



**PROVIDENT LAW**

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**IN THE SUPERIOR COURT IN THE STATE OF ARIZONA**  
**IN AND FOR THE COUNTY OF MARICOPA**

SIMONE GOLD, M.D., both in her individual capacity and as a director on behalf of Free Speech Foundation d/b/a America’s Frontline Doctors, an Arizona nonprofit corporation,

Plaintiff,

vs.

JOSEPH “JOEY” GILBERT, an individual;  
JURGEN MATTHESIUS, an individual;  
RICHARD MACK, an individual; and  
FREE SPEECH FOUNDATION d/b/a AMERICA’S FRONTLINE DOCTORS, an Arizona nonprofit

Defendants.

Case No. CV2022-015525

**DEFENDANTS’ NOTICE OF FILING  
PROPOSED FORM OF ORDER**

(Assigned to the Hon. Timothy Thomason)

***[Expedited Ruling Requested]***



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1 FREE SPEECH FOUNDATION, INC. d/b/a  
2 AMERICA'S FRONTLINE DOCTORS, an  
3 Arizona nonprofit corporation and. JOSEPH  
4 GILBERT,

5 Counter Plaintiffs,

6 vs.

7 SIMONE GOLD,

8 Counter Defendant.

9 Pursuant to the Court's Minute Entry Order entered on January 30, 2023 (the "Minute  
10 Entry") Defendants/Counter Claimants Joseph "Joey" Gilbert, Jurgen Matthesius, Richard  
11 Mack, and Free Speech Foundation d/b/a American's Frontline Doctors (the "AFLDS")  
12 (collectively "Defendants") hereby give notice of filing of the proposed form of order, filed  
13 contemporaneously herewith.

14 In the Minute Entry, the Court established the current board of Directors (the "Board")  
15 of AFLDS. The Board does not include Plaintiff Gold. Defendants now seek this proposed  
16 form of order (the "Proposed Order") which is necessary because to effectively run AFLDS,  
17 the Board must be allowed to: (1) control, access, and manage bank accounts, designate  
18 signatories on accounts, and make deposits and withdrawals to any AFLDS accounts; (2)  
19 control, access, and manage web sites, email accounts and/or servers, and any and all  
20 electronic data and information owned by AFLDS to the exclusion of others; (3) enter into  
21 and terminate contracts and agreements to the benefit of AFLDS; (4) list for sale and liquidate  
22 real or personal property belonging to AFLDS; and (5) hire or terminate employees, vendors,  
23 or independent contractors on behalf of AFLDS. The Proposed Order is critical because  
24 without Plaintiff Gold's cooperation or agreement, banks will not unfreeze money in AFLDS  
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1 accounts, certain contracts cannot be entered or terminated, and information technology  
2 vendors will not comply with directions from the Board. The Board will also need the  
3 authority to liquidate real property comprised of the mansion that Gold has lived in rent free  
4 for an extended period of time as well as the personal property that belongs to AFLDS.<sup>1</sup>

5 As of February 1, 2023, Defendant Gold has not agreed to provide necessary  
6 documents to unfreeze bank accounts, she has not lifted restrictions on access to AFLDS  
7 email, web site and social media accounts and she has not facilitated the current board's  
8 management of AFLDs in accord with the Court Order. Correspondence with Gold's counsel  
9 to gain agreement to this Order went unanswered. (See correspondence, attached hereto as  
10 **Exhibit A**).

11 Therefore, Defendants respectfully request that the Court enter the form of Order filed  
12 with this Notice.

13 **RESPECTFULLY SUBMITTED** this 1st day of February 2023.

14 **PROVIDENT LAW®**

15 /s/ Timothy J. Watson

16 Timothy J. Watson, Esq.

17 Erik W. Stanley, Esq.

18 Christopher J. Charles, Esq.

19 14646 N. Kierland Boulevard, Suite 230

20 Scottsdale, AZ 85254

21 *Attorneys for Defendants*

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25 <sup>1</sup> Some chattel property that could be liquidated was referenced at the recent evidentiary  
26 hearing (e.g. cars, Peloton exercise bikes and other personal property).



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**COPY** efiled with AZTurboCourt  
this 1st day of February 2023.

**COPIES** served as indicated below  
this 1st day of February 2023, to:

Honorable Timothy Thomason  
Maricopa County Superior Court

[AZTurboCourt]

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/s/ Mary Richardson

/s/ Ann Washington



# **PROVIDENT LAW**

## **Exhibit A**

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**From:** Kellye Fabian Story <kellye@wagenmakerlaw.com>  
**Date:** Tuesday, January 31, 2023 at 4:44 PM  
**To:** Bradley A. Burns <BBurns@dickinson-wright.com>  
**Cc:** Tim Watson <tim@providentlawyers.com>, Matthew A Brown <matthew@wagenmakerlaw.com>, Amanda E. Newman <ANewman@dickinson-wright.com>  
**Subject:** Proposed Order

Dear Brad,

In accord with the Court's Minute Entry Order entered on January 30, 2023, the Board may now act independent from, and without interference from, Dr. Gold. Accordingly, we ask that you stipulate to the attached proposed Order by **10:00 a.m. tomorrow morning (February 1) Arizona time**. If we cannot reach an agreement, we will file the attached notice and proposed order for the Court's consideration.

Thank you for your prompt attention to this matter. I look forward to hearing from you.

Kellye

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**KELLYE FABIAN STORY** | Attorney at Law  
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