

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION**

**TWO RIVERS PUBLIC CHARTER SCHOOL,
INC., et al.,**

Plaintiffs,

v.

ROBERT WEILER, JR., et al.,

Defendants.

Case No.: 2015 CA 009512 B

Judge: Judge Jeanette J Clark

Next Event: Initial Conference
April 29, 2016

**DEFENDANT ROBERT WEILER, JR.'S REPLY TO
PLAINTIFFS' OPPOSITION TO THE SPECIAL MOTION TO DISMISS**

Defendant Robert Weiler, Jr., pro se, files this reply to the Plaintiffs' Opposition to his Special Motion to Dismiss.

DEFENDANT'S MOTION WAS TIMELY FILED

As noted on Page 1 of his Answer, defendant was not served on December 19, 2016, but on December 22, 2016, a contention the plaintiffs have not seen fit to challenge until now. Mr. Weiler was not in the State of Maryland on December 19, 2016, and could not have been served on that date.

REPORTED COLLABORATION OF PLAINTIFFS WITH PLANNED PARENTHOOD

Plaintiffs claim this action is not a SLAPP because they have not taken a side on the issue, nor do they have a relationship with Planned Parenthood. However, accurately or inaccurately, it was reported through the media that the plaintiffs were working with Planned Parenthood on addressing protests outside the schools prior to Mr. Weiler's participation in any protest. One report stated "Parent and Advisory Neighborhood Commissioner Tony Goodman said the school

and the abortion clinic are working together to alleviate ‘harm from future unrest,’” (<http://absoluterights.com/photos-of-aborted-babies-should-be-the-very-least-of-parents-worries-as-planned-parenthood-opens-next-to-school/>).

Mr. Goodman is in a good position to know this as he is also a Two Rivers parent. He also spoke to the Washington City Paper, which detailed several meetings with Planned Parenthood, Two Rivers, and the Community.

“Two Rivers’ Wodatch did not respond to requests for comment, but Planned Parenthood says they have met with the school’s administration and parents and with the local ANC multiple times since last year and are trying to foster a positive relationship with the school and community leaders.

‘Planned Parenthood has been working with the community since purchasing the building including the ANC, Two Rivers, and other key stakeholders,’ says Planned Parenthood of Metropolitan, DC Vice President of Marketing and Communications Mara Braunger in an email. ‘Last school year, Dr. Meyers spoke to the Two Rivers PSA. Earlier in the summer, we knocked on 500 doors introducing ourselves to our new neighbors, and the response was overwhelmingly positive and welcoming.’

ANC 6C06 Commissioner Tony Goodman, who is also a Two Rivers parent, says many people in the neighborhood are nervous about the new clinic.” (<http://www.washingtoncitypaper.com/articles/47542/abortion-free-dc-fights-planned-parenthood-facility-by-nitpicking-permits/>).

Even if this court should find that some outrageous conduct occurred, none of the conduct allegedly outrageous was attributed to Mr. Weiler, who prior to this suit was present on one occasion and held a sign on a public sidewalk in a classic expression of Free Speech.

The plaintiffs' assertion that subsequent protests have been within the boundaries of the proposed injunction are also false. The plaintiffs have asked the court to enjoin "Using posters or similar displays larger than 11" by 17" utilizing such terms as "Kill", "Murder", and other similarly violent terms....". Mr. Weiler has subsequently used posters larger than 11"x17" using the terms "Killed" and "Attacks", and has done so within the view of the school. Mr. Weiler in no way acknowledges a reasonableness in the proposed injunction.

The plaintiffs' assertions that they have not asked for such restrictions flies in the face of their own complaint and recognizes the unreasonableness of their requested relief.

The fact that Two Rivers has met with Planned Parenthood to discuss the protests, but never with the defendant, shows that they indeed have taken a side in the debate. Defendant would have met with Two Rivers if asked to do so to discuss appropriate and safe protest methods. Two Rivers' only communication with Mr. Weiler was to file a suit in the Superior Court. In fact, had Two Rivers contacted Mr. Weiler, he would have informed them that he had no intent to return to Two Rivers, as most of his advocacy, when he is able, takes place in his home State of Maryland.

Two Rivers could have saved the expense of a lawsuit against Mr. Weiler, but they did not wish to do so, instead, they wished to use Mr. Weiler's record to paint the other defendants with his past. While furnishing no evidence, that claim Mr. Weiler entered into a conspiracy with

several people who he has never met, and attempt to lump their activities with his, in order the shut up the whole lot, including people not even named in the lawsuit.

Two Rivers notably has not filed suit against, nor sought to add as a defendant, the Two Rivers parent who counter protested him with a pro-abortion sign on the first day he returned to the school subsequent to the suit being filed. This also shows that Two Rivers has indeed taken a side in the debate and seeks to muzzle opposition.

Objections to Planned Testimony and Discovery Requests

With their opposition the plaintiffs have listed several types of testimony they will wish to present at a hearing on these motions, as well as limited discovery they wish the court to grant them in preparation for such a hearing.

Mr. Weiler objects to the following:

1. Any testimony regarding the criminal backgrounds of any defendant as they are irrelevant to whether or not the alleged torts have occurred.
2. Any testimony regarding the criminal background of any person not named in this action as it would be entirely irrelevant.
3. The Discovery request that defendants produce copies of any social media posts they are mentioned in discussing the protests, as these would be very numerous especially in the case of Mr. Weiler (at last check this would likely be 4-5 hundred pages), and the plaintiffs have not been denied the use of google to find this information for themselves.
4. The discovery request that Mr. Weiler identify John Doe 1. Mr. Weiler is not in possession of the information sought. As mentioned in his answer, Mr. Weiler met Mr. Doe 1 for the

first time on the day in question, Mr. Weiler did not drive him to his home, and does not have his address or phone number.

CONCLUSION AND REQUEST FOR A HEARING

Because the plaintiffs are unable to prove a likelihood of success on the merits, their complaint against Mr. Weiler should be dismissed with prejudice.

Mr. Weiler requests a hearing to be scheduled on this motion.

Dated March 22, 2016

Respectfully Submitted,

By /s/ Robert Weiler, Jr.
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CERTIFICATE OF SERVICE

I, Robert Weiler Jr., pro se, certify that I have filed the foregoing Reply through the Court's authorized e-filing service, and that the following have been served through e-service:

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and served upon the following parties via email, as the residential address is unknown, and I have no evidence that this filing will be received by mail to the party's last known address:

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Dated March 22, 2016

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