



Saint Thomas More
1478-1535

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Feast of the Immaculate Heart of Mary

Dear Fellow Catholic:

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We have big news for you! Our appeal of the \$109 million verdict awarded by the U.S. District Court jury against our pro-life activist clients ~~early last year in Portland, Oregon, is to be argued~~ before a three-judge panel of the U.S. Ninth Circuit Court of Appeals in that city on September 12, 2000.

The outcome of the appeal in this civil RICO/FACE lawsuit, which we told you all about in *The ACLA Report*, will be crucial to the future of pro-life, anti-abortion activism in America.

Why? Because what the jury's verdict and the subsequent Permanent Injunction granted by the trial court mean is that any pro-life activist can be hauled into federal court and saddled with a multi-million dollar damage award and a Draconian injunction which could potentially reduce him/her to nearly a pauper who could be sent to jail merely for saying the "wrong" things about doctors who perform abortions.

How did this happen? It happened because the trial judge accepted what we hold to be one of the most dangerous theories of liability for pure political speech ever heard of and yet boldly and successfully put forth in the U.S. District Court by Planned Parenthood: that the alleged "threats" supposedly arose not from the actual language of the posters or Web site, but from the "context" in which the posters and Web site were published and, therefore, our clients should be held liable for violating the Racketeer Influenced & Corrupt Organizations Act (RICO) and the Freedom of Access to Clinic Entrances Act (FACE).

In this truly novel legal theory, the posters were real "threats" when seen in the "context" because "similar" posters naming other abortionists just happened to be in circulation when those abortionists were shot in 1993 and 1994. Under this theory,

any poster or Internet site which condemns an abortionist by name is an extortionate "threat" transgressing RICO and FACE if the physician named merely claims in court that he "feels threatened" because his name is mentioned - even if in fact the pro-lifer who created the poster or Web site had no intent to threaten anyone!

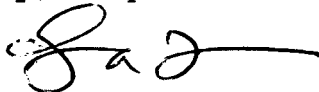
And to prove their case to the Portland jury, the Planned Parenthood plaintiffs were allowed to introduce mountains of "context of violence" evidence - all about shootings, bombings, and arsons which our peaceful Catholic pro-life clients had absolutely nothing to do with! Even the U.S. marshal who was in charge of security for the very courtroom in which the trial took place was permitted to testify about how he considered one of the posters to be "threatening"! And so on it went for three weeks.

For all of these reasons, First Amendment commentators all across this country will be awaiting the outcome of our oral argument before the U.S. Ninth Circuit Court of Appeals on September 12th. Even liberal, Secularist newspaper columnists and law school professors have expressed alarm over the jury instructions and verdict.

We are very grateful for all the financial support loyal Catholics like you have given us over the years. However, what is even more important right now is prayer, because beneath the battles in the federal trial and appellate courts is a spiritual battle between those who believe in and promote the Social Kingship of Christ and the Queenship of Mary and those who, on the contrary, work for and promote militant Naturalism and Secular Humanism as our "state religion".

Please help us overturn this unfortunate legal precedent with your sacrifices and prayers, especially for the intercession of Our Lady of Guadalupe, Patroness of the Unborn. And ask many of your friends to pray the Holy Spirit to enlighten us and the judges of the U.S. Ninth Circuit Court of Appeals on Sept. 12th.

Mary, Help of Christians, Pray for Us!



Christopher A. Ferrara
President and General Counsel