

August 30, 2016

Rabbi Shalom Zharnest
Beth Din of America
305 Seventh Avenue, 12th Floor
New York, NY 10001-6008

Dear Rabbi Zharnest:

The notice from the Beth Din of America dated י"ד מנחם אב, תשע"ו (August 18, 2016) was received by me and I write in reply.

The individual who contacted the Beth Din posts on his various 'blogs', updated several times a week (and at times daily), false, hateful, vituperatively defamatory filth and preposterous slander about me and also, albeit less so, regarding others in our *kehillah*. This has been going on for more than five months.

I have had only the most casual relationship with this individual, and have never given him any reason for his unbounded venom. Each of his postings issues new attacks, and the deleterious consequences are ongoing. He has single-handedly nearly torn apart the *frum* New Haven community with his דיבה.

The harm this individual is causing is devastating and cumulative. My purpose in having recourse to a secular court is to obtain immediate injunctive relief. My situation, unfortunately, is no different from that of a householder who summons police in order to prevent the imminent theft of his property.

There is one expedient by which a Beth Din might ameliorate the situation. I have vigorously and vehemently denied every scurrilous attack made by this individual. My defamation suit, for reasons of legal expediency, focuses on only one of his outrageous allegations. Even were that allegation factually correct, posting such a charge on the internet would constitute an egregious violation of *Halakhah*. A remedy within the power of a Beth Din is a ruling in the form of a restraining order, predicated upon a declaration that his conduct is contrary to *Halakhah* and

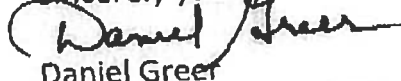
must cease forthwith. An order to that effect is similar to summary judgment available in situations in which, even if all pertinent facts and allegations were to be accepted as presented by the litigant, his claim must be rejected as being without merit. Since this is a matter of איסור והיתר such a declaration may be issued ex parte. It could therefore be respectfully requested of a Beth Din to issue such a declaration.

At present, I demand of this individual that he purge his 'blogs' of all references to me, to my congregants, and to the Yeshiva of New Haven, refrain from all further such statements, and post a full, complete and unqualified apology on his various 'blogs'.

However, there are no issues for any Beth Din to decide unless and until this individual has implemented in full the measures set forth in the previous paragraph. Were this individual to do so, then and only then, retaining my privilege of זבל"א, would I be prepared to submit any monetary issues to a qualified Beth Din for adjudication.

I hope this letter adequately explains my position. In no way is this letter to be understood or construed as my submitting to the Beth Din of America's jurisdiction in this matter. Please let me know if you require further information.

Sincerely yours,



Daniel Greer