

U.S. DISTRICT COURT  
DISTRICT OF VERMONT  
FILED

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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF VERMONT**

BIBLE & GOSPEL TRUST	)	CASE: NO: 2:07-cv-17
	)	
VS	)	MAGISTRATE JUDGE:
	)	JEROME J. NEIDERMEIER
TIMOTHY J. TWINAM	)	
	)	ANSWER TO AMENDED
SALLIE TWINAM	)	COMPLAINT
	)	
WWW.PEEBS.NET		

ANSWER TO AMENDED COMPLAINT

Now comes the Defendant, Sallie Twinam ("Mrs. Twinam"), for herself alone and answers Plaintiff's First Amended Complaint as follows:

1. DENIED: your Defendant ("Mrs. Twinam") has never technically participated in the operation of the website WWW.PEEBS.NET ("Peebs.Net"). For a period of time, your Defendant was nominally the owner of the Domain known as Peebs.Net when her husband, Defendant TIMOTHY J. TWINAM ("Mr. Twinam") temporarily transferred the ownership. Your Defendant was therefore nominally the owner of the Peebs.Net Domain between April 5th, 2007 and January 25, 2008. Prior to this Complaint, your Defendant had no knowledge of the Copyrighted Materials. Your Defendant has not spoken to or contacted Richard K. Wyman ("Wyman") at any time. Prior to this Complaint, your Defendant had no knowledge of the contract between Plaintiff and Wyman.
2. ADMITTED: Prior to this Complaint, your Defendant had no knowledge of the Plaintiff, Bible and Gospel Trust but was generally aware of the Exclusive Brethren and their doctrines.
3. ADMITTED
4. ADMITTED IN PART, AND DENIED IN PART: your Defendant was nominally the owner of the Domain between the dates April 5th, 2007 and January 25, 2008. Your Defendant is a registered nurse and has no technical knowledge regarding the process of running or operating a website. The sole activity of your Defendant was as a reader of posted material on the website ("Forum Reader"). As Forum Reader, your Defendant had no ability to participate in website discussions or update material on the website.

5. ADMITTED
6. NEITHER ADMITTED NOR DENIED, as the Copyrighted Materials have never been published on the website and the Peebs.Net website has publicly stated that the Copyrighted Materials will not be published.
7. NEITHER ADMITTED NOR DENIED, as your Defendant does not have sufficient knowledge to admit or deny this statement.
8. ADMITTED IN PART, AND DENIED IN PART: your Defendant became a nominal owner of the website between the dates April 5th, 2007 and January 25, 2008 which is a period subsequent to the events described in the Complaint. As the Copyrighted Materials have never been published on the website and the website has publicly stated that they will not be published, your Defendant does not believe that there has been any wrongful conduct.
9. ADMITTED
10. ADMITTED
11. ADMITTED: however, your Defendant has never been a Moderator or an Administrator of the Peebs.Net website. Your Defendant only had the ability to read website material.
12. NEITHER ADMITTED NOR DENIED, as your Defendant does not have sufficient knowledge to admit or deny this statement as your Defendant had little knowledge of Wyman prior to reading the Plaintiff Complaint. Your Defendant has never visited the Wyman websites.
13. NEITHER ADMITTED NOR DENIED: see response to # 12.
14. NEITHER ADMITTED NOR DENIED: see response to # 12.
15. DENIED: your Defendant can state categorically that Wyman has never posted material on the website at any time. As Forum Reader, your Defendant was aware of the participant names. The statement that Wyman posted material on the Peebs.Net website is a fabrication and is untrue. Wyman was not a participant in any discussion on the Peebs.Net website at any time.
16. NEITHER ADMITTED NOR DENIED, as your Defendant has never seen the Copyrighted Materials. Prior to reading the Plaintiff Complaint, your Defendant had never heard of the Copyrighted Materials.
17. NEITHER ADMITTED NOR DENIED, as your Defendant does not have sufficient knowledge to admit or deny this statement.

18. NEITHER ADMITTED NOR DENIED, as your Defendant does not have sufficient knowledge to admit or deny this statement. Your Defendant would add that full copyright acknowledgements are customarily added to any quotations of third-party material reproduced on the Peebs.Net website. Part of the duties as Forum Reader was to ensure that appropriate accreditation was applied to any such quotation. If a quotation did not include required copyright annotation, your Defendant would alert her husband, Co-Defendant Mr. Twinam who would then correct or remove the quotation.
19. ADMITTED: the poem referred to was authored by your Defendant's Father-in-Law, a resident of the United Kingdom, Mr. Laurence Twinam. Mr. Laurence Twinam had previously given his son, Co-Defendant Mr. Twinam, unrestricted use of his poem which was written in the early 1970's. The website did make the statements as quoted in the Complaint, but your Defendant would add that following the original Complaint, Co-Defendant Mr. Twinam publicly stated on Peebs.Net that the Copyrighted Materials were not to be posted. There was therefore no violation or wrongful conduct as the Plaintiff suggests.
20. ADMITTED: the access instructions described were web links to publicly available copies of the old Wyman websites in the public Web Archives website. This public access was removed by persons unknown shortly following the time that the web links were published on Peebs.Net.
21. DENIED: your Defendant has never seen the Copyrighted Materials. Your Defendant never accessed the Web Archives to view the old Wyman material. Your Defendant has not seen, copied or reproduced the Copyrighted Materials.
22. DENIED: your Defendant has never seen the Copyrighted Materials and they have never been published on the website. If they had been published, your Defendant would have seen them as your Defendant is the Forum Reader. There is a public statement on the website that specifically states the Copyrighted Materials will not be published.
23. NO COMMENT
24. NEITHER ADMITTED NOR DENIED, as your Defendant does not have sufficient knowledge to admit or deny this statement.
25. NEITHER ADMITTED NOR DENIED, as your Defendant does not have sufficient knowledge to admit or deny this statement.
26. NEITHER ADMITTED NOR DENIED, as your Defendant does not have sufficient knowledge to admit or deny this statement.
27. DENIED: see response to # 22.

28. DENIED: see response to # 22.
29. DENIED: see response to # 22. Your Defendant is not aware of any violation of the Copyright Act as suggested by the Plaintiff. Moreover, your Defendant suggests that the action taken by the Peebs.Net website to prohibit the publishing of the Copyrighted Materials would entirely prevent any possible current or future violation of the Copyright Act with respect to the Copyrighted Materials.
30. NO COMMENT
31. DENIED: see response to # 22.
32. DENIED: see response to # 22.
33. DENIED: see response to # 22.
34. NO COMMENT
35. DENIED: your Defendant had not reviewed the Wyman Settlement Agreement prior to the date of the original Complaint by the Plaintiff.
36. DENIED: The Copyrighted Materials have never been published on the Peebs.Net website. Wyman has never participated on the Peebs.Net website. Your Defendant has never been in any form of communication with Wyman. Your Defendant was not aware of a Settlement Agreement between Wyman and the Plaintiff prior to the serving of the original Plaintiff Complaint. Your Defendant has therefore no ability or capability to be involved in a tortious interference with a contractual relationship such as the Plaintiff suggests.
37. DENIED: the activities in which your Defendant and her husband, Co-Defendant Mr. Twinam have engaged are to ensure members of the public are aware of the impact of the Exclusive Brethren in breaking up families. As this is a matter of great public interest in many parts of the world, the website Peebs.Net attempts to explain and educate members of the public in the teachings of this extremist religious group. This is only possible in some cases by publishing small quotations from Exclusive Brethren works. When this is done, full copyright attribution is always made to ensure compliance with the Fair Use provisions of the Copyright Act. Part of the function of your Defendant as Forum Reader is to ensure that this takes place by alerting Co-Defendant, Mr. Twinam. A major part of Peebs.Net activities handled by my husband, Co-Defendant Mr. Twinam, is to help reunite family members who have often been separated for many years.
38. DENIED: see response # 36.

**WHEREFORE**, Your Defendant prays that this Honorable Court will:

1. Dismiss this case as the claims made by the Plaintiff are without foundation and your Defendant has not participated in any of the alleged activities referred to in COUNT I, COUNT II or COUNT III.
2. Dismiss this case on the grounds that the case is without merit and has been brought by the Plaintiffs in an effort to chill public participation and the right of free speech in a matter of public interest as it relates to the Exclusive Brethren.
3. Award your Defendant costs incurred in this action including reasonable attorneys' fees, as provided by any applicable law.
4. Award your Defendant any further relief that this Court deems just and proper.

Dated: June 24, 2008 at Burlington, Vermont.

Respectfully submitted,



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Sallie Twinam  
PO Box 465  
RICHMOND  
VT 05477

Acting Pro Se

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FOR THE DISTRICT OF VERMONT**

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TIMOTHY J. TWINAM	)	
	)	
SALLIE TWINAM	)	
	)	
WWW.PEEBS.NET	)	

CERTIFICATE OF SERVICE

I hereby certify that on this 24<sup>th</sup> day of June 2008, a true and correct copy of Defendant Sallie Twinam's Answer to Complaint and a Request to join in the pending Special Motion To Strike were mailed postage prepaid to:

Matthew H. Kirtland  
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*Sallie Twinam*

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