

TheAnonymousEmail.com Successfully Obtains Clarification of Federal "Annoyance Law" in Its Suit Against Attorney General Gonzalez and the Federal Government

The Suggestion Box, Inc. (PINKSHEETS: SGTB) dba ("TheAnonymousEmail.com") has once again succeeded in its ongoing efforts to protect both anonymous speech and those who speak anonymously online.

In February 2006, TheAnonymousEmail.com filed a lawsuit in the United States District Court, District of Arizona, against Alberto Gonzalez in his official capacity as Attorney General of the United States ("Government"), challenging that portion of the Annoyance Statute that criminalized the act of sending electronic communications anonymously with an intent to annoy. On May 26, 2006, TheAnonymousEmail.com filed a strong motion for preliminary and permanent injunction challenging the Annoyance Statute as unconstitutionally ambiguous, overbroad and vague. After agreeing to have the constitutional issues raised by the lawsuit resolved through motions and the ruling thereon, the parties obtained the Court's approval to proceed accordingly and began to brief their respective motions. Through its litigation efforts, TheAnonymousEmail.com has obtained a construction of 47 U.S.C. § 223(a)(1)(C); (the "Annoyance Statute") that protects a broad range of annoying speech sent anonymously online.

The Government's brief filed with the United States District Court provides TheAnonymousEmail.com, its customers, and the online citizenry with a public document limiting the application of the Annoyance Statute to egregious forms of speech. The Government has filed a court document assuring that anonymous speech merely intended to be or found to be annoying will not fall within the scope of the Annoyance Statute. According to the Government, the Annoyance Statute prohibits the anonymous use of a telephone or telecommunications device with intent to "instill fear in the victim."

Based on the Government's position, the fact that the position is articulated in a publicly available court document filed by the Government, and the doctrine of judicial estoppel, TheAnonymousEmail.com concluded that it had succeeded to the extent it needed to at this time and that judicial resources would best be served by a stipulated dismissal. The Parties agreed to stipulate to a dismissal without prejudice.

Online citizens who value anonymous speech can remain secure in knowing that TheAnonymousEmail.com will remain vigilant in protecting the right to anonymous speech online. Based upon the agreed dismissal, TheAnonymousEmail.com can and will renew its litigation should the Government move from the interpretation of the Annoyance Statute the Government urged on the Court in its filings.

Over the last two years, the Suggestion Box, Inc. ("TheAnonymousEmail.com") has set itself apart from other providers of online anonymous communications services. While other providers of anonymous services may disclose personally identifying information of their customers without resistance, TheAnonymousEmail.com stands alone in the efforts it will employ to protect the anonymity and privacy of its customers guaranteed by the First Amendment.

Through its litigation efforts, TheAnonymousEmail.com has truly defined the meaning of "anonymous" in online anonymous communications. By doing so, it has consistently set itself apart from other providers of services characterized as anonymous.

TheAnonymousEmail.com is operated by The Suggestion Box, Inc., a privately held corporation headquartered in Scottsdale, AZ. TheAnonymousEmail.com was created as a new vehicle of self expression. In the spirit of the First Amendment, it aspires to extend the freedom of speech to everyone, without forcing anyone to identify themselves.

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