

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
DISTRICT COURT DEPARTMENT
WAREHAM DIVISION

PLYMOUTH, ss.

CIVIL ACTION NO. 2160CV000109

ERIC J. BONETTI,)
Plaintiff)
)
v.)
)
ROBERT H. MALM,)
Defendant)
_____)

Plaintiff's Response To Emergency Scheduling Motion

1. Plaintiff has no objection to any reasonable date to file responsive pleadings in this matter.
2. As a pro se litigant located out of state, Plaintiff is not familiar with the Massachusetts rules of civil procedure relevant to service of process.
3. Defendant has had actual knowledge and a copy of the relevant complaint for several months, as a copy was sent to his Virginia attorney, Mr. Wayne Cyron, who has repeatedly acknowledged receipt.
4. Plaintiff intends to challenge Defendant's motion under the state's Anti-SLAPP law, on the basis that Defendant's comments falsely accuse him of criminal activity. Thus, they are libelous per se.
5. Plaintiff further alleges that Defendant, an Episcopal priest, has previously perpetrated a fraud upon this court in filing for a protection from harassment order, in which he repeatedly lied to the court.
6. Plaintiff will further allege that Defendant has committed perjury before this court in prior proceedings. As a result, Plaintiff is seeking criminal charges against the Defendant. A copy of the relevant perjury is attached. The initial statement was made under oath during discovery in a Virginia Court. The second statement was made in testimony before this court. The facially inconsistent statements reflect an ongoing pattern of perjury and other misconduct by the Defendant.

Respectfully submitted this 12th day of June, 2021



Eric J. Bonetti
4129 Fountainside Lane 203
Fairfax VA 22030
703-973-4984
Eric.bonetti@protonmail.com

Certificate of Service

I certify that I have, this 12th day of June, served a copy of this pleading upon defense counsel by email and first-class mail per the following:

Jeffrey K. O'Connor, BBO #669414
joconnor@morrisonmahoney.com
1500 Main Street, Suite 2400 P.O. Box 15387
Springfield, MA 01115-5387



5. **You may lose this case if you do not send an Answer to the Court and the Plaintiff.** If you do not mail or deliver the Answer within 20 days, you may lose this case. You will have no opportunity to tell your side of the story and the Court may order that the Plaintiff receive everything requested in the Complaint. The Court may allow a motion permitting the Plaintiff take your property and/or wages. If you respond to the Complaint and appear at the hearing, you will get an impartial hearing by a judge. Even if you choose to discuss this matter with the Plaintiff (or the Plaintiff's lawyer), you should still send your Answer within 20 days. Even if you file an Answer, you can still reach an agreement with the Plaintiff.

6. **Legal Assistance.** You may wish to get legal help from a lawyer. If you cannot get legal help, you must still provide a written Answer to protect your rights or you may lose the case. You may also obtain information at www.mass.gov/courts/selfhelp.

7. **You can also sue the Plaintiff.** If you believe the Plaintiff owes you money or has harmed you in some way related to the lawsuit, you must describe that in your Answer. If you do not include these claims (called "Counterclaims") in your written response, you may lose your ability to sue the Plaintiff about anything related to this lawsuit.

8. **You or your attorney must attend all court hearings.** If you send your Answer to the Court and the Plaintiff, you will protect your rights. The Court will send you a notice telling you the date, time, and place of an impartial hearing before a judge. The judge will hear both sides of any arguments and schedule any additional hearings.

9. The civil number appearing on the front of this notice is the case docket number and must appear on the front of your Answer.

Witness Hon. Edward H. Sharkansky, First Justice on _____, 20_____

(SEAL)

Dayton Manchester
Clerk-Magistrate

Note: The number assigned to the Complaint by the Clerk-Magistrate at the beginning of the lawsuit should be indicated on the summons before it is served on the Defendant.

RETURN OF SERVICE

(for use by person making service)

On June 24, 2021, I served a copy of the within summons, together with a copy of the Complaint in this case, upon the named defendant in the following manner:

Last and usual at (address)*

3. Clark St. Jekyll Island GA 31521

In hand

Other:

Please place date you make service in this box and on copy served on defendant and return original to this Court:

6/25/21

San Butts
(signature)

Plaintiff
(name and title)

4129 Fountainside Lane
(address)
203 Fairfax VA 22030

*If service is made at the last and usual place of abode, the officer shall forthwith mail first class a copy of the summons to such last and usual place of abode, and shall set forth in the return the date of mailing and the address to which the summons was sent. (G.L. c. 223, § 31).

Sworn testimony re Sigrid Yahner, my late mother

Sworn response, initial interrogatories:

ANSWER:

The language among the blogs is consistent and with the exception of his Father Frank, neither I (nor anyone to my knowledge) has ever seen or met his family members, or any of several other characters who supposedly know Grace Church and me through Mr. Bonetti, e.g. Elizabeth and Latimer Digby. Time after time scheduled meetings with Elizabeth or Latimer Digby and Sigrid Yahner are cancelled. The remaining family members remain nameless. A December 29 post titled "Our New Year's Resolutions" says "Aim for one protest a week outside Disgrace church, while avoiding weddings and funerals whenever possible." No one to my knowledge has ever spotted a Protester besides Mr. Bonetti.

Additionally, a December 26, 2017 blog post contains the following:

So let's assume for a minute that Bob Malm is right, that Eric is the person behind this blog. Even were that the case, Bob would still be entirely in the wrong.

* * *

3. Victims of abuse need to do whatever they find necessary to recover from abuse. If that involves blogging, that is perfectly acceptable, even if it involves changing one's mind over previous commitments to take down a blog. A promise made under duress is not binding, especially when it is made to an abusive clergy member who has already betrayed the trust placed in him or her.

The very next blog post is titled "Old Site has a New URL"

Our mothership blog, which Eric launched when it first appeared that the diocese was going to give him the big blow-off, is now online under bobmalm.com.

On bobmalm.com, the blog Mr. Bonetti acknowledges he writes, there is posted a notarized letter from Dee Parsons of the Wartburg Watch which contains the following transparently

Sworn response, recent interrogatories:

December 7, 2020

5:39 PM

4. Explain in detail the circumstances around your claim, made in writing, under oath, and while advised by legal counsel in the previous litigation involving this matter that Sigrid Yahner or someone claiming to be her contacted you repeatedly to set up appointments, only to cancel. Include the means by which she or this other individual contacted you (email, phone, letter, in-person, fax, or other), the topic of the conversation; what Ms. Yahner or this other individual requested from you; the specific email addresses, phone numbers, or other means you used when speaking with Ms. Yahner or this individual; and the names and contact information for any witnesses who can corroborate your claim.

ANSWER:

*Bonetti v. Malm
Interrogatories to Defendant
Page 4 of 18*

This interrogatory is objected to on the grounds that it is confusing, overbroad and not reasonably calculated to lead to the discovery of relevant or admissible evidence. Furthermore, it calls for the disclosure of attorney client privileged information and attorney client work product and strategy. Without waiving the objections, my recollection is that my counsel or someone else attempted to make arrangements to speak with her and possibly spoke to her or her counsel. I don't recall ever speaking to her.

5. Explain in detail the blue entries on entries in which Plaintiff allowed the

Sworn Testimony, Wareham District Court:

ProtonMail 5:49 PM Fri Feb 12 LTE 33%

perjury

31

1 the Marion Police. The first was when he started blogging about
2 me being in Massachusetts, and specifically St. Gabriel's where
3 he has no previous knowledge of that congregation. So that was
4 the first sign of harassing in Massachusetts. He did that.

5 The second, which was extremely alarming to the people of
6 St. Gabriel's Church, was when he created this fake blog site.
7 So if you Google St. Gabriel's, you might not find our true
8 website. You might find his fake website where he's making all
9 kinds of charges about me and what kind of church could that be
10 that would hire me because I'm a perjurer even though this
11 charge of perjury has only come from him ever. In fact,
12 anything that he's ever charged with me, that's been dismissed
13 by the bishop and diocese of Virginia, been thrown out of some
14 courts in Virginia already, and now he's --

15 THE COURT: I've heard nothing about the -- what is the
16 purpose of these --

17 MR. MALM: Here's one of the cases that he's got against me
18 now right now.

19 THE COURT: And what is he alleging that you --

20 MR. MALM: He says I lied about some meeting with his dead
21 mother. It's in some little response that a lawyer that was
22 representing me and Grace Church down there had given. I
23 didn't --

24 THE COURT: And was there a lawsuit -- were you involved
25 with his mother in some way as a pastor or --

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1 MR. MALM: No. I didn't even know his mother's name. But
2 he had a website that he created that he said his mother had
3 created about Grace Church in Virginia. So basically our
4 attorney during this appeal process had to find out who -- you
5 know, did his mother really have this website. And we couldn't
6 get the mother to say she did or didn't. He said he did -- she
7 did.

8 But anyway, this is a long part of the story that's not
9 important. I mean, he created this fake St. Gabriel's website.
10 And it ran for months. We had -- parishioners were coming in
11 and asking about it. What can you do about it? What can you do
12 about it? What can you do about it? Some of our leadership
13 decided that they would find out who was hosting this site, this
14 fake St. Gabriel's site. And they found out who was hosting it.
15 And they contacted --

16 THE COURT: Hold on for one second, sir.

17 (Pause.)

18 THE COURT: Go ahead, sir.

19 MR. MALM: Thank you, your Honor.

20 I just wanted to get this one paper because some of our
21 leaders contacted the folks who are hosting his website. And I
22 have right here -- or I have several papers, but I have the most
23 pertinent one dated -- dated Wednesday, October 28th. "Thank
24 you for your report. We have reviewed your impersonation,
25 impersonation claim and determined that the blog you reported