

Case 8:15-cv-00011-T-17TBM - Response to "Clerk's Minutes" of Hearing on 16 March 2016

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

Case number: 8:15-cv-00011-T-17TBM

Response to Plaintiff's "Clerk's Minutes" of Hearing on 16 March 2016

Court Docket Document 79 - "Minute Entry"

OXEBRIDGE QUALITY RESOURCES
INTERNATIONAL, LLC (Florida and Peru), and
CHRISTOPHER PARIS, individually.

Vs.

MARC TIMOTHY SMITH, individually

Presiding Judge: Elizabeth A. Kovachevich

Referring Judge: Thomas B. McCoun III

Court: Florida Middle District Court

Case number: 8:15-cv-00011-T-17TBM

COMES NOW the Defendant, Marc Timothy Smith, hereinafter referred to as SMITH, and Chris Paris/Oxebridge - Plaintiff (herein after referred to as "PARIS/OXEBRIDGE") to comply with the Magistrate Judge's Order to produce evidence/proof that SMITH has attempted to have "information" removed from Google and Reddit.

SMITH Pro Se: Marc Timothy Smith, 8466 Lesourdsville-West Chester Road
West Chester, Ohio 45069 Tel: 513 720-0600
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"Reddit" Removals

1. SMITH has NO way to remove "Reddit" "information". SMITH tried to. See **Exhibit "A"**. Mr. Wohlsifer was copied on SMITH's attempt by email. The word here is "IMPOSSIBLE" for SMITH to effect removal from any "information" on Reddit.
2. In addition, there is **NO requirement to do so** in either the Stipulation on Injunction contract (an invalid contract) or the Mediation Settlement Agreement. SMITH did not author any Reddit content. SMITH has no idea who posted on Reddit. SMITH has NO control over who posts on Reddit or what they post. The only requirement in either agreement says **SMITH must remove anything SMITH posted**, or caused to be posted. SMITH has done neither. Since SMITH has had nothing to do with content posted on Reddit, and there is no requirement in either the Stipulation Agreement nor the Mediation agreement which requires SMITH to monitor and/or act on what other people post, anywhere and/or everywhere on the internet, this should be a moot issue. In addition, it is an **impossibility** for SMITH to over see, much less be able to control, who posts what on the internet, anonymously or otherwise.

From the Joint Stipulation agreement:

b. SMITH will remove any online commentary regarding OXBRIDGE or PARIS authored by SMITH on any other website, social network, or any other manner of technology or communication now known or later to become known.

SMITH did not author anything on Reddit, is not registered in, nor has he ever participated in Reddit, anonymously or otherwise (such as the "conspiracy" theory PARIS has that SMITH has, for over 15 years conspired with others,

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including Underwriters Laboratories (aka “UL”), against PARIS {to what end?} and has single handedly destroyed PARIS’ life). For PARIS to state that he couldn’t even open a gas station because of SMITH is absurd. Obviously, PARIS believes there is a “grand conspiracy” to destroy him, led by SMITH, which includes huge multi-national corporations such as UL, DNV, BSI and others. SMITH believes Chris Paris has a serious paranoia issue.

“Google” Removals

1. As explained, SMITH has NO way to remove any Google indexed/scraped (from USENET) “information” that dates back to 2004. SMITH wants that content/”information” removed as much as PARIS does. This was discussed during the Mediation Settlement Agreement of 5 June 2015. There is no phone number to call nor is there an email address to write to. Mr. Wohsifer claims it’s not a problem for him to do so. As stated in the Mediation Settlement Agreement – Section 2 c) – Mr. Wohlsifer was to provide SMITH with a letter to sign and he said he could and would have that 2004 USENET “scrape” by Google “information” removed. SMITH has not as of 18 March 2016 received the letter Mr. Wohlsifer said he would compose and send to SMITH.
2. What has SMITH done to get the “information” removed from “Google Groups”? SMITH has traversed Google to find a way, but as is evident, SMITH can NOT get that 2004 USENET “information” removed from Google, not to mention the fact that USENET is an antonymous “service” and there is NO way to get content removed from it world wide that SMITH is aware of. This is backed up by Google’s information (embedded picture #3 below). And again, neither document requires SMITH to remove content of any kind that **other** people post. There really is a First Amendment (Freedom of Speech) allowance in the US Constitution.
3. More compliance evidence – See Exhibit “B” from May 2015.

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4. More compliance evidence:

Thread #	Start Date	End Date	Total Posts	Discussion Thread Title	Posts Referenced	Comments
1	2/1/2003	6/1/2003	13	Oxbridge Hill 69667 - Chris Paris - The 62 Day "volunteer" implementation - A scam or not?	All	Initial Documentation. Do not link to, or copy from, Paris' website. Edited out.
2	2/1/2003	12/15/2003	13	Oxbridge Hospital on City Building - City ST 14 S.C. Section 127	11	
3	6/4/2004	10/11/2004	34	Article Submission Rules and Guidelines - The ESM PILOT	1	Chris Paris does comply with the Ohio Attorney General over "Victor Arcoles" calling it a "Letter". Edited out and states "Mark Smith is", promoting terrorism.
4	6/4/2004	6/24/2004	10	May 2004 Articles Post (Paris) Thread	10	
5	6/4/2004	6/8/2004	7	Repeating FUD/FAAS Commenters Imposing 600 Responses on Internal Auditors	3, 5	
6	6/4/2004	12/28/2004	17	Chris Paris of Oxbridge - "Raging a Personal War"	10	
7	6/12/2004	6/12/2004	1	Special Discussion to Chris Paris of Oxbridge	Single Post	Notification to Paris to post
8	6/22/2004	6/18/2004	140	ASQ Forum Software and General Discussion about the American Society for Quality	140	Post soft delete.
9	10/29/2004	11/17/2004	25	Has Anyone Been "Checked" and Out in Twelve Over Comments Made in Their Posts?	2	Edited out.
10	6/16/04	11/12/2004	114	The latest version of our local (local version) - Any news?	104, 102, 113	Edited out.
11	10/29/04	10/29/04	1	Should Quality Policy be conducted externally? (Constructing Plan for progress pathway)	1	Edited out.
12	6/16/04	11/17/2004	81	Is it possible to get 600 600i connections in 60 days?	9	Edited out.
13	6/16/04	11/17/2004	8	Opening brief to support these conclusions	1, 3, 5	800 forum and edited.
14	6/16/04	11/17/2004	8	Increasing the speed of participation - Membership	2	800 forum.
15	6/16/04	6/26/2004	2	Who can perform the local ASQ Internal Audit prior to our Registration Audit?	None	130
16	6/16/04	1/12/2015	79	Chris Paris of Oxbridge - All 6 apps - October - December 2014 and January 2015	All	800 forum.
17	6/16/04	1/12/2015	4	Chris Paris of Oxbridge - All 6 apps - January 2015 Status (ASQ/ALC)	All	Leastest posted with a Twitter capture. 800 forum.

As of 3/12/2015 Total Discussion Threads in the forum: 57,416
Total Posts in Discussion Threads in the forum: 549,817

5. More compliance evidence:

Exhibit	Thread or post	Approx date	Disposition
A-1	10285	12/01/04	Deleted.
B	65150	09/01/14	Was already deleted.
B-1	Same	09/01/14	
C	49884	03/01/11	Deleted
C-1	Same		
D	7843	01/01/04	Thread deleted.
D-1	Same		
E	4027	12/01/01	Post deleted.
F	49934	03/01/11	Thread deleted.
G	34743	06/01/09	I see nothing related to Oxbridge - Deleted "in abundance of caution".
H	33854	04/01/09	Post by Wes deleted
I	64345	07/01/14	Post deleted.
J	22201	06/01/07	Three posts deleted.
J-1	Same		
K		04/01/04	Not Eismar and no affiliation I have no control over that now defunct forum
L		07/01/04	USENET Post - I have no control over a USENET post
M		05/01/04	Google Groups Post - I have no control over Google Groups posts
N			See explanation of "Google Groups" in my email to you with this spreadsheet. No print date or source. I have no idea where they got this from.
NA	1788		Search Terms "rapid" and "Implementation" Found and thread deleted (6.30PM)
	556		Found and thread deleted (6.30PM)

One of many sessions of "cleaning" the Eismar forum of any possible reference which even "MIGHT" be associated with Chris Paris and/or Oxbridge - Sent to Simeon Briar

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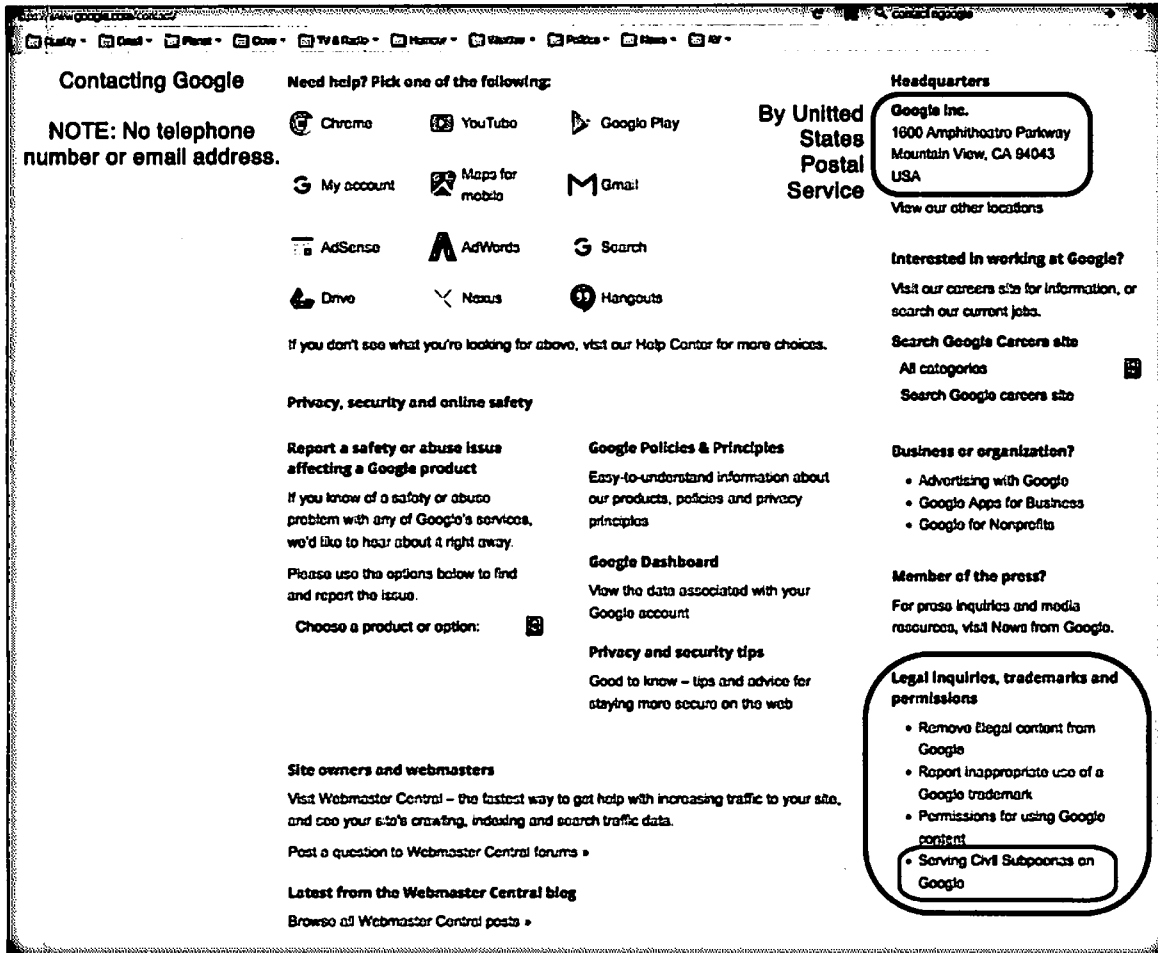
6. More compliance evidence:

Exhibit	Thread or post in thread	Approximate date	Disposition
A-1	10285	December 1, 2004	Deleted.
B	65150	September 1, 2014	Was already deleted.
B-1	Same	September 1, 2014	
C	49384	August 1, 2011	Deleted
C-1	Same		
D	7843	January 1, 2004	Thread deleted.
D-1	Same		
E	4027	December 1, 2001	Post deleted.
F	49934	August 1, 2011	Thread deleted.
G	34743	June 1, 2009	I see nothing related to Oxbridge - Deleted "In abundance of caution".
H	33854	April 1, 2009	Post by Wes deleted
I	64345	July 1, 2014	Post deleted.
J	22201	June 1, 2007	Three posts deleted.
J-1	Same		
K		April 1, 2004	Not Elsmar and no affiliation I have no control over that now defunct forum
L		July 1, 2004	USENET Post - I have no control over a USENET post
M		May 1, 2004	Google Groups Post - I have no control over Google Groups posts
N			See explanation of "Google Groups" in my email to you with this spreadsheet. No print date or source. I have no idea where they got this from.
Search Terms "rapid" and "Implementation"			
NA	1788	January 1, 2000	Found and thread deleted (6.30PM)
NA	556	June 1, 1999	Found and thread deleted (6.30PM)

7. SMITH has spend hundreds of hours trying to appease PARIS/OXEBRIDGE before and since this lawsuit was first filed. SMITH wants to get this initial information out as soon as possible to meet the Judge's order of 16 March 2016 which only allows SMITH 7 days (assuming "month" days rather than "business" days which are Monday through Friday). SMITH has hundreds of documents to review which SMITH has kept as evidence so there are more examples which show SMITH has tried to appease PARIS/OXEBRIDGE" well before the Stipulation on Injunction. SMITH has, over the years, tried to appease PARIS/OXEBRIDGE to no avail.

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GOOGLE #1



GOOGLE #2

Serving Civil Subpoenas on Google - Google Help <https://support.google.com/faq/answer/6151275>

Serving Civil Subpoenas on Google

- If you are in the U.S.
- If you are outside of the U.S.
- Where can I obtain information about my own account?

This page provides information for a user or an attorney seeking user data in a civil case in the U.S or outside of the U.S. If you are seeking user data related to a criminal case, you can read more about our policies and processes at the Transparency Report.

U.S. Civil Requests

When Google receives requests for user data, we review them very carefully according to applicable state and federal laws. It's Google's policy to notify users before data is disclosed as set out here.

Google accepts subpoenas issued from the Santa Clara Superior Court or the U.S. District Court for the Northern District of California. You can serve Google with a U.S. civil request for user data through the appropriate office of Google's registered service agent, Corporation Service Company (or "CSC").

The CSC office in California is located at the following address:

Corporation Service Company
2710 Gateway Oaks Drive, Suite 150N
Sacramento, CA 95833

If you would like to serve Google with a U.S. civil subpoena through CSC outside of California, you may be able to find other addresses for CSC by searching for Google Inc. on the website of the Secretary of State for other states ("Other Google Notice Addresses").

We prefer that service be made through CSC because service on Google through CSC will ensure the most efficient handling of the request possible.¹

Requests must specifically name the product/service and identify the accounts by email address or other appropriate unique identifier. Requests to identify users by real names or IP addresses may be declined.

Google is unable to accept service by email, fax, or regular mail.

Civil Requests from Outside the U.S.

For requests from outside the U.S., Google Inc. can be reached at:

Google Inc.
c/o Custodian of Records
1600 Amphitheatre Parkway
Mountain View, California 94043
United States of America

To avoid delay, please provide an email address to which we can respond.

GOOGLE #3

The screenshot shows a web browser window with a search bar at the top. The main content area has a title "Google Groups is a “scraper” aspect of Google Get started with Usenet on Google Groups" where "Usenet on Google Groups" is highlighted in a rounded rectangle. Below the title is a section "What is Usenet?" with two paragraphs of text. A sub-section "Memorable Usenet moments" is partially visible. Another section "How Usenet works on Google Groups" follows, with a paragraph of text. Below that is a rounded rectangle titled "Additional Details" containing a bulleted list of four points. At the bottom of the screenshot, a bolded statement reads: "In short - There is NO way to remove USENET content completely and forever from the internet. Period."

Google Groups is a “scraper” aspect of Google Get started with Usenet on Google Groups

What is Usenet?

Usenet is a global Internet discussion system created in 1980. It was the first Internet community, and gave people a new way to connect with each other. Usenet was also used to communicate some of the most important advancements in public Internet. For example, Tim Berners-Lee announced the launch of the World Wide Web on Usenet.

To make sure Usenet archives are available to everyone, Google integrated the past 20 years of discussion into Google Groups. You can find the most complete collection of Usenet articles, including more than 800 million messages dating back to 1981.

Memorable Usenet moments

How Usenet works on Google Groups

When you search for information on the Internet, you may find Usenet content. You'll can usually tell it was shared on Usenet by looking at the name of the group. Usenet group names follow a naming hierarchy separated by periods (ex. comp.lang.python).

Additional Details

- Content on Usenet groups is not controlled by Google, and is synced between distributed Usenet servers around the world.
- When content is posted to a Usenet server, those changes are synced across the Internet. The changes are not guaranteed to be complete, and may take some time to resolve.
- Content deleted on Google Groups will always remain deleted on Groups, even if other Usenet servers continue to show it.
- Unlike Google Groups, you can't email a Usenet group.

In short - There is NO way to remove USENET content completely and forever from the internet. Period.

In short - There is NO way to remove USENET content completely and forever from the internet. Period. This is a **REALITY**.

WHEREFORE, SMITH hereby requests that this Honorable Court:

- A. Dismiss PARIS/OXEBRIDGE’s Claim of Breach of Mediation Settlement Agreement and Joint Stipulation (the Stipulation on Injunction – Court Docket

SMITH Pro Se: Marc Timothy Smith, 8466 Lesourdsville-West Chester Road
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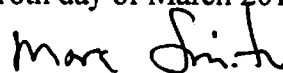
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Document 33 and the Mediation Settlement Agreement - Court Docket Document 49).

- B. Sanction PARIS/OXEBRIDGE and PARIS/OXEBRIDGE's attorney as deemed appropriate by the Court for filing a frivolous motion which they knowingly filled with outright lies, attempting to deceive the Court, and otherwise attempting to defame and smear SMITH.
- C. Sanction PARIS/OXEBRIDGE' lawyer as deemed appropriate by the Court for submitting a false document to the Court (the Stipulation on Injunction - Court Docket Document 33) and to declare that document void.
- D. Reimburse SMITH for travel expenses, including travel time, to attend the 16 March 2016 hearing - Approximately US\$1300 direct expenses and US\$1400 travel time {Total = US\$2700}).
- E. Reimburse SMITH for 65 hours of time spent to respond to the motion at a reasonable rate of US\$150/hour - Approximately US\$9750.
- F. That PARIS/OXEBRIDGE be responsible for paying any/all Court costs and any and all other costs/fees that arise from the PARIS/OXEBRIDGE motion including US\$655 for the 7 day transcription fee SMITH has to pay for the hearing transcript.
- G. Sanction PARIS/OXEBRIDGE from submitting any further motion with regard to any claim of Breach of Mediation Settlement Agreement and/or the Joint Stipulation.

I declare under penalty of perjury that the forgoing is true and correct.

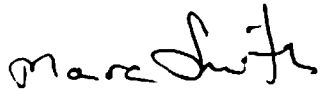
Dated and respectfully submitted using USPS this 18th day of March 2016.



Marc Timothy Smith (SMITH pro se)

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By: 
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I certify that a copy of this document is being furnished on the same date to the court and to William R. Wohlsifer, Attorney for PARIS/OXEBRIDGE at:

William R. Wohlsifer
1100 E. Park Ave Ste B
Tallahassee, Florida 32301
(Attorney for PARIS/OXEBRIDGE)

Marc Timothy Smith (SMITH pro se)