



2. On March 30, 2020, the Petitioner, GARY LANCE, filed these five (5) Verified Petitions for Emergency and Plenary Stalking No Contact Orders (SNCOs) against the five (5) Respondents.
3. In his Verified Petition as to each and every Respondent, Petitioner alleged, subject to penalties of perjury and sanctions, including attorney fees, and under Illinois Supreme Court Rule 137 and 735 ILCS 5/1-109, that each and all of the Respondents were taking pictures and videos of Petitioner as well as stalking and harassing Petitioner.
4. Petitioner appeared before Judge Hudson on March 30, 2020 and obtained an Emergency Stalking No Contact Order (ESNCO) based upon the verified allegations in Lance's petition and further sworn testimony Lance presented to Judge Hudson that date.
5. The facts support and the court agrees with Attorney Turpin's argument and finds that, the Petitioner, without a reasonable belief as to the identity of the person(s) responsible for the acts complained of, and, without making a reasonable inquiry into the underlying allegations, pleaded wanton falsehoods about each and all of the five (5) Respondents.
6. The verified written allegations against all five of the Respondents were patently false; Petitioner knew or should have known such allegations were false; Petitioner knew or should have known these allegations were false at the time he completed and signed his verified petition and presented testimony to Judge Hudson (at the hearing on Petitioner's request for an Emergency SNCO) and to Judge Dunn at the hearing on the remaining Petitions (20-OP-29 and 20-OP-32); Petitioner did not complete any let alone a thorough investigation into the facts or his specific verified allegations against any one nor all of the Respondents prior to completing, signing and presenting his verified petitions to the court.
7. The videos and photos about which Petitioner complained were taken and published (circulated) by an internet journalist, John Kraft of the "Edgar County Watchdogs," an internet news website. Petitioner not only should have known this but he did know this when he signed and presented his verified petitions. Indeed, Petitioner confronted and threatened Kraft regarding these photos/videos prior to his completing, verifying/signing and presenting his verified petitions to the court.
8. Just prior to the commencement of the consolidated hearing for Plenary SNCO on all five (5) petitions on April 16, 2020, Petitioner and Respondent's counsel, Mr. Turpin, appeared before the court (Judge Dunn) and Petitioner moved to voluntarily dismiss his petitions against three (3) of the Respondents, David King (20-OP-30), Susan King (20-OP-31) and Emily Banks (20-OP-32). Under oath during the hearing on April 16, 2020 and/or at the subsequent sanctions hearing held on July 23, 2020, the Petitioner testified that he proceeded against these

three (3) Respondents, not because they had committed any act of harassment or stalking but merely because these three (3) were related to or associated with the other two (2) Respondents, Bill Eblin (20-OP-29) and Jon King (20-OP-32).

9. At the hearing held on April 16, 2020 on Petitioner's request for a Plenary SNCO, this court (Judge Dunn) saw and heard evidence from both sides – including the testimony of the Petitioner (Gary Lance), the Respondents (Bill Eblin and Jon King) and of journalist, John Kraft. At the conclusion of such hearing, this court granted Respondents' Attorney's motion for directed finding and ruled that there was no basis for a Plenary SNCO, that the allegations of Petitioner in each and all of his petitions were without merit, that John Kraft took/published the photos and videos that were taken from a public roadway or at least a public vantage point where Kraft (and, frankly anyone else had the right to be), and that Petitioner had not been stalked or harassed by any of the five (5) Respondents-herein.
10. Each and all five (5) of the Respondents were required to retain Attorney Turpin and his firm to defend the baseless and false allegations in Petitioner's petitions.
11. The attorney fees stated in the Motion(s) for Sanctions and the supporting Affidavit for attorney fees were actually, necessarily and reasonably expended on behalf of each and all of the five (5) Respondents.
12. The court exercises its discretion and awards attorney fees as an appropriate sanction under both Illinois Supreme Court Rule,137 and 735 ILCS 5/1-109, and, the court finds that the Petitioner, Gary Lance, can and should pay/reimburse each and all five (5) of the Respondents for their reasonable and necessary attorney fees. Petitioner, without a reasonable belief as to the identity of the person(s) responsible for the acts complained of, and/or without making a reasonable inquiry into the underlying allegations, pleaded wanton falsehoods about each and all of the five (5) Respondents. Petitioner also testified falsely during the proceedings. The court acknowledges, in mitigation, that Petitioner was not originally represented by counsel, Petitioner did eventually correct his prior false testimony, and, Petitioner did apologize at one point during his testimony at the sanctions hearing. Nonetheless, the court exercises its discretion in favor of granting of Respondents' requests for sanctions/attorney fees.
13. The court also finds that the Citizen Protection Act authorizes and is a further basis for the granting of the Respondents' request for sanctions/attorney fees under the facts and circumstances of this case. The court finds that Petitioner's actions in seeking the SNCO against the five (5) Respondents was an abuse of the judicial process and aimed at intimidating, harassing, or punishing the five (5) Respondents for their involving themselves in public affairs, including their rights to petition, speech, association, and/or to otherwise participate in government. These actions of Petitioner are covered by the letter and underlying public policy addressed in the Citizen Protection Act, and, this is an appropriate

case for the award of attorney fees under such Act. See 735 ILCS 110/5, 10, 15, 20, and 25.

14. Thus, the court enters judgment in favor of Respondent(s) and against Petitioner in the sums requested by Respondents as follows:

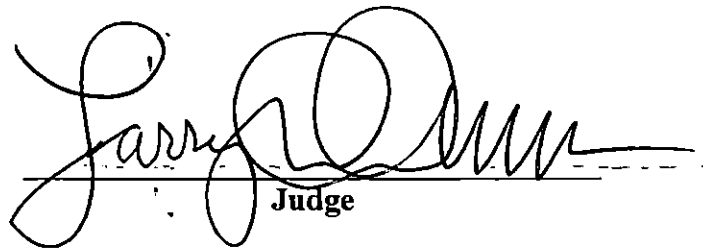
- (a) Judgment is entered in favor of Respondent, Bill Eblin and against Petitioner, Gary Lance in the amount of \$ 1, 008.00.
- (b) Judgment is entered in favor of Respondent, Jon King and against Petitioner, Gary Lance in the amount of \$ 1, 008.00.
- (c) Judgment is entered in favor of Respondent, David King and against Petitioner, Gary Lance in the amount of \$ 1, 008.00.
- (d) Judgment is entered in favor of Respondent, Susan King and against Petitioner, Gary Lance in the amount of \$ 1, 008.00.
- (e) Judgment is entered in favor of Respondent; Emily Banks and against Petitioner, Gary Lance in the amount of \$ 1, 008.00.

15. The court grants such sanctions and enters such judgment(s) for attorney fees even though Petitioner's has limited income and assets and notwithstanding the fact that Petitioner's attorney claims all of Petitioner's income and/or assets may be exempt. The court finds that whether any of Petitioner's income or assets are exempt from collection efforts to satisfy the judgment(s) this court enters this date on behalf of each and all Respondents is still a question of fact and law to be determined, perhaps as part of post-judgment collection proceedings.

There is no just cause for delay in the appeal or enforcement of this Order for Sanctions.

The Circuit Clerk shall provide a file-marked copy of this order to both counsel.

11/11/2020  
Date

  
Judge