

F L O R I D A FAMILY ASSOCIATION

December
2006

U.S. Magistrate Judge Says FFA Lawsuit “could break ground on novel constitutional issue,” Recommends that school district’s second motion to dismiss be denied.

The School District of Hillsborough County continues to spend tens of thousands of dollars to fight Florida Family Association’s lawsuit rather than acknowledge the organization’s First Amendment Right to petition government by email.

Florida Family Association filed a federal lawsuit against the School District of Hillsborough County in November 2005 for blocking supporters’ emails while accepting all other emails on the issue.

Thus far, the School District of Hillsborough County has made three unsuccessful attempts to fight Florida Family Association in court.

First, U.S. Middle District Court Judge Susan C. Bucklew denied the school district’s motion to dismiss our lawsuit on numerous grounds on April 21, 2006.

Second, U.S. Middle District Court Judge Susan C. Bucklew, over the vigorous objection of the school district, allowed us to pursue a declaratory judgment and injunctive relief in her June 14, 2006 ruling.

Third, U.S. Magistrate Judge Thomas G. Wilson recommended in his November 21, 2006 report that the federal judge deny the School district’s second motion to dismiss. U.S. Magistrate Judge Wilson wrote in his report, “Because the defendant’s motion is essentially a motion for reconsideration of its previous motion to dismiss, because the defendant failed to show that there were no set of facts that could support relief, and because this case raises novel constitutional issues that warrant factual development, I recommend that the defendant’s motion to dismiss to be denied.”

Additionally, the magistrate judge emphasized the importance of this case by writing, “Furthermore, the

parties represent that they have no cases involving the blocking of emails by a public agency. Accordingly, this case could break ground on that novel constitutional issue.” Therefore, this case is very important for establishing our rights to communicate with public officials by email.

G. Donovan Conwell, Jr. with Conwell, Sukhia & Kirkpatrick, P.A. is representing Florida Family Association in this lawsuit. Mr. Conwell has successfully represented Florida Family Association in numerous other lawsuits involving our First Amendment rights since 1990.

This case is very important to establishing the First Amendment Rights of all citizens who participate in email campaigns that focus on public officials. Please pray for this case and G. Donovan Conwell, Jr. as he represents Florida Family Association.

We hope that you and your family will have a Joyful Christmas and a Blessed New Year

Florida Family Association has abbreviated the December newsletter to two pages for the last fifteen years because of the Christmas Season.

We hope that you and your family will have a Joyful Christmas and a Blessed New Year.

Thank you for the support that you have provided the efforts of this ministry during the past year.

Thank you for the prayers that you lifted up for all of our efforts.

For His Service, David Caton

His Eternal Gift

We hope and pray that you and your family will have a joyful Christmas and a Great New Year.

We encourage you to take time out of this busy season to rejoice and give praise to our God for giving us His son - Jesus Christ! He is truly the gift of a lifetime. A gift to cherish and respect.

We hope and pray that love, blessings, salvation, healing and revival will abound in your family this

Christmas.

We deeply appreciate your faithful support of this ministry. In addition to providing resources for our efforts, your gifts provide the financial needs of my family and the Florida Family Association staff. For that we are very grateful.

We hope and pray that you will remember Florida Family Association in your gifts to outreach ministries this Christmas season. Your support will help us to be strong in all of our efforts as we enter into a new year.

Thank you for your prayers and support.

David Caton Executive Director

MERRY CHRISTMAS
from the Caton Family
David, Rachael, Matthew (19) and Caleb (16)
FLORIDA FAMILY ASSOCIATION
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