

AUG 29 2018

At 3:36 P.M.  
Velva L. Price, District Clerk

CAUSE NO. D-1-GN-18-001605

MARCEL FONTAINE

*Plaintiff*

vs.

ALEX E. JONES, INFOWARS, LLC, FREE  
SPEECH SYSTEMS, LLC, AND KIT  
DANIELS

*Defendants*

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IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

459<sup>th</sup> JUDICIAL DISTRICT

**ORDER GRANTING IN PART AND DENYING IN PART  
DEFENDANTS' MOTION TO DISMISS**

On August 2, 2018, the Court heard *Defendants' Motion to Dismiss under the Texas Citizens Participation Act*. After considering the arguments of counsel and the record, the Court finds that defendants' motion should be granted in part.

It is ORDERED that plaintiff's claims for intentional infliction of emotional distress are DISMISSED. It is further ORDERED that plaintiff's claims against defendant Alex E. Jones are DISMISSED.

Because the Court is required by Section 27.009(a)(1) of the Texas Civil Practice and Remedies Code to award court costs, attorneys' fees and other expenses, it is further ORDERED that defendants are awarded their court costs, reasonable attorneys' fees and other expenses incurred in defending against the dismissed claims in the amount of \$ 5000.00, to be taxed as costs of court. The Court finds that this is a reasonable amount given that the declaration in support of defendants' attorneys' fees did not segregate fees based on causes of action or defendants.

Because the Court is required by Section 27.009(a)(2) of the Texas Civil Practice and Remedies Code to award sanctions, it is further ORDERED that defendants are awarded sanctions against plaintiff in the amount of \$1, to be taxed as costs of court. The Court finds that, in light of the attorneys' fees simultaneously awarded and the statute's stated purpose of protecting "the rights of a person to file meritorious lawsuits for demonstrable injury," this is an amount sufficient to "deter" similar actions.

Defendants' motion is otherwise DENIED.

Signed August 29, 2018.



Hon. Scott H. Jenkins