

IN THE SUPERIOR COURT OF BIBB COUNTY  
STATE OF GEORGIA

STATE OF GEORGIA ex rel. K. DAVID )  
COOKE, JR., District Attorney for the )  
Macon Judicial Circuit. )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
S & W AMUSEMENTS, INC. *et al.*, )  
 )  
Defendants. )

Civil Action File No.  
19-CV-070909

**CONTEMPT ORDER**

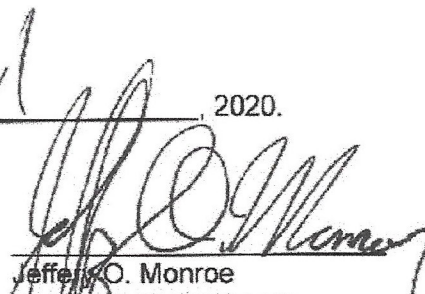
The above-captioned case having come before this Court for a hearing on the 24<sup>th</sup> day of January, 2020, and the Defendant's counsel, Mr. Spix, having presented evidence to this Court and the Court having considered said evidence, it is, hereby ORDERED AND ADJUDGED as follows:

Mr. Spix is in willful contempt of this Court's command given repeatedly throughout this litigation to all the counselors to conduct themselves as professional advocates for their respective clients and with an eye toward resolution of problems. The Court also expressly stated that all Counselors are to act with good faith efforts in order to reach a conclusion. Mr. Spix has resisted this Court's instruction by sending emails to opposing counsel that are unprofessional and lack civility. Such as, the email forwarded to this Court, which included Stacey Evans, Steven Kushner, David Wolfe, Scott Hoopes, Kimberly Dobbins and Brandi Cates on January 22, 2020, by Mr. Lambros stating Mr. Spix was making homophobic comments in emails that were sent by Mr. Spix to Mr. Lambros on August 21, 2019. The content of Mr. Spix's email stated, "Your Spartacus allegiance/membership is what makes me chuckle! Do you subscribe to the magazine? I notice you deleted the quote you used to have in your closing/signature portion about killing people...." Additionally, in an email sent on January 22,

2020, when Mr. Lambros informed Mr. Spix that he needed to be careful about accusing anyone of conspiring or doing anything unethical Mr. Spix responded "Not interested in saber rattling..." "Spartacus." Mr. Lambros replied, "Every email you send me will be sent to all counsel and the court. I am not taking you crap any longer. Stop with the inappropriate comments." To which Mr. Spix wrote, "Not worried." Furthermore, Mr. Spix sent an additional email to Mr. Lambros on January 23, 2020, that stated, "Please send the court the ridiculous emails you sent me when I successfully stripped you of your tactic of contingency fees to steal people's property in RICO cases...you know the email that said "Every man must die...but press me again and your time will come sooner"...Spartacus. I said then...and I say now....F\*\*k Spartacus...and I am confused as to how you think you can send me that type of email????"

O.C.G.A. § 15-1-4 states, "The powers of the several courts to issue attachments and inflict summary punishment for contempt of court shall extend only to cases of: (1) Misbehavior of any person or persons in the presence of such courts or so near thereto as to obstruct the administration of justice; (2) Misbehavior of any of the officers of the courts in their official transactions; (3) Disobedience or resistance by any officer of the courts, party, juror, witness, or other person or persons to any lawful writ, process, order, rule, decree, or command of the courts...." Therefore, it is clear, that Mr. Spix disregarded this Court's instructions and made inappropriate comments in his transactions with opposing counsel, Mr. Lambros and comprising everyone else listed above that was included in these emails either directly or by forwarding them to the Court. Accordingly, Mr Spix is in contempt of this Court and will be fined \$300.00.

SO ORDERED, this 10<sup>th</sup> day of April, 2020.

  
Jeffrey O. Monroe  
Judge, Superior Courts  
Macon Judicial Circuit