

punitive damages award (eight million dollars apiece against persons who could never pay such an award in 50 lifetimes) but also the underlying liability theory.

16. Specifically, our attorneys cited *Virginia v. Black*, 538 U.S. 343 (2003), *United State v. Cassel*, 408 F.3d 622 (9th Cir. 2005) and *Arthur Anderson LLP v. United States*, 2005 WL 1262915 (U.S.) (May 31, 2005) to the Ninth Circuit as a specific challenge to how the jury was instructed in the Oregon Case (i.e., jury permitted to find us liable to Plaintiffs absent any specific intent to threaten). It is still possible, therefore, that the entire judgment against me can be vacated and that a new trial will be ordered by the Ninth Circuit.

GROUNDS FOR ASSERTING FIFTH AMENDMENT RIGHT

17. As a pro-life activist and writer, I am vulnerable to civil lawsuits and criminal prosecutions at any time regardless of my innocence and based upon the alleged conduct of others, whether I know them or not, and even though I have not conspired with them or aided or abetted any of their conduct. As has been well established in the Oregon Case, see paragraphs 6-11 above, and in other cases such as *N.O.W. v. Scheidler*, 123 S.Ct. 1057 (2003), the Freedom of Access to Clinic Entrance (FACE) Act and the Racketeering Influence and Corrupt Organization (RICO) Act are two federal statutes under which pro-life activists should legitimately fear prosecution at any time and for no reason other than the zeal of the abortion industry and/or the United States Government to persecute the political and moral opponents of the abortion industry. I am particularly vulnerable to civil and criminal liability under the ever-expanding pro-abortion interpretations of federal law because, contrary to the entire history of the First Amendment to the U.S. Constitution, my moral duty and desire to speak and write about the violence inherent in abortion (child-killing) procedures has essentially been criminalized.