buddy Ariel Berschadsky to take the negative information about his doctor off of Berschadsky's LasikInfoCenter website.</p> <p data-bbox="467 1046 1451 1336">While you say you have been shut down three times, you also have been revived at least as many times. You have at least two websites up and going and they have a lot of information that is either factual or clearly opinion (such as your opinion of me). I really doubt that a judge has any bias toward or against you or toward or against refractive surgery. If you are within the law, you have little to fear from a judge. If anybody is outside the law then that portion should be removed or edited. What is in or out is often decided by a judge, and I think that really is the best arbitrator.</p>

²⁴ Exhibit G8

Posting Date	Hagele's comments
12/23/2005 ²⁵	<p data-bbox="451 236 1403 271">Subject: <i>Court Orders Brent Hanson 500 Feet Away From Lasik Doctor</i></p> <p data-bbox="451 308 1435 381">Anyone who is bemused or bemoans Brent Hanson really should read the documents printed at http://www.lasiksucks4u.com/images/hansondocs.pdf</p> <p data-bbox="451 420 1360 565">Because of perceived threats against William Boothe, MD from Brent Hanson, who publishes LasikFraud.com and other websites, the court ordered Hanson to stay at least 500 feet away from Boothe, Boothe's medical offices, Boothe's home, Boothe's staff, and Boothe's family.</p> <p data-bbox="451 605 1425 712">The court found it necessary to order Hanson from "expressly or impliedly inciting others in any manner to PHYSICALLY ATTACK" Dr. Boothe and his family. (emphasis added)</p> <p data-bbox="451 752 1409 824">Heck, the court even ordered Hanson to stay 500 feet away from Boothe's attorneys.</p> <p data-bbox="451 864 1338 969">These documents clearly show that the court felt (and Brent Hanson agreed with his signature) that Hanson cannot conduct himself in an appropriate manner if he is within 500 feet of the doctor.</p>

²⁵ Exhibit G9

Posting Date	Hagele's comments
12/23/2005 ²⁶	<p data-bbox="456 242 1406 275">Subject: <i>Court Orders Brent Hanson 500 Feet Away From Lasik Doctor</i></p> <p data-bbox="456 317 1419 422">The relative difficulty or ease to get this order begins and ends with Brent Hanson. According to the documents, Hanson agreed to the final determination that he should stay 500 feet away from the Lasik doctor.</p> <p data-bbox="456 464 1382 532">It was not necessary for a trial [sic] where a judge and jury would have heard evidence from both sides and arrive at their own conclusion.</p> <p data-bbox="456 573 1438 679">The court did order an initial injunction against Hanson, but that apparently did not relate to perceived threats of bodily injury by Brent Hanson against Dr. Boothe and the doctor's associates and family.</p> <p data-bbox="456 721 1435 866">The United States is very, very touchy about civil liberties and freedom of speech (Patriot Act notwithstanding). Even with Hanson's capitulation, the court had the right and ability to NOT order Hanson away from Boothe if the court believed that such an order was inappropriate.</p> <p data-bbox="456 907 1409 1079">There may be many opinions whether or not the court acted properly, but the opinion that probably matters most is the opinion of Brent Hanson himself and that opinion - evidenced by his signature on the agreement - was that he should have no contact with Dr. Boothe and not be anywhere near him.</p>
12/23/2005 ²⁷	<p data-bbox="456 1091 1406 1125">Subject: <i>Court Orders Brent Hanson 500 Feet Away From Lasik Doctor</i></p> <p data-bbox="456 1166 963 1199">One more point that may be important.</p> <p data-bbox="456 1241 1435 1456">The court's order that Brent Hanson of LasikFraud.com stay at least 500 feet away from Lasik doctor William Boothe is a part of a much more encompassing order that includes, among other things, Brent Hanson being required to remove offending information from his website(s), not to create new websites using Dr. Boothe's name, not to create new websites that include information about Dr. Boothe, etc.</p> <p data-bbox="456 1498 1382 1566">Staying away from Dr. Boothe because of perceived threats of physical harm is just one of the issues.</p>
12/26/2005 ²⁸	<p data-bbox="456 1572 1341 1641">Subject: <i>Brent Hanson of LasikFraud "endorses" Dallas Refractive Surgeon</i></p> <p data-bbox="456 1682 1435 1750">The more I read, the more I am amazed. Visit http://www.lasiksucks4u.com/images/hansondocs.pdf and you will see that</p>

²⁶ Exhibit G10

²⁷ Exhibit G11

²⁸ Exhibit G12

Posting Date	Hagele's comments
	<p>Brent Hanson thinks so highly of a particular Dallas refractive surgeon he is willing to publish nasty things about his doctor's competitor and even threaten his doctor's competitor with physical violence.</p> <p>According to the cited documents published at Dominic Morgan's website, Dallas surgeon William Boothe, MD - who is a competitor of Hanson's doctor - had complained to Ariel Berschadsky that Berschadsky is publishing medical malpractice lawsuit information on Berschadsky's LasikInfoCenter.com website, but ignoring similar malpractice claims of other Dallas area doctors, including Brent Hanson's doctor.</p> <p>If you don't already know, Ariel Berschadsky is an attorney who uses LasikInfoCenter.com to generate malpractice referrals and is a "buddy" of Brent Hanson, even representing Hanson when Hanson published private email messages obtained from an ophthalmology group's private forum.</p> <p>According to the documents, Brent Hanson was so upset after learning that Dr. Boothe had asked for more balanced representation that would include publishing malpractice litigation information about Hanson's doctor, that Hanson started publishing all sorts of things about Dr. Booth on Hanson's LasikFraud.com website, in the alt.lasik-eyes newsgroup, and at a new website created specifically to publish (misrepresent?) less than flattering information about Dr. Booth. The documents show that Hanson was required as a part of the litigation's settlement to agree to not come within 500 feet of Dr. Boothe, the doctor's family, staff, offices, home, and even his attorneys.</p> <p>So who is this Dallas refractive surgeon that Hanson thinks so highly of that he will risk defamation to protect? Who is the refractive surgeon that Brent Hanson believes is so excellent? Well, I'm not going to promote guilt by association, so you would need to look at the documents yourself.</p> <p>It appears to me from Brent Hanson's acts – to the point of requiring legal action by Dr. Boothe – that there is at least one refractive surgeon that Brent Hanson will "endorse".</p> <p>If you are in the Dallas area and considering refractive surgery, you may (or may not) want to consider the doctor Hanson "endorses". I would highly recommend that you use the 50 Tough Questions For Your Doctor at http://www.usaeyes.org/faq/tough_questions.htm to evaluate a potential doctor - even if Hanson is willing to threaten physical violence to protect his reputation.</p> <p>You can also go to Ariel Berschadsky's website to see malpractice</p>

Posting Date	Hagele's comments
12/27/2005 ²⁹	<p>information about Hanson's doctor. Odd that this information is still there.</p> <p>Subject: <i>How Many Aliases Does Brent Hanson of LasikFraud.com Use?</i></p> <p>Those court documents of William Boothe, MD v. Brent Hanson published by Dominic Morgan at http://www.lasiksucks4u.com/images/hansondocs.pdf are a treasure trove of information about Brent Hanson of LasikFraud.com</p> <p>Guess how many aliases Brent Hanson has used here at alt.lasik-eyes. Several are specifically named in the injunctive order that restricts Brent Hanson from what he can say and about whom, but if you do a search you will see that there are many many more aliases.</p> <p>It appears that most of those many people with similar opinions posted in this newsgroup are all one person. Brent Hanson. Mr. L-Fraud himself. Dr. Boothe's lawsuit exposed yet another of Hanson's frauds.</p>
12/27/2005 ³⁰	<p>Subject: <i>New website devoted to discussion of Lasik</i></p> <p>What I know, Brent Hanson of LasikFraud.com, is that this issue has been discussed many times before and what I know has been provided during these many previous discussions that can be seen at http://makeashorterlink.com/?X1F92406C This includes debunking your "oh-my-gawd-I-can-say-all-Lasik-eyes-are-bulging-because-I-can-take-doctors-'-statements-out-of-context" hysteria.</p> <p>You can bring up the same idiocy over and over, but that does not make it any less idiotic.</p> <p>It is amazing that Brent Hanson will "pray" that others don't have an enhancement, and yet he demanded his doctors do enhancement surgery on him when they believed that it would not be beneficial.</p> <p>By the way Hanson, did that Dallas ophthalmologist that you attacked Dr. Boothe to "protect" do enhancement surgery on you? Maybe everyone who believes your "oh-my-gawd-I-can-say-all-Lasik-eyes-are-bulging-because-I-can-take-doctors-'-statements-out-of-context" line should just get surgery from him.</p>

²⁹ Exhibit G13

³⁰ Exhibit G14

Posting Date	Hagele's comments
12/28/2005 ³¹	<p data-bbox="464 229 1390 302">Subject: <i>Brent Hanson Admits His LasikFlap.com Will Not Allow Free Exchange Of Information</i></p> <p data-bbox="464 343 1414 412">Brent Hanson Admits His LasikFlap.com Will Not Allow Free Exchange Of Information!</p> <p data-bbox="464 453 1406 484">On 28 Dec 2005 08:50:20 -0800, "Brent Hanson – LASIKFRAUD.com"</p> <p data-bbox="464 526 976 557"><administra...@lasikcourt.com> wrote:</p> <p data-bbox="464 567 1382 598">>"I was banned and deleted when I questioned some of the nuts' posts:</p> <p data-bbox="464 609 911 640">>there's no room for debate there."</p> <p data-bbox="464 681 1341 712">>Which explains the absence of Hagele's Hokum from the web site.</p> <p data-bbox="464 754 1438 857">Wow. Brent Hanson of LasikFraud.com actually gets something right for a change. He didn't misrepresent. He didn't lie. Wait a minute. I need to catch my breath.</p> <p data-bbox="464 899 1414 1044">There is no reason for any reasonable person to participate in Brent Hanson's latest childish attempt to blame everyone else for his problems, especially those who had absolutely nothing to do with him, like William Boothe, MD and me.</p> <p data-bbox="464 1085 1430 1261">Hey Hanson, Boothe not only didn't do your original surgery, or your second surgery, or any of your surgeries that you are all fired up about (for five years now), but he did wisely refuse to accept you as a patient. Yes, that is in the documents published by Dominic Morgan at http://www.lasiksucks4u.com/images/hansondocs.pdf</p> <p data-bbox="464 1303 1438 1406">It is no surprise to me that Brent Hanson would target William Boothe, MD with defamation and threats, since Dr. Boothe had nothing to do with Hanson's surgery.</p> <p data-bbox="464 1458 1146 1520">For more on Brent Hanson of LasikFraud.com, visit: http://glennhagele.com/brenthanson/</p>

³¹ Exhibit G15

VIII. Hagele is in Civil Contempt of Court and Should be Punished Daily Until He Removes the Offending Postings

Given that Hagele's postings can be viewed worldwide through the *alt.lasik-eyes* newsgroups, Hagele is in civil contempt. In civil contempt situations, this Court has inherent authority "to confine a party for contempt until he obeys the order for which he has been held in contempt for disobeying." *Ex parte Proctor*, 398 S.W.2d 917, 918 (Tex. 1966) (citation omitted). Additionally, daily fines of \$500 are also permissible. *See Cadle Co. v. Lobingier*, 50 W.S. 3d 662, 666-68 (Tex. Ct. App. 2001). So long as Hagele's postings remain visible through any newsgroup server, Hagele should be subject to civil contempt until he removes each posting, including those postings in which he created links to LasikQuack.com.

WHEREFORE, PREMISES CONSIDERED, Defendant Brent Hanson requests that this Court issue an order holding Hagele in civil contempt of Court for reasons discussed above, and that the Court punish Hagele with incarceration until he purges himself of the contempt. The Defendant additionally prays for general relief.

IX. Violation of 3rd Injunction by Morgan

At some time after September 22, 2005, Morgan created a link to LasikQuack.com from his web site at LasikSucks4u.com, even though such links are prohibited by the 3rd injunction.³²

X. Morgan is in Civil Contempt of Court and Should be Punished Daily Until He Removes the Offending Link

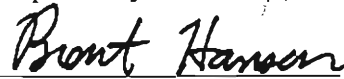
Given that Morgan's link can be viewed world-wide at LasikSucks4u.com, Morgan is in civil contempt. In civil contempt situations, this Court has inherent authority "to confine a party for contempt until he obeys the order for which he has been held in contempt for disobeying." *Ex parte Proctor*, 398 S.W.2d 917, 918 (Tex. 1966) (citation omitted). Additionally, daily fines of \$500 are also permissible. *See Cadle Co. v. Lobingier*, 50 W.S. 3d 662, 666-68 (Tex. Ct.

\$500 are also permissible. See *Cadle Co. v. Lobingier*, 50 W.S. 3d 662, 666-68 (Tex. Ct. App. 2001). So long as Morgan's link to LasikQuack.com remains visible, Morgan should be subject to civil contempt until he removes each link to LasikQuack.com from his web sites.

WHEREFORE, PREMISES CONSIDERED, Defendant Brent Hanson requests that this Court issue an order holding Morgan in civil contempt of Court for reasons discussed above, and that the Court punish Morgan with incarceration until he purges himself of the contempt.

Dated: January 2, 2006

Respectfully submitted,



Brent Hanson, *pro se*
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The undersigned certifies that on January 4, 2006, a true and correct copy of the foregoing document was served to the following individuals via e-mail:

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