

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.

**PLAINTIFF'S SUPPLEMENT TO MOTION FOR CONTEMPT AGAINST  
DEFENDANT THOMAS SCHOENBERGER (SCHEDULED FOR SPECIAL SET  
HEARING ON DECEMBER 8, 2020 @ 10:30 A.M.)**

COMES NOW the Plaintiff, Gabe Hoffman, by and through his undersigned counsel, and hereby files this Supplement to the Motion for Contempt against Defendant Thomas Schoenberger, previously filed on Nov. 6, 2020 (Filing # 116312144), and set for hearing on December 8, 2020 @ 10:30 a.m., and states the following:

**THE COUP DE' GRACE EVENT MAKING A MOCKERY OF THE COURT'S ORDER  
AND DEMONSTRATING SCHOENBERGER'S PHYSICAL PROWESS CAPABLE OF  
RESPONDING TO THE COURT'S ORDER ON DISCOVERY**

Only the most serious of contempt Orders can prevent Defendant Schoenberger from making a further mockery of this Court's proceeding. Defendant Schoenberger has predicated his entire refusal to comply with the Court's Order to Compel Plaintiff's Discovery Requests (Filing # 114745066, October 9, 2020) on the basis of "medical reasons." His alleged "support" for this infirmity is an October 6<sup>th</sup> letter, submitted to the Court from Dr. Winterton regarding a July 16, 2020 shoulder surgery. Yet, even giving Defendant Schoenberger the benefit of this questionable diagnosis, Defendant Schoenberger is only prohibited from lifting and avoiding shoulder and overhead activity for a period of three months, which ended on October 16, 2020.

As Plaintiff Hoffman detailed in its Motion for Contempt (Filing #116312144), Defendant Schoenberger's own actions clearly demonstrate that he is capable of responding to the Court's Order to respond to Interrogatories and Document Requests by the mandated date of October 28, 2020; Schoenberger has created hundreds of Twitter posts and YouTube videos.

**But the coup de' grace - the death blow - to Schoenberger's charade of incapacity is the YouTube video which he posted on November 11, 2020 of his playing the piano at, what appears to be, a piano store. Defendant Schoenberger demonstrates his dexterity and piano skills in a several minute video of him playing pieces from various classical composers.<sup>1</sup>**

**See <https://www.youtube.com/watch?v=DMkFPVV-WW8>**

**What conduct more justifies a contempt sanction than this demonstration of physical dexterity from a man who claims that he has been unable to comply with the Court's Order due to an alleged shoulder injury. Defendant Schoenberger first refused to partake in discovery upon receiving Plaintiff Hoffman's discovery requests on August 9, 2020. Defendant Schoenberger then ignored the Court's Order mandating discovery by October 28, 2020. For his efforts, Plaintiff Hoffman has not received one single item of the mandated discovery, but instead has witnessed the piano skills of a man making a mockery of the judicial process of Palm Beach County, Florida.<sup>2</sup>**

### **THE APPROPRIATE CONTEMPT REMEDY**

***Escalating the Defamation Campaign Against Plaintiff Hoffman Since the Court's Order***

---

<sup>1</sup> Defendant Schoenberger has changed the setting on this video to private. If the Court wishes to view this video to confirm Plaintiff Hoffman's allegations, Defendant Schoenberger should be ordered to make this available.

<sup>2</sup> In a Twitter post on November 20, Defendant Schoenberger stated that he was "up to 4 mile walks, 100 crunches a day, doing roundhouses and looks and fees forty. Dropped 42 lbs, 11 more to go and I am at high school weight." <https://twitter.com/name my sock/status/1329931367161872386?s=20> or <https://archive.is/MpCFO>.

Defendant Schoenberger has not been a compliant defendant on other matters. Despite being chastised by this Court for his defamatory postings, Defendant Schoenberger has not only continued the creation of videos against Plaintiff Hoffman, but significantly escalated his campaign against Plaintiff Hoffman.

As outlined in the Motion for Contempt, Defendant appeared on an internet broadcast given by Jim Watkins on November 5, 2020. The platform of Watkins is a message board called “8kun.” Many have pointed fingers at Jim Watkins as the anonymous figure whose “Q drops” on the online message board inspired the QAnon conspiracy theory. Watkins forums have been considered a breeding ground for the extremist domestic terror organization of QAnon.

Schoenberger, on the internet broadcast, reached out to Watkins’ followers, openly urging the QAnon disciples to “investigate” Hoffman and his involvement in the fantasized murder of Isaac Kappy, a QAnon follower. The power and reach of Watkins’ QAnon extremism, coupled with Defendant Schoenberger reaching out to QAnon follows to investigate Plaintiff Hoffman, justifies the most extreme contempt sanctions for Defendant Schoenberger’s refusal to comply with the Court’s discovery Order.<sup>3</sup>

### **THE APPROPRIATE REMEDY**

The Court has tremendous discretion in fashioning an appropriate sanctions remedy. The conduct of Defendant Schoenberger, as demonstrated by the record in this case and Defendant Schoenberger’s flagrant disregard for the procedure of this Court, justifies the following:

**1. That Defendant Schoenberger be ordered to fully comply with the pending discovery that is subject to the Court’s outstanding Order to Compel. To assist in**

---

<sup>3</sup> Defendant Schoenberger has also indicated that he intends to upload his library of defamatory YouTube videos against Plaintiff Hoffman to the QAnon website. Plaintiff Hoffman also requests that Schoenberger be barred from undertaking such a measure.

identifying, preserving and archiving such material, Defendant Schoenberger be ordered to engage a third party discovery consultant to undertake such measures;

2. That Defendant Schoenberger be fined \$1000 per day until compliance with the Order to Compel;

3. That Defendant Schoenberger be ordered to pay attorneys' fees for legal services incurred by Plaintiff Hoffman in the filing of the discovery requests, the motion to compel, the motion for contempt and the supplemental motion for contempt. The fees will be submitted to the Court by Affidavit of counsel for Plaintiff Hoffman;

4. As a penalty for flagrantly disregarding the Court's Order, and making a mockery of this Court's proceedings, Defendant Schoenberger be barred from making any and all defamatory comments against Plaintiff Hoffman, either through Twitter or YouTube video, or any other social media context, including interviews;

5. As a penalty for flagrantly disregarding the Court's Order, and making a mockery of this Court's proceedings, Defendant Schoenberger be barred from supplying third parties with his defamatory comments targeting Plaintiff Hoffman, and instructing, or arranging payment for those third parties to publish said defamation on social media, in videos or posts, as Plaintiff Hoffman has previously documented for the Court; and

6. As a penalty for flagrantly disregarding the Court's Order, and making a mockery of the Court's proceedings, Defendant Schoenberger be ordered to permanently remove any and all defamatory comments against Plaintiff Hoffman, either through Twitter

or YouTube video, or any other social media context, including interviews and all materials forwarded to third parties<sup>4</sup>; and

7. As a penalty, in the event Defendant fails to adhere to the six terms listed above, Defendant Schoenberger shall be incarcerated until such violations are cured.

WHEREFORE, Plaintiff Gabe Hoffman, requests this Honorable Court issue an Order, in contempt, setting out terms 1-6 identified above.

DATED this 24th day of November, 2020.

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*

---

<sup>4</sup> To guarantee the removal of all such materials, Defendant Schoenberger is ordered to immediately deactivate the Twitter account @namemysock, as well as any other Twitter accounts Defendant Schoenberger may have created, in order to circumvent Twitter's Terms of Service explicitly prohibiting the creation of replacement accounts for permanently suspended accounts. Defendant Schoenberger is also ordered to immediately delete the YouTube channels "TrueBlood" and "Sophia Musik," as well as any other YouTube channels Defendant Schoenberger operates, or has operated or accessed, in Defendant Schoenberger's circumvention of YouTube's Terms of Service, which explicitly prohibit the creation of replacement channels, for permanent suspended channels." Defendant Schoenberger is expressly prohibited from creating new replacement accounts on Twitter or YouTube. Subsequent to deactivation, Defendant Schoenberger is required to utilize the third party discovery consultant, referenced in sanction number one, to archive and preserve such materials. Moreover, with specific reference to the QAnon interview given to Jim Watkins, Defendant Schoenberger be ordered to cause the interview to be permanently deleted.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 24<sup>th</sup> day of November, 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, Esq.