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June 19, 2006

Judge Joan E. Lancaster
United States District Court
12W U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415

Dear Judge Lancaster,

I am writing in reference to **Case 0:02-cv-00770-JNE-JGL** in which on September 30, 2002 you issued an injunction against Sunbelt Communications and their associates not to violate the TCPA anymore (they were sending tons of junkfaxes).

I run the website www.junkfax.org which is the premiere website on junk faxes. I currently receive more complaints about the Sunbelt principals than from any other source. They dial regular *voice* lines all over the country at all hours of day and night looking for new *fax* numbers. If you've ever answered the phone and heard "beep tones" that is probably them calling you!

And they send faxes to people all over the country in violation of your order as well. I know this for a fact because I'm a victim of their faxes myself and I've personally verified this and traced it back to them from the faxes I get. And other people who have received similar faxes have independently traced their faxes back to them. I'd be happy to provide affidavits and other proof from multiple sources if you like.

I tried contacting the Minnesota AG, but the people who originally prosecuted this case for the AG's office are gone. I was referred to Daniel Goldberg who said that the AG's office doesn't pursue criminal contempt on court orders they have obtained (they said it wasn't in their jurisdiction which frankly amazed me when I heard that but I'm not an expert on Minnesota law). He asked for the information anyway which I forwarded to him at his email address Daniel Goldberg (daniel.goldberg@state.mn.us) on May 11, 2006.

However, nothing prevents the court from issuing on its own motion, an OSC as to why Greg and Mike Horne shouldn't be held in contempt for violating the injunction you issued on September 30, 2002 in this case.

These two individuals are long-time violators of the TCPA. I've prosecuted almost 100 TCPA cases and I'm familiar what makes these people tick. **I can assure you that the Horne's will never stop violating the TCPA until they are sentenced to jail for contempt.** The Horne's were the principals in American Blast Fax (see <http://www.junkfax.org/fax/profiles/AmericanBlastFax.htm>) which was one of the most infamous blast faxers in the country.

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These guys just changed their name to “My Hot Leads” and are just doing the same stuff over and over again. I can tell you that people are very upset with the huge number of faxes they send, and their calling people at all hours with a fax tone on their voice phone numbers hoping to discover new fax numbers.

The Horne’s basically think your injunction is a joke and that you’ll never take any action at all to enforce your order. Monetary remedies don’t bother them a bit since they will never pay anyone. And they know that most judges are way too timid to actually sentence someone to spend time in jail. So they laugh at your injunction and it’s business as usual for them, as if the injunction never happened.

I even spoke to their representative, Dave Crandall, and told him of the injunction. He simply ignored it and offered to take my number off their list rather than comply with your order. All of this is documented on the web page at:
<http://www.junkfax.org/fax/profiles/MyHotLeads.htm>

Why should they follow your order or comply with federal law? They are making millions by not doing that. So they are laughing at your injunction and laughing at federal law since they’ve been doing it for years and never paid a penny in penalties or spent a day in jail.

Maybe you can change that and show them that the whole court proceeding has more meaning than a few docket entries in a pacer database on some government computer and a bunch of paper in the court’s own files?

Obviously, the AG spent a lot of time and energy to get this injunction. All of that effort is worthless if the injunction isn’t enforced.

I would be happy to assist you in any way you need. And since the Horne’s do not know my fax number or the fax numbers of others who have identified them, we can easily tell you if they’ve stopped faxing.

I can be contacted by any of the addresses in the header of this letter.

Sincerely yours,

Steven Kirsch
Junkfax.org