

STATE OF NEW YORK
SUPREME COURT COUNTY OF ONTARIO

MASSA CONSTRUCTION INC
Plaintiff,

-vs-

DECISION & ORDER

JAMES MEANEY, GENEVA BELIEVER
Defendants


Index No. 126837-2020

Pursuant to Plaintiff's written application, this Court signed an Order to Show Cause dated March 3, 2020, requiring Defendants to show cause why an order should not be entered temporarily restraining and enjoining Defendants from the continued publication of articles on the Geneva Believer website concerning Plaintiff, and on any other social media or internet platform where Defendants published the same.

The Court has considered the written submissions from both Plaintiff and Defendant. After due deliberation, the Court determines that a temporary restraining order is unwarranted. Plaintiff failed to establish the elements required pursuant to well established caselaw. Additionally, granting Plaintiff the requested relief would violate the First Amendment. Accordingly, Plaintiff's application is denied.

This constitutes the Decision and Order of the Court.

Dated: May 13, 2020
Canandaigua, New York.



Hon. Brian D. Dennis
Acting Supreme Court Justice