

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 09-CV-00309 MSK-KMT

SUZANNE SHELL
Plaintiff

v.

AMERICAN FAMILY RIGHTS ASSOCIATION, et. al.

Defendants

**VERIFIED MOTION FOR FORTHWITH HEARING OR EXPEDITED
CONSIDERATION ON MOTION TO ASSUME PERSON JURISDICTION**

COMES NOW, Suzanne Shell, Plaintiff, *pro se*, to request this court to schedule a forthwith hearing, or in the alternative, to expedite consideration of my Motion to Assume Personal Jurisdiction (#11). I contend that this matter must be dealt with immediately due to deadlines imposed by the Rules of Federal Procedure and any delay in considering this motion would jeopardize my legal interests and/or incur unnecessary litigation expense for me.

1. I have sent notice of this lawsuit to all defendants using the following methods:
 - a. Each defendant has received a copy of summons, complaint and request for waiver of personal service via email at their published email addresses. I sent these out using a certified return email receipt, which indicates to whom it was successfully delivered.
 - i. A few of the defendants who received the original email subsequently shut

down their email addresses to prevent future communications.¹

- b. I also mailed the same documents via USPS Priority Mail with delivery confirmation at the last known addresses of each defendant. A few of these were returned for various reasons including, moved and left no forwarding address, or simply refused by the recipient. After diligent search, I sent the documents out again to the newer addresses, and all of those have been delivered. There remain a few without current home or business addresses.
2. Immediately after I sent out the emails, I came into possession of communications by certain defendants indicating that the defendants were not going to sign the waiver of personal service and were going to insist on unnecessarily increasing the costs of litigation to have them all served personally.
3. Thirty days have passed since I sent out the summons, complaint and waiver to all defendants. To date, not one single defendant has returned the signed waiver of personal service.
4. Upon information and belief, the defendants are attempting to evade personal service en masse.
5. Service of process has been perfected as to Defendants Ringo Kamens², William O. Tower, Ann Tower and American Family Rights Association as of March 19, 2009, and Returns of Service are in the process of being completed and filed.
6. Defendants William Wiseman dba Wiseman Studios, Dorothy Kernaghan-Baez dba

¹ It is evident from the Certificate of Service attached to Defendant Baez's letter (#9) that she knows the email addresses for all of the defendants, including the ones who have changed their email addresses.

² Diligent search has revealed that Ringo Kamens is an alias for Alex D. Bryan.

National Association of Family Advocates and the founder and head of Georgia Family Rights, Inc., have sent letters to this court, which I contend constitutes entering their general appearances in this proceeding. Therefore, I am requesting this court to make an immediate finding as to having personal jurisdiction over them.

7. I have a limited amount of time to effect service of process.
8. Since time is of the essence, and since the defendants intend to make me incur unnecessary expense associated with this litigation by refusing to waive personal service³, and by evading personal service⁴ and since there are many defendants, any delay in ruling on my motion to assert personal jurisdiction over the aforementioned five defendants would result in additional unnecessary expense to me, or in not having sufficient time to perfect service of process on these defendants.
9. An expedited ruling is necessary so that I may allocate my limited resources effectively and efficiently without jeopardizing any of my legal interests.
10. Notice has been sent to the named defendants stating my intent to file for forthwith hearing or expedited consideration of the subject motion. They did not respond.
11. I believe that the facts supporting my motion are clearly evident in the record by virtue of the defendants submissions to this court (## 7, 8 & 9) and there is nothing they could add that would alter the facts as shown on face of those documents. Therefore, I have no

³ Defendant Baez's letter (#9) makes it clear her intention to thwart the requirements of waiving personal service pursuant to Fed. R. Civ. P. 4. The fact that she copied all other defendants on this refusal (some who I don't have current email contact information) reinforces my belief that her conduct is representative of all the defendants's intentions.

⁴ Defendant Kamens (aka Bryan) has acted exclusively under the alias online and in the real world, and does not give his real name to the public. He evaded service for over a month before being located and drawn out to where he could be served.

objection if the court were to make an expedited decision on my motion without holding a hearing.

DECLARATION OF PLAINTIFF

I declare under the penalty of Perjury under the laws of the United States of America that the foregoing information contained in this Verified Motion for Forthwith Hearing or Expedited Consideration is true and correct. Executed on March 20, 2009

/s/ Suzanne Shell

Suzanne Shell
14053 Eastonville Rd.
Elbert, CO 80106
dsshell@gmail.com
719-71-49-2971

UNITED STATES DISTRICT COURT
CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the attached document **MOTION FOR FORTHWITH HEARING OR EXPEDITED CONSIDERATION** were placed in the United States Mail, first class mail, postage prepaid on March 21, 2009

Georgia Family Rights, Inc.
c/o Dorothy Kernaghan-Baez
811 Aumond Place East
Augusta, GA 30909

National Association of Family Advocates
c/o Dorothy Kernaghan-Baez
811 Aumond Place East
Augusta, GA 30909

Dorothy Kernaghan-Baez
811 Aumond Place East
Augusta, GA 30909

William Wiseman
PO Box 693
1625 Siskiyou St
Klamath Falls OR 97601-2046

Wiseman Studios
PO Box 693
1625 Siskiyou St
Klamath Falls OR 97601-2046

Service of process perfected to defendants
below on March 19, 2009:

AFRA
c/o William O. Tower
7334 Chivalry Way
Citrus Heights CA 95621-4333

William O. Tower
7334 Chivalry Way
Citrus Heights CA 95621-4333

Ann Tower
7334 Chivalry Way
Citrus Heights CA 95621-4333

Ringo Kamens alias for Alex D. Bryan
address unknown
sent to email addresses
ringo@coimc.org
2600denver@gmail.com

/s/ Suzanne Shell March 20, 2009

Suzanne Shell