

**IN THE UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF COLUMBIA**

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U.S. DOMINION, INC., et al.,

*Plaintiffs / Counter-Defendants,*

v

PATRICK BYRNE,

*Defendant.*

Civil Action 1:21-cv-02131 (CJN / MAU)

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DEFENDANT, PATRICK BYRNE’S RESPONSE TO DOMINION’S NOTICE OF FILING

Comes now Defendant, Patrick Byrne (Dr. Byrne), by and through undersigned, and files this response to Dominion’s “Notice of Filing” (Docket No. 105), stating in support as follows.

On May 21, 2024, Dominion filed a “notice of filing” in which they claim that Dr. Byrne violated this Court’s protective order and further orders by reposting certain information on X. Specifically, Dominion claims that Dr. Byrne’s reposting this information violated this Court’s protective order and further orders because the reposts contained information that Dominion claims is violative of the protective order.

Dr. Byrne’s posts were nothing more than the reposting of information that had already been posted, and did not constitute a violation of this Court’s orders, precisely because the orders did not disseminate further information beyond that which the Court has already taken account of in its previous orders.

Dominion, through its notice of filing of a letter, which it had previously sent only to the Court, claims only that the dissemination of the information violated the protective orders of this Court because Mr. Byrne has “hundreds of thousands” of followers. Dr. Byrne did not post any new information, and the reposts constituted information that was already in the public sphere. Thus, not only has Mr. Byrne not violated the court’s direct orders, but he has also not disseminated or published any new information in contravention thereof.

The fact that Dominion’s Notice of Filing of its previously submitted ex parte letter does not request an order or any relief, but merely “brings” Mr. Byrne’s protected speech activities to the court’s attention speaks volumes about its true intent – not to seek an order or further sanctions against Mr. Byrne and his counsel, but simply to attempt to paint itself as a victim, while continuing to deny and hide the core issues of the content and substance of the information. Indeed, Dominion’s filing is not formulated as a motion and does not seek any relief that can be discerned by undersigned counsel.

Further, Dominion and its counsel enjoy free reign to speak about the lawsuits and elections anytime they choose, and their websites and profiles read like a play-by-play dissemination of information about this and other lawsuits. The freedom to post information on the internet is enjoyed by all Americans under the First Amendment, and cannot be stymied by one side or the other, especially in a case of this magnitude, and even more where the truth is an absolute defense to defamation claims that have been brought against Dr. Byrne. (See Attachment A).

WHEREFORE, for the reasons stated herein, Defendant submits, as does Dominion, that no action be taken by this Court with respect to Dominion’s Notice of Filing.

Respectfully submitted,

/s/ Stefanie L. Lambert

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CERTIFICATE OF SERVICE

I, Stefanie Lambert, hereby certify that on May 28, 2024, true and correct copies of the foregoing were served via email on counsel of record for every party in *US Dominion, et al. v. Patrick Byrne*, Case No. 1:21-cv-02131 (CJN).

Respectfully submitted,

/s/ Stefanie L. Lambert

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