

IN THE CIRCUIT COURT OF THE 15TH  
JUDICIAL CIRCUIT IN AND FOR PALM  
BEACH COUNTY, FLORIDA

CASE NO.: 50-2019-CA-013860-XXXX-MB

GABE HOFFMAN,

Plaintiff,

v.

THOMAS SCHOENBERGER,

Defendant.

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**PLAINTIFF'S RESPONSE TO DEFENDANT'S MOTION TO DISMISS FOR  
LACK OF PERSONAL JURISDICTION AND MOTION TO QUASH SERVICE**

Plaintiff, Gabe Hoffman, by and through his undersigned counsel, files this Response to Defendant, Thomas Schoenberger's Motion to Dismiss for Lack of Personal Jurisdiction and Motion to Quash Service (Filed 12/09/2020 Filing # 117915425), and states:

1. The basis for Defendant's Motion to Dismiss for Lack of Jurisdiction is twofold:  
a). Judge Keyser's ruling in a "related" case is relevant to jurisdiction in this case (Motion, paragraphs 1-12; and 2) the alleged defamatory posting must be accessed by a third party in Florida under Internet Solution Corp. v. Marshall, 39 So. 3d 1201, 1214-16 (Fla. 2010) (Motion, paragraphs 20-25). Both grounds are without merit.

**Judge Keyser's Ruling**

2. On August 3, 2020, Judge Keyser's issued an Order on Defendant's Motion to Dismiss for Lack of Personal Jurisdiction in Hoffman v. Alexander, Case No. 50-2019-CA-013281-XXXX-MB. The Defendant in that case was represented by Defendant's attorney in the instant litigation.

3. The Order simply granted the Motion, "without prejudice to file a Second Amended Complaint." No justification for the Order was cited. The Order was not submitted by counsel.

No precedent was identified. The Order was without prejudice to refile an amended complaint. A copy of the Order is attached as Exhibit A.

4. Judge Keyser's ruling has no relevance to this case. While the Alexander case is also a defamation lawsuit filed by Plaintiff Hoffman, the basis for the ruling is conjecture and speculative.

#### **Third Party Access Requirement**

5. Plaintiff does not dispute that, under Internet Solution Corp v. Marshall at 1216, the Florida Supreme Court requires that the alleged defamatory material must be accessed by a third party in Florida. (Motion, paragraphs 20-25). The record in the instant litigation reflects that the alleged defamatory material was accessed by Ashley Reagan Early, a resident of 403 W. DeVane Street, Plant City, Florida.

6. After waiting the required ten days from the service of a Notice of Intent to Serve Subpoena (Filing # 110642581), Ms. Early received a subpoena for documents from Plaintiff Hoffman in this case. In response, Ms. Early, through counsel, filed a Motion for Protective Order (Filing # 111846211).

7. As set forth in Plaintiff's Opposition to Ashley Reagan Early's Motion for Protective Order (Filing # 113419059), Ms. Early accessed the defamatory filings which are at issue in this case, and engaged in the creation of numerous false and defamatory information about Plaintiff Hoffman, similar in nature to the defamatory statements by Defendant Schoenberger (i.e., the imagined murder of Isaac Kappy, Plaintiff Hoffman being a member of Mossad, and other topics). Specifically, the subpoena contained six short requests of 1) communications between Ms. Early and Mr. Schoenberger relating to the subject matter of this litigation; 2) communications between Ms. Early and third parties relating to Defendant Schoenberger, Plaintiff Hoffman or Isaac Kappy, all within the subject matter of this litigation; and 3) Twitter references of Ms. Early to

Defendant Schoenberger, Plaintiff Hoffman or Isaac Kappy on @justbeingregan. The Opposition, along with Exhibits, provided evidence of the relevancy of the subpoena and its relation to this case. A copy of Plaintiff's Opposition to Ashley Reagan Early's Motion for Protective Order, with Exhibits, is attached hereto as Exhibit B.

8. After hearing, the Court agreed with Plaintiff Hoffman and denied Ms. Early's Motion for Protective Order (Filing # 114137144). Thereafter, Ms. Early produced documentation relating to the Subpoena which evidence her accessing Defendant Schoenberger's defamatory comments.

### **Conclusion**

9. The Court should not alter or rescind its ruling which granted jurisdiction in this case. Under the standard of Internet Solution Corp. v. Marshall, the record in this case reflects that the defamatory comments of Defendant Schoenberger were accessed (and responded to) by Ms. Ashely Reagan Early, a resident of Florida. Further, Judge Keyser's ruling has no relevance to this case.

DATED this 5th day of January, 2021.

KELLEY KRONENBERG  
*Counsel for Plaintiff*  
10360 West State Road 84  
Fort Lauderdale, FL 33324  
Telephone No.: (954) 370-9970  
Facsimile No.: (954) 382-1988

By: /s/ Dennis S. Klein  
DENNIS S. KLEIN  
Florida Bar No.: 91767  
*dklein@kelleykronenberg.com*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 5th day of January, 2021, this document was filed using the Florida Courts E-Filing Portal. This document is being served on all counsel and pro se parties of record by the Florida Courts E-Filing Portal, pursuant to and in compliance with Fla. R. Jud. Admin. 2.516. The mailing and electronic addresses are: G. Baron Coleman, at baron@baroncoleman.com and baroncoleman@gmail.com, Baron Coleman Law Firm, Three South Jackson Street, P.O. Box 789, Montgomery, AL 36101-0789.

By: /s/ Dennis S. Klein  
DENNIS S. KLEIN

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# **EXHIBIT A**

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IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA

CIRCUIT CIVIL DIVISION AB  
CASE NO. 50-2019-CA-013281-XXXX-MB

GABE HOFFMAN,  
Plaintiff/Petitioner

vs.

ALI ALEXANDER,  
Defendant/Respondent.

\_\_\_\_\_ /

Order on Defendant's Renewed Motion to Quash Service and  
Renewed Motion to Dismiss for Lack of Personal Jurisdiction

Defendant's Motion to Quash Service and Motion to Dismiss for Lack of Personal Jurisdiction was heard on July 28, 2020. Both parties were represented by counsel who were present to present arguments.

It is hereby ORDERED that the Defendant's Motion to Quash Service and Motion to Dismiss for Lack of Personal Jurisdiction are GRANTED without prejudice to file a Second Amended Complaint which must be reserved on the Defendant.

All other pending motions are therefore moot.

ORDERED on this the 3rd day of August, 2020.

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*Janis Brustares Keyser*  
50-2019-CA-013281-XXXX-MB 08/03/2020  
Janis Brustares Keyser, Judge

50-2019-CA-013281-XXXX-MB 08/03/2020  
Janis Brustares Keyser  
Judge

COPIES TO:

DENNIS S KLEIN	10360 WEST STATE ROAD 84 FORT LAUDERDALE, FL 33324	dklein@kelleykronenberg.com dklein@kelleykronenberg.com colschewske@kelleykronenberg.com
G BARON COLEMAN	3 SOUTH JACKSON ST MONTGOMERY, AL 36101	baroncoleman@gmail.com baron@baroncoleman.com

WILLIAM F. MUELLER No Address Available

wmueller@kelleykronenberg.co  
m  
zmartinez@kelleykronenberg.c  
om  
cahmeti@kelleykronenberg.com

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# **EXHIBIT B**

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IN THE CIRCUIT COURT OF THE  
15TH JUDICIAL CIRCUIT, IN AND  
FOR PALM BEACH COUNTY, FLORIDA

CASE NO.: 50-2019-CA-013860-XXXX-MB

GABE HOFFMAN,

Plaintiff,

v.

THOMAS SCHOENBERGER,

Defendant.

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**PLAINTIFF'S OPPOSITION TO NON-PARTY,  
ASHLEY REAGAN EARLY'S MOTION FOR PROTECTIVE ORDER AND  
REQUEST FOR ATTORNEYS' FEES AND COSTS**

Plaintiff, GABE HOFFMAN ("Plaintiff"), by and through his undersigned counsel, hereby files this Opposition to Non-Party, Ashley Reagan Early's, Motion for Protective Order, and states:

1. On July 22, 2020, Plaintiff filed a Notice of Intent to Service Subpoena (filing# 110642581).
2. After waiting the required ten (10) days for an objection to potentially be filed, Plaintiff's counsel issued and served Non-Party Ashley Reagan Early with a Subpoena Duces Tecum Without Deposition on August 5, 2020. A copy of the Subpoena and Notice of Filing Affidavit of Service of Subpoena Served on Ashley Reagan Early (filing 111485671) is attached hereto as Exhibit "A".
3. In response to being served with the subpoena, non-party Ashley Reagan Early filed with the court Non-Party, Ashley Reagan Early's Motion for Protective Order on August 14, 2020 (Filing# 111846211).
4. Early's Motion is frivolous and dilatory. Attorneys' fees and costs are warranted.
5. Early's Motion states no factual basis for a Protective Order. It is filled with

conclusory rhetoric.

6. Early's Motion claims the documentation is burdensome, but fails to state a factual basis supporting this conclusion.

7. Early's Motion asserts that the production is not reasonably calculated to lead to the discovery of admissible, or useful evidence. Again, this assertion is made without any factual basis; the assertion does not discuss the specific requests or even the subject matter of the pending litigation.

8. Early's Motion claims that the request seeks private and confidential information. Such information is not a basis for a Protective Order. Again, no factual basis is submitted for this conclusion.

9. **Aside from the clear deficiencies in Early's Motion, the documents sought are clearly within the scope of discovery.**

10. Plaintiff's case against Defendant Schoenberger involves claims that the Defendant has created numerous videos containing defamatory statements. Plaintiff also claims that Defendant has incited others to create similar videos, or distribute and publish defamatory videos.

11. Ms. Early is not disassociated from this litigation or Defendant Schoenberger. Defendant Early has been in contact with Defendant Schoenberger relating to the allegations which are the subject matter of this case. Defendant Early received a voicemail message from Defendant Schoenberger, on or about October 13, 2019. The voicemail indicated that Plaintiff Hoffman was under "full board" FBI investigation into the imagined murder of Isaac Kappy. Ms. Early forwarded this information to a third party. The following is a YouTube link to this voicemail: <https://www.youtube.com/watch?v=PPGQ9adO8Is>.

12. Ms. Early engaged in the creation of numerous false and defamatory information about Plaintiff Hoffman, similar in nature to the defamatory statements by Defendant Schoenberger (i.e., relating to the imagined murder of Isaac Kappy, Plaintiff Hoffman being a member of Mossad and other topics). See “Exhibit B.”

13. Moreover, Ms. Early received communication from the undersigned attorney, requesting that certain information which she created on the internet be deleted. Ms. Early forwarded this communication to a website relating to Defendant Schoenberger: <https://www.thomas-schoenberger-felon.com/2020/07/27/gabe-hoffman-ashley-reagan-early/>.

14. In conclusion, the subpoena is narrow and within the scope of discovery. The subpoena contains six short requests relating to 1) communications between Ms. Early and Mr. Schoenberger relating to the subject matter of this litigation; 2) communications between Ms. Early and third parties relating to Defendant Schoenberger, Plaintiff Hoffman or Isaac Kappy, all within the subject matter of this litigation; and 3) Twitter references to Defendant Schoenberger, Plaintiff Hoffman or Isaac Kappy on @justbeingreagan.

15. If no communications exist, then Ms. Early’s response is simple; but a protective order is unwarranted and dilatory.

WHEREFORE, Plaintiff respectfully requests this Court to enter an Order imposing the following relief:

A. Enter an Order requiring non-party Ashley Reagan Early to produce the documents requested in the subpoena.

B. Awarding Plaintiff all reasonable and necessary attorney’s fees and costs associated with the defending of this Motion as well as any resulting hearings; and

C. Award Plaintiff any further relief this Court deems necessary.

DATED this 15th day of September, 2020.

KELLEY KRONENBERG, PA  
*Counsel for Plaintiff*  
10360 West State Road 84  
Fort Lauderdale, FL 33324  
Telephone No.: (954) 370-9970  
Facsimile No.: (954) 382-1988

By: /s/ Dennis S. Klein  
DENNIS S. KLEIN  
Florida Bar No.: 91767  
[dklein@kelleykronenberg.com](mailto:dklein@kelleykronenberg.com)

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 15<sup>th</sup> day of September, 2020, this document was filed using the Florida Courts E-Filing Portal. This document is being served on all counsel and pro se parties of record by the Florida Courts E-Filing Portal, pursuant to and in compliance with Fla. R. Jud. Admin. 2.516. The mailing and electronic addresses are: Thomas Schoenberger, (*pro se Defendant*) at tstger13@gmail.com, 1726 Willowbrook Drive, Provo, UT 84604 and Kevin D. Astl, Esq., kevin@mylawyerkevin.com, Astl Law PLLC, 2224 Ashley Oaks Circle, Suite 102, Wesley Chapel, FL 33544, counsel for Non-Party, Ashley Reagan Early.

By: /s/ Dennis S. Klein  
Dennis S. Klein

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# **Exhibit A**

*NOT A CERTIFIED COPY*

IN THE CIRCUIT COURT OF THE  
15TH JUDICIAL CIRCUIT, IN AND  
FOR PALM BEACH COUNTY, FLORIDA

CASE NO.: 50-2019-CA-013860-XXXX-MB

GABE HOFFMAN, an individual,

Plaintiff,

v.

THOMAS SCHOENBERGER, an individual.

Defendant.

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**NOTICE OF INTENT TO SERVE SUBPOENA PURSUANT TO FLORIDA RULE OF  
CIVIL PROCEDURE 1.351 FOR DOCUMENTS AND THINGS WITHOUT  
DEPOSITION**

YOU ARE HEREBY NOTIFIED that after ten (10) days from the date of service of this Notice, and if no objection is received from any party, the undersigned will issue or apply to the Clerk of this Court for issuance of the attached subpoena directed to:

**Ashley Reagan Early  
a/k/a Reagan Early McGregor  
403 W Devane Street  
Plant City, FL 33563**

who is not a party to this action, to produce the items at the time and place specified in the attached subpoenas.

KELLEY KRONENBERG, PA  
*Counsel for Plaintiff*  
10360 West State Road 84  
Fort Lauderdale, FL 33324  
Telephone No.: (954) 370-9970  
Facsimile No.: (954) 382-1988

By: /s/ Dennis S. Klein

DENNIS S. KLEIN  
Florida Bar No.: 91767  
[dklein@kelleykronenberg.com](mailto:dklein@kelleykronenberg.com)

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 22<sup>nd</sup> day of July, 2020, this document was filed using the Florida Courts E-Filing Portal. This document is being served on all counsel and pro se parties of record by the Florida Courts E-Filing Portal, pursuant to and in compliance with Fla. R. Jud. Admin. 2.516. The mailing and electronic addresses are: Thomas Schoenberger, (*pro se Defendant*) at tstger13@gmail.com, 1726 Willowbrook Drive, Provo, UT 84604.

By: /s/ Dennis S. Klein  
Dennis S. Klein

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IN THE CIRCUIT COURT OF THE  
15TH JUDICIAL CIRCUIT, IN AND  
FOR PALM BEACH COUNTY, FLORIDA

CASE NO.: 50-2019-CA-013860-XXXX-MB

GABE HOFFMAN, an individual,

Plaintiff,

v.

THOMAS SCHOENBERGER, an individual.

Defendant.

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**SUBPOENA DUCES TECUM WITHOUT DEPOSITION  
(MAIL IN RECORDS ONLY)**

THE STATE OF FLORIDA:

TO: **Ashley Reagan Early  
a/k/a Reagan Early McGregor  
403 W Devane Street  
Plant City, FL 33563**

YOU ARE HEREBY COMMANDED to produce to Dennis S. Klein, Esq., Kelley Kronenberg, Counsel for Plaintiff, 10360 W State Road 84, Fort Lauderdale, FL 33324, within ten (10) days of service:

Said documents and/or materials to be produced as follows:

1. All documents reflecting or referring to the voicemail message from Thomas Schoenberger (on or about October 13, 2019) indicating that Gabe Hoffman was under FBI investigation. The voicemail message can be found at <https://www.youtube.com/watch?v=PPGQ9adO8Is>
2. Any documents which reflect or refer to communications with Thomas Schoenberger relating in any manner to Gabe Hoffman. Such communications shall include documents, letters, memorandum, phone records, text messages, emails, posting on the internet, Twitter, Instagram, You Tube, Facebook (or any social media platform);
3. Any documents which reflect or refer to communications with Thomas Schoenberger relating in any manner to Isaac Kappy. Such communications shall include documents, letters, memorandum, phone records, text messages, emails, posting on the internet, Twitter, Instagram, You Tube, Facebook (or any social media platform);

4. Any documents which reflect or refer to communications with third parties which relate in any way to Thomas Schoenberger, Gabe Hoffman or Isaac Kappy. Such communications shall include documents, letters, memorandum, phone records, text messages, emails, posting on the internet, Twitter, Instagram, You Tube, Facebook (or any social media platform);
5. Any communications between yourself, at email ReaganEarly@hotmail.com and any third party which reflect or refer to Isaac Kappy, Gabe Hoffman or Thomas Schoenberger
6. Any postings on your Twitter account @justbeingreagan which reflect or refer to Thomas Schoenberger, Gabe Hoffman or Isaac Kappy

These items will be inspected and may be copied at that time. You will not be required to surrender the original items. You may comply with this subpoena by giving legal copies of the items to be produced to the attorney whose name appears on this subpoena on or before the scheduled date of production. You may condition the preparation of the copies upon the payment in advance of the reasonable cost of preparation. You may mail or deliver copies to the attorney whose name appears on this subpoena. You have the right to object to the production pursuant to this subpoena at any time before production by giving written notice to the attorney whose name appears on this subpoena. **THIS WILL NOT BE A DEPOSITION. NO TESTIMONY WILL BE TAKEN.**

**IF YOU DO NOT HAVE RECORDS, PLEASE ADVISE IN WRITING**

If you fail to:

- (1) appear as specified; or
- (2) furnish the records instead of appearing as provided above; or
- (3) object to this Subpoena,

you may be in contempt of court. You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to this subpoena as directed.

DATED this \_\_\_\_\_ day of July, 2020.

KELLEY KRONENBERG, PA  
*Counsel for Plaintiff*  
10360 West State Road 84  
Fort Lauderdale, FL 33324  
Telephone No.: (954) 370-9970  
Facsimile No.: (954) 382-1988

By: /s/ Dennis S. Klein

DENNIS S. KLEIN  
Florida Bar No.: 91767  
[dklein@kelleykronenberg.com](mailto:dklein@kelleykronenberg.com)

# **Exhibit B**

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**Reagan**  
@JustBeingReagan



Everyone go to An Open Secret's periscope video being streamed right now and mention #Isaackappy  
Do it! Do it now!!! (said in Terminator voice)

10:35 PM · Aug 13, 2019 · Twitter for Android

3 Likes



**Reagan @JustBeingReagan** · Aug 13, 2019  
Replying to @JustBeingReagan



Fuck a duck, it lasted like 6 minutes...he doesn't want comments!

1



3



This Tweet is from a suspended account. [Learn more](#)



**Reagan**  
@JustBeingReagan



Replying to @WatchingWtrBoil @Sharkbellykelly and 20 others

Gabe is a complete Moron and undoubtedly an owner of a micropenis.

9:23 PM · Aug 16, 2019 · Twitter for Android





**Reagan**  
@JustBeingReagan



Replying to @Jp55510 @ImperatorTruth and 23 others

This is literally it.... this is the who, what, where, why and how Isaac was killed. Makes perfect sense. Kappy called it too. There was no one on this planet he spoke of with more anger than Gabe.

9:46 PM · Aug 17, 2019 · Twitter for Android

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5 Retweets and comments   8 Likes

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Reagan @JustBeingReagan · Nov 23, 2019

@Sharkbellykelly

What changed your mind?



0:28 30 views





Reagan @JustBeingReagan · Nov 24, 2019  
Replying to @Celeste1752 @miketeets4 and 43 others  
#sellout



2 comments 2 retweets 5 likes



Reagan @JustBeingReagan

Replying to @Boonigma @Celeste1752 and 43 others

Remember what Kelly said about Gabe on Leppo last night. Don't forget it. Don't forget he reached out to her... Some ppl's loyalty has a pricetag.

3:06 AM · Nov 24, 2019 · Twitter for Android

5 Likes

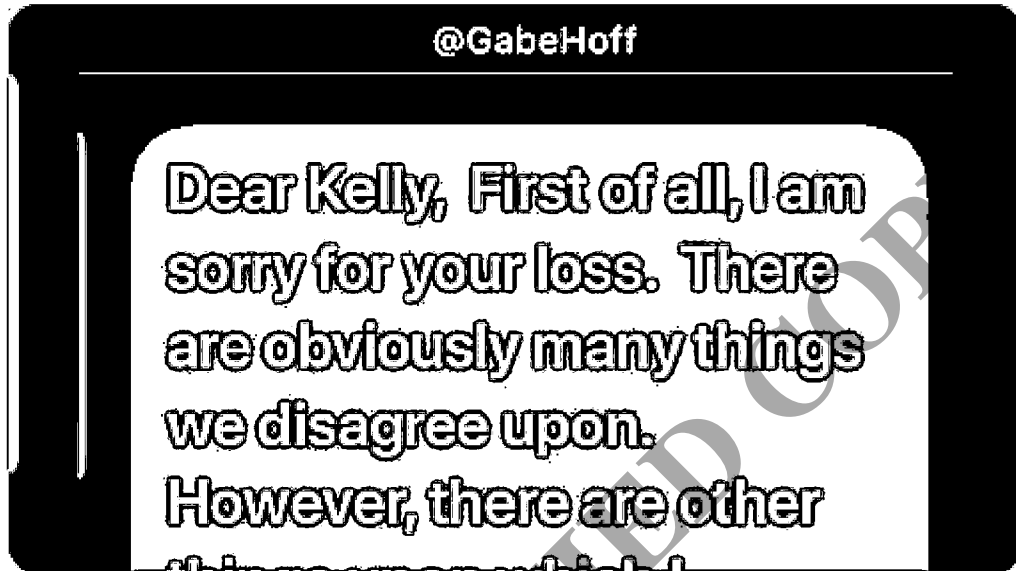


Reagan @JustBeingReagan · Dec 2, 2019



Replying to @illusiveman

Not a conspiracy.



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**Steppenwolf** @WyattEarpp\_ · Feb 15

What do you mean Reagan exposed Gabe and Kelly ? I thought they had an argument. Reagan called her a c\*ntwaffle in a dm to me. I think you have this wrong SD



1



1



**Reagan**  
@JustBeingReagan

Replying to @WyattEarpp\_ @sdsproat and 6 others

Thanks Wyatt. Yes, Kelly and I had an argument and we both acted kinda shitty. I don't think Kelly had anything to do with what happened to Kappy. Can't say the same for the other one.

9:28 PM · Feb 15, 2020 · Twitter for Android

2 Likes



This Tweet is from a suspended account. [Learn more](#)



**Reagan @JustBeingReagan** · Jul 18

#GabeHoffman or, as I lovingly like to call him, GayDolphin...sucks.



Multimillionaire Gabe Hoffman Insults and Creeps Out MAGA Influencer... Hoffman has been clashing with MAGA influencers lately, and new stories about his behavior are coming to light.

[culttture.com](https://culttture.com)

5

9

24



**Lindsay @lil\_lightworker** · Jul 18

Wasn't he called out by Kappy as a #pedo?

1



2



**Reagan @JustBeingReagan** · Jul 18

Pedo protector I think is what Kappy said. Kappy said he was involved in bad shit


1



7



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 **Reagan** @JustBeingReagan · Jul 18

#GabeHoffman or, as I lovingly like to call him, GayDolphin...sucks.  
[culttture.com/2019/multimill...](http://culttture.com/2019/multimill...)





 2



 2



**Reagan** @JustBeingReagan · 9h

Is that Gabe saying "I like women, here are 4 pictures of me with them"   
  

Yeah, he totally likes penises in his butthole. Get out of the closet dude...

 1



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