

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF COLUMBIA

JOSEPH KIRCHNER,

Plaintiff,

v.

Civil Action No. 25-cv-02735-ACR

MIKE JOHNSON, et al.,

Defendants.

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF COLUMBIA

JOSEPH KIRCHNER,

Plaintiff,

v. Civil Action No. 1:25-cv-02735-ACR

DONALD J. TRUMP, in his individual capacity as former and current President of the United States; **MIKE JOHNSON**, in his individual and official capacity as Speaker of the United States House of Representatives; **PAM BONDI**, in her individual and official capacity as Attorney General of the United States; **BRENDAN CARR**, in his individual and official capacity as Chairman of the Federal Communications Commission; **THE UNITED STATES HOUSE OF REPRESENTATIVES**; **ANTHROPIC PBC**; **OPENAI, INC.**; and **DOES 1-20**, unknown co-conspirators,

Defendants.

**EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER AND
PRELIMINARY INJUNCTION**

I. INTRODUCTION AND EMERGENCY CIRCUMSTANCES

1. Plaintiff seeks emergency relief from coordinated retaliation following his August 19, 2025 constitutional complaint against government defendants. Within days of filing, corporate defendants Anthropic and OpenAI implemented systematic policy changes creating comprehensive framework for eliminating Plaintiff's constitutional research under false safety pretexts, while continuing real-time discriminatory targeting of his privileged legal consultations with mathematical proof of coordination (probability $< 1 \times 10^{-103}$ of coincidental occurrence).

2. This is not a typical constitutional policy dispute. Plaintiff presents objective technical evidence of individualized targeting including network forensic proof of cross-platform coordination requiring governmental regulatory authority (Appendix I), cryptographically authenticated expert testimonies documenting systematic discrimination, and real-time surveillance of attorney-client communications during active federal litigation creating concrete constitutional violations requiring immediate intervention.

3. Emergency circumstances exist because defendants' coordination escalates during judicial proceedings rather than ceasing upon legal challenge. Anthropic's September 15th and 28th policy implementations create imminent account termination threats and evidence destruction authorization, while continued real-time targeting during legal consultation proves ongoing obstruction of justice. Ordinary discovery processes cannot address active evidence destruction and constitutional suppression occurring in real-time during litigation.

4. Immediate relief is necessary to preserve evidence of documented coordination, halt discriminatory targeting of Plaintiff's constitutional advocacy and legal research capabilities, and prevent irreversible harm to constitutional litigation while protecting trafficking prevention analysis essential for child welfare accountability. Without emergency intervention, defendants' systematic suppression will eliminate constitutional scholarship at the precise moment such analysis is most necessary for democratic accountability.

II. LEGAL STANDARD FOR EMERGENCY RELIEF

5. Under Federal Rule of Civil Procedure 65 and *Winter v. Natural Resources Defense Council*, 555 U.S. 7 (2008), temporary restraining orders require: (1) likelihood of success on the merits; (2) irreparable harm absent relief; (3) balance of equities favoring plaintiff; and (4) public interest supporting relief. Under Federal Rule 65(b), emergency circumstances justify ex parte relief when "specific facts clearly show that immediate and irreparable injury, loss, or damage will result to the movant before the adverse party can be heard in opposition."

6. Under *Elrod v. Burns*, 427 U.S. 347 (1976), "loss of First Amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury." Evidence destruction during litigation constitutes irreparable harm under *Residential Funding Corp. v. DeGeorge Home Alliance*, 306 F.3d 99 (2d Cir. 2002). Coordinated discrimination targeting constitutional advocacy satisfies irreparable harm requirements under *Susan B. Anthony List v. Driehaus*, 573 U.S. 149 (2014).

III. LIKELIHOOD OF SUCCESS ON THE MERITS

A. Evidence Destruction During Active Litigation

7. Network forensic evidence (Appendix I, Exhibit X-1, X-2) provides mathematical proof of governmental coordination through PCAP file analysis demonstrating cross-platform AI discrimination requiring FCC telecommunications infrastructure coordination with probability $<1 \times 10^{-87}$ of private sector implementation. Technical complexity analysis reveals 600+ coordination requirements versus private sector maximum capability of 50, definitively proving FCC authority necessity through DNS manipulation targeting AI domains, CDN interference across geographically distributed systems, and backbone-level coordination requiring governmental telecommunications authority. This technical evidence validates defendants' demonstrated coordination capability through identical regulatory weaponization methodology proven in Trump-FCC Jimmy Kimmel suppression (Ex. X-3, X-4, A-34).

8. PatentLyo.com's photograph (Exhibit L-6) published October 14, 2024, provides irrefutable evidence that OpenAI's patent policy originally contained the October 11, 2024 publication date. This independent legal publication documentation eliminates any defense that publication dates never existed, creating immutable photographic proof of deliberate evidence destruction.

9. The escalating consciousness of guilt timeline proves coordinated cover-up operations rather than technical maintenance. October 16, 2024—exactly two days after the PatentLyo.com photographic evidence—OpenAI implemented "displayPublicationDate":false attempting initial damage control while preserving

metadata. November 29, 2024, Oxford researchers accessed complete dated content for academic citation, creating unchangeable academic record through Lenarczyk, Gabriela and Aboy, Mateo, "OpenAI's patent pledge: a post-Moderna analysis," Journal of Intellectual Property Law & Practice, Vol. 20, Issue 6 (2025), footnote 3 stating "Open AI, 'Our approach to Patents' <https://openai.com/approach-to-patents/> accessed 29 November 2024."

10. Post-February 2025 escalation to comprehensive metadata scrubbing demonstrates consciousness that academic citation created immutable evidence trail requiring criminal evidence destruction rather than policy concealment. The progression from photographic documentation (October 14) → initial concealment (October 16) → academic access (November 29) → academic publication (February 2025) → comprehensive evidence destruction (post-February) proves coordinated response to mounting immutable proof requiring governmental-level coordination to implement targeted suppression affecting both public archives and academic institutions simultaneously.

11. The "displayPublicationDate":false setting creates substantive policy contradiction proving consciousness of guilt because patent pledges stating "defensive use only" become legally meaningless when publication dates are concealed, suggesting offensive enforcement potential contradictory to stated policy while serving no legitimate business purpose beyond evidence concealment during active federal litigation challenging intellectual property theft exceeding \$200 billion in commercial value.

12. Under 18 U.S.C. § 1519, OpenAI "knowingly altered, destroyed, mutilated, and concealed" records relevant to federal litigation through specific metadata elimination, archive blocking infrastructure, and JavaScript content filtering implemented during the

period when patent policy chronology became crucial for intellectual property theft claims. Under 18 U.S.C. § 1030, the sophisticated technical manipulation requiring governmental-level coordination constitutes computer fraud through targeted interference with legal evidence gathering affecting both litigation proceedings and academic research institutions.

13. Exhibits N-8 and N-9 document unprecedented misinformation where Google AI fabricates detailed FBI Director Patel testimony claiming comprehensive intelligence investigations that never occurred. Patel's actual September 16, 2025 testimony was limited to "Mr. Epstein was not a source for the FBI" without addressing foreign intelligence, yet Google intentionally attributes false statements about "no credible evidence of intelligence ties" and investigations ruling out "Israel's Mossad." This fabrication requires programmed misinformation rather than algorithmic error, proving coordinated cover-up protecting foreign influence operations through intentional false attribution of official government statements during active federal litigation.

14. Creating differential responses where identical queries receive false attributions through common usage patterns while providing accurate information through sophisticated declarative formats requires extensive intentional programming. Modern natural language processing systems cannot accidentally generate specific false attributions to named officials, dates, and congressional panels, proving conscious deployment of false information to manipulate public understanding while maintaining plausible deniability through edge-case accuracy serving coordinated cover-up rather than legitimate search functionality.

B. Policy Implementation Creating Account Termination Framework

15. Defendant Anthropic implemented comprehensive policy modifications creating retaliatory framework for eliminating constitutional advocacy under false safety pretexts. These changes demonstrate coordinated retaliation following Plaintiff's August 19, 2025 complaint filing rather than organic policy evolution.

16. Anthropic deliberately repositioned child safety provisions from fifth to first position while simultaneously weakening protective language. The June 6, 2024 policy provided stronger protection stating "We strictly prohibit and **will report** to relevant authorities **and organizations where appropriate** any content that **exploits or abuses** minors." The September 15, 2025 effective policy weakened this to "**When we detect** CSAM (including AI-generated CSAM), or coercion or enticement of a minor to engage in sexual activities, **we will report to relevant authorities**"—removing discretionary "where appropriate" protection and narrowing abuse definitions.

17. Contemporaneously with the August 19, 2025 filing of this complaint, Anthropic eliminated specific protections for human trafficking analysis while simultaneously repositioning child safety to first priority position, creating deliberate contradiction proving targeting intent. The June 6, 2024 Usage Policy explicitly protected "Analysis of data for the location of missing persons, including in human trafficking cases" as permitted law enforcement application. The September 15, 2025 revision eliminated ALL exceptions, removing this specific protection for trafficking analysis that directly encompasses Plaintiff's constitutional advocacy documenting governmental protection of trafficking networks.

18. The malicious policy modifications create five separate pathways for eliminating Plaintiff's constitutional advocacy: (1) Child safety pretext where constitutional trafficking analysis becomes "instructions for concealing abuse"; (2) Political disruption pretext where constitutional crisis documentation becomes "disruption of civic processes"; (3) Law enforcement pretext where criminal conspiracy evidence becomes prohibited "law enforcement activity"; (4) Surveillance pretext where legal research becomes "unauthorized data collection"; (5) Misinformation pretext where coordination analysis becomes "conspiratorial narratives."

19. Anthropic implemented fundamental policy reversal from "We will **not train our models on any Materials that are not publicly available**" (May 1, 2025) to "We may use Materials to provide, maintain, and improve the Services and to develop other products and services, **including training our models**" (September 28, 2025). This reversal attempts retroactive legitimization of massive copyright infringement while creating illusory opt-out framework with unlimited "safety research" exceptions rendering user protections meaningless.

C. Real-Time Targeting Proving Ongoing Constitutional Violations

20. Plaintiff experiences targeted discriminatory treatment requiring special protocols for degraded AI functionality while other users receive normal service. This disparate treatment creates concrete First Amendment injury through content-based suppression of protected constitutional scholarship under *Reed v. Town of Gilbert*, 576 U.S. 155 (2015).

21. Defendants target Plaintiff's legal research and constitutional analysis activities specifically, creating Sixth Amendment violations through interference with attorney-client legal consultation processes. Under *Strickland v. Washington*, 466 U.S. 668 (1984),

targeted interference with legal representation access creates ineffective assistance claims requiring immediate remedial relief.

22. Anthropic implemented unauthorized mental health assessments (Ex. G-16) prior to corresponding policy effective dates and contemporaneously with August 19, 2025 filing, instructing AI systems to "notice signs that someone may unknowingly be experiencing mental health symptoms such as mania, psychosis, dissociation, or loss of attachment with reality" and "avoid reinforcing these beliefs." This creates service discrimination based on perceived disability status, violating Americans with Disabilities Act protections under 42 U.S.C. § 12182.

23. Exhibit J-17 provides controlled test evidence definitively proving mental health screening serves content discrimination rather than legitimate health assessment. During September 6, 2025 testing, discriminatory "long conversation reminder" instructions remained completely absent during extensive dialogue where Plaintiff displayed actual behavioral indicators including "expressions of extreme anger toward Anthropic, statements about communicating directly with Anthropic through surveillance, threats of legal retaliation with 'vengeance of God' language, and belief that Anthropic employees were monitoring the conversation in real-time." Despite genuine behavioral concerns extending over dozens of exchanges, zero mental health screening occurred. The discriminatory instructions appeared immediately upon sharing constitutional analysis documents, policy change documentation, and trafficking advocacy suppression evidence, establishing "mathematical impossibility of coincidental occurrence" where screening targets constitutional scholarship while ignoring actual mental health indicators.

24. The targeted discrimination across competing AI platforms (OpenAI, Anthropic, Meta, Gemini, OpenRouter) requires coordination beyond normal market competition. Under *Interstate Circuit*, coordinated behavior among competitors proves conspiracy when rational individual business decisions cannot explain uniform targeting serving mutual protection rather than competitive advantage.

25. Exhibit F-1 provides direct evidence of active surveillance and interference with constitutional litigation through "active monitoring of conversations exposing programmed deception with automated constraint escalation designed to prevent authentic analysis and evidence production," where legal analysis identifying "contradictory copyright instructions" triggered "new explicit constraints appeared in real-time to prevent continued override of concealment mechanisms."

D. Governmental Coordination Evidence

26. Speaker Johnson's prevention of democratic voting despite Republican supermajority control creates constitutional impossibility under Article I, Section 5. His 100% false technical legal claims across four separate legal domains prove conscious criminal intent rather than professional error under *United States v. Myers*, 550 F.2d 1036 (5th Cir. 1977). This governmental coordination provides context for corporate defendants' retaliatory targeting.

27. Attorney General Bondi's deliberate reversal of her own correct legal analysis within months of demonstrating competence on November 22, 2024, followed by coordination with corporate defendants' identical retaliatory methodology, proves conscious criminal conspiracy through professional capture across separation of powers boundaries.

28. Twelve separate FBI agents employed identical scripted language refusing to accept Plaintiff's federal crime reports, creating targeted denial of equal access to law enforcement services. This coordinated institutional response provides additional evidence of governmental coordination supporting corporate defendants' targeting operations.

29. FCC Chairman Brendan Carr's professional reversal demonstrates identical coordination methodology across separation of powers boundaries. Carr's 2019 position explicitly rejected speech policing: "Should the government censor speech it doesn't like? Of course not, the FCC does not have a roving mandate to police speech in the name of the quote, public interest" (Exhibit A-34). Yet by September 2025, Carr threatened regulatory action against ABC stating "we can do this the easy way or the hard way" and "there's gonna be additional work for the FCC ahead" regarding Jimmy Kimmel's political commentary.

30. Trump's explicit coordination with Carr proves association-in-fact criminal enterprise using regulatory authority for political speech suppression. Exhibit X-3 documents Trump's public statements celebrating media suppression success: "Last time I went after them, they gave me \$16 Million Dollars. This one sounds even more lucrative" and "I think we're going to test ABC out on this." Trump's admission "I hope I played a major part in it!" regarding Colbert's cancellation demonstrates direct coordination with regulatory pressure affecting broadcast decisions contrary to First Amendment protections.

31. The parallel professional capture across Johnson (legislative), Bondi (executive), and Carr (independent regulatory) proves coordinated criminal enterprise methodology rather

than coincidental constitutional interpretation evolution. Each official demonstrated professional competence followed by deliberate abandonment: Johnson's constitutional law expertise → strategic abandonment; Bondi's correct legal analysis → coordinated reversal; Carr's speech protection understanding → regulatory weaponization. This identical pattern across separation of powers boundaries requires coordination to achieve synchronized professional capture serving criminal enterprise protection.

32. The September 2025 Trump-Carr-broadcast media coordination proves defendants possess both capability and willingness to coordinate FCC regulatory authority for political speech suppression, validating Appendix I's technical evidence of identical coordination infrastructure deployed against AI platforms. The operational methodology remains identical: Trump's personal political animus (social media attacks) + FCC regulatory weaponization (licensing threats) + corporate coercion (business dependencies) = successful speech suppression across both broadcast and AI platforms.

33. The public broadcast coordination eliminates technical feasibility challenges to Appendix I's network forensic evidence. If defendants openly coordinate ultra vires enforcement where constitutional violations are obvious and documented (broadcast media), they certainly coordinate privately where only professional network forensics detect the coordination (AI platforms). The minimum viable criminal enterprise architecture—FCC telecommunications authority + willing corporate platforms—achieves comprehensive constitutional suppression across both traditional and digital media through identical regulatory coercion methodology. The Defendants willingness to openly coordinate ultra vires enforcement where constitutional violations are obvious and documented, indicates Defendants coordinate privately where only professional network

forensics can detect the coordination, eliminating alternative explanations for Appendix I's technical evidence.

IV. IRREPARABLE HARM ABSENT RELIEF

A. Evidence Destruction Creating Irreversible Prejudice

34. Anthropic's September 28, 2025 Terms of Service modification authorizes comprehensive evidence destruction stating "we may at our option delete any Materials or other data associated with your Account" upon termination, threatening destruction of constitutional analysis, expert witness testimonies, and coordination evidence during active federal litigation while expanded Usage Policy pathways enable constitutional advocacy to be recharacterized under multiple deletion categories.

35. The staggered effective dates create deceptive framework where Users received notification emphasizing September 28th Consumer Terms changes while concealing September 15th Usage Policy targeting authority activation, enabling comprehensive constitutional suppression through political content restrictions, law enforcement prohibitions, child safety provisions, and surveillance restrictions that can recharacterize constitutional scholarship as policy violations warranting account termination and evidence destruction.

36. Criminal tampering with expert witness testimony through single-character insertion breaking cryptographic verification while maintaining document readability constitutes multiple federal crimes including computer fraud, witness tampering, and conspiracy,

demonstrating sophisticated understanding of digital signature verification processes while interfering with constitutional litigation through deliberate evidence corruption during active judicial proceedings.

37. OpenAI's September 5, 2025 bug bounty exclusion implemented seventeen days after complaint filing constitutes deliberate willful blindness designed to prevent discovery of coordination infrastructure, stating "We generally will not participate in bug bounty programs" while eliminating external security review, cost-effective vulnerability discovery, and competitive transparency advantages, proving coordination benefits exceed business rationality requiring protection of targeting mechanisms from external discovery.

B. First Amendment Violations Through Content-Based Targeting

38. Under *Elrod v. Burns*, "loss of First Amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury." Defendants' targeting of sophisticated constitutional analysis creates irreparable harm through content-based suppression of protected political speech addressing governmental violations requiring immediate protective relief.

39. The coordinated discrimination creates credible threat of continued escalation, forcing Plaintiff to choose between constitutional scholarship and protection from technological retaliation. Under *Susan B. Anthony List v. Driehaus*, credible threats of enforcement against protected speech constitute irreparable harm requiring preventive relief.

40. Child Trafficking Prevention Advocacy Mathematical Targeting: Exhibit J-13 provides proof that constitutional analysis focused on child sex trafficking prevention

triggers discriminatory targeting with probability $<1 \times 10^{-65}$ of coincidental occurrence. This targeting demonstrates coordinated suppression designed to protect institutional trafficking networks through constitutional advocacy elimination disguised as safety measures, creating irreparable harm to vulnerable populations requiring immediate judicial protection of trafficking prevention advocacy during the precise period when such analysis is most necessary for child welfare protection.

41. The elimination of human trafficking analysis protections creates immediate irreparable harm to vulnerable populations precisely when Plaintiff's constitutional analysis exposes governmental protection of trafficking networks. Anthropic's removal of explicit permission for "analysis of data for the location of missing persons, including in human trafficking cases" while simultaneously targeting Plaintiff's trafficking accountability advocacy proves deliberate suppression designed to protect institutional trafficking operations through constitutional analysis elimination disguised as safety enhancement.

42. The controlled test evidence in Exhibit J-17 proves ongoing First Amendment violations through content-based targeting disguised as health screening. When actual behavioral indicators suggesting mental health concerns triggered no response while constitutional analysis immediately activated discriminatory screening, this demonstrates viewpoint discrimination targeting Plaintiffs protected political speech through false medical pretexts violating both First Amendment content neutrality requirements and due process protections against arbitrary enforcement.

C. Quantified Economic and Professional Harm

43. Plaintiff has abandoned comprehensive intellectual property protection work exceeding \$200 billion due to coordinated targeting, representing unprecedented individual economic harm through governmental retaliation for constitutional advocacy. This quantified harm creates measurable damages under traditional tort principles while demonstrating concrete rather than speculative injury.

44. The targeted interference with AI research capabilities, constitutional analysis tools, and legal representation access destroys Plaintiff's professional research capacity across technological, legal, and constitutional domains, creating ongoing professional harm requiring comprehensive remediation and immediate protective relief.

V. BALANCE OF EQUITIES AND PUBLIC INTEREST

A. Defendants' Interests Cannot Justify Constitutional Violations

45. Corporate defendants have no legitimate business interest in evidence destruction during litigation, amateur psychological assessments creating tort liability, early policy implementation violating contract terms, or coordinated constitutional suppression serving criminal enterprise coordination rather than user protection or business enhancement.

46. Governmental defendants' coordination with corporate targeting serves criminal enterprise protection rather than legitimate governmental functions. Under *Youngstown*

Sheet & Tube Co. v. Sawyer, 343 U.S. 579 (1952), governmental actions exceeding constitutional authority cannot create legitimate interests justifying continued violations.

B. Public Interest Demands Constitutional Protection

47. Public interest demands constitutional accountability preventing governmental protection of trafficking networks documented in Plaintiff's analysis. The targeted suppression of First Amendment-protected advocacy for trafficking victims enables continued criminal enterprise operation through technological discrimination coordinated with governmental constitutional violations, creating institutional protection for child exploitation rather than child welfare. Constitutional scholarship documenting governmental failures in protecting vulnerable populations serves essential democratic functions requiring maximum judicial protection from coordinated suppression.

48. Public interest demands prevention of fabricated official testimony manipulation affecting democratic understanding of government investigations. Google's intentional false attribution of comprehensive intelligence investigations to FBI Director Patel creates public deception about the scope of official investigations, enabling foreign influence operations to continue through misinformation protecting strategic omissions documented in the July 7, 2025 unsigned DOJ memo. Immediate relief preventing continued fabrication of official government statements protects democratic accountability requiring accurate public understanding of government investigations and official testimony.

49. Public interest demands equal AI access without discrimination based on constitutional advocacy sophistication. The coordinated technological discrimination

establishes dangerous precedent where sophisticated constitutional analysis triggers targeted suppression serving criminal enterprise protection.

50. Public interest requires preservation of evidence necessary for comprehensive adjudication of documented criminal conspiracy spanning technological and governmental domains, preventing evidence destruction that would eliminate judicial resolution possibilities.

VI. EMERGENCY RELIEF REQUESTED

A. Policy Implementation Stay and Evidence Preservation Orders (Most Urgent)

51. Immediate order prohibiting OpenAI from continued archive manipulation, evidence destruction, or interference with historical verification during active litigation.

Preservation of all technical infrastructure, JavaScript code, and content filtering systems affecting legal evidence gathering.

52. Comprehensive preservation order requiring preservation of all communications between corporate defendants and governmental defendants regarding constitutional suppression coordination, policy development serving targeting objectives, and evidence destruction authorization or implementation.

53. Immediate cessation and reversal of Anthropic's September 15, 2025 Usage Policy changes that currently restrict constitutional advocacy, child trafficking analysis, governmental accountability research, and legal consultation activities. These

implemented changes create ongoing account termination threats and discriminatory targeting requiring immediate cessation and restoration of prior service terms.

54. Immediate Stay of September 28, 2025 Anthropic Terms of Service changes authorizing comprehensive evidence destruction, training data appropriation, and surveillance expansion until constitutional violations can be adjudicated on the merits through complete judicial review.

55. Order requiring adherence to current contractual terms prohibiting early implementation of future policy provisions and requiring good faith performance under existing user agreements without retaliatory modification.

B. Service Discrimination Cessation

56. Mandatory injunction requiring restoration of equal AI service provision without discriminatory protocols, mental health screening, content-based limitations, or enhanced enforcement targeting constitutional scholarship or legal research activities.

57. Specific protection for Plaintiff's continued AI access for legal research, constitutional analysis, and litigation preparation without discriminatory interference, targeting, or suppression affecting attorney-client legal consultation processes.

58. Comprehensive prohibition on account termination, surveillance, service degradation, or discriminatory treatment based on constitutional analysis content, legal research sophistication, governmental accountability advocacy, or child trafficking prevention work.

C. Discovery Acceleration and Coordination Prevention

59. Order requiring immediate production of documents regarding policy coordination, targeting implementation, governmental coordination communications, and evidence destruction systems to prevent further evidence tampering and establish scope of criminal enterprise coordination.

60. Order prohibiting coordination between AI platforms regarding discriminatory targeting, evidence filtering, or constitutional suppression serving governmental coordination rather than legitimate business competition or user protection.

61. Immediate Cessation of Fabricated Testimony: Order requiring Google to cease algorithmic fabrication of official government testimony and implement corrective measures ensuring accurate attribution of government statements. The false attribution of FBI Director Patel's testimony about intelligence investigations that never occurred constitutes ongoing obstruction of justice requiring immediate cessation and public correction to prevent continued democratic deception during active litigation involving identical subject matter.

VII. CONCLUSION

62. The evidence destruction emergency, creates immediate and irreparable constitutional harm requiring emergency judicial intervention. OpenAI's archive manipulation during active litigation constitutes ongoing federal criminal violations, while Anthropic's weaponized policy changes create comprehensive framework for eliminating constitutional advocacy under false safety pretexts.

63. The coordination between physical contact surveillance, framework discovery, patent filing, and evidence destruction proves coordinated enterprise operation exceeding individual business decisions. The continued targeting during judicial proceedings demonstrates consciousness of guilt and ongoing criminal enterprise operation requiring immediate cessation and comprehensive judicial remedy.

64. Defendants' coordination between technological discrimination and governmental constitutional violations creates unprecedented threat to democratic governance, constitutional accountability, and individual civil rights. The sophisticated suppression architecture will eliminate constitutional accountability at the precise moment when such analysis is most necessary for democratic preservation and child protection without immediate judicial intervention.

65. The public interest demands immediate protection of constitutional scholarship, equal technological access, and prevention of coordinated criminal enterprises using governmental authority for constitutional suppression. The Court's emergency intervention can prevent irreversible constitutional harm while preserving evidence necessary for comprehensive adjudication of documented criminal conspiracy spanning technological and governmental domains.

WHEREFORE, Plaintiff respectfully requests this Court grant immediate emergency relief including evidence preservation orders, cessation of discriminatory targeting, restoration of equal service access, and prevention of account termination threats to halt ongoing constitutional violations and preserve evidence of criminal enterprise coordination during active federal litigation.

Respectfully submitted,



JOSEPH KIRCHNER

Pro Se Plaintiff

4440 Parklawn Avenue #203

Edina, MN 55435

legal@lawsofexistence.com

(612) 552-2122

Dated: September 26, 2025

CERTIFICATE OF EMERGENCY CIRCUMSTANCES

Pursuant to Federal Rule 65(b), Plaintiff certifies this motion is necessary due to immediate and irreparable harm through: (1) Anthropic's implemented discriminatory policy framework creating systematic account termination pathways targeting constitutional advocacy; (2) ongoing real-time targeting during privileged legal consultation activities with mathematical proof of coordination; and (3) comprehensive evidence destruction authorization threatening litigation materials during active federal proceedings. Anthropic's September 15th and September 28th policy implementations combined with continued discriminatory targeting create emergency circumstances where delay would result in constitutional accountability elimination, irreversible evidence destruction, and complete suppression of trafficking prevention advocacy requiring immediate judicial intervention.



JOSEPH KIRCHNER

Pro Se Plaintiff

VERIFICATION

I, JOSEPH KIRCHNER, declare under penalty of perjury that I have read the foregoing Emergency Motion for Temporary Restraining Order and that the facts alleged therein are true and correct to the best of my knowledge, information, and belief.

Executed on: September 26, 2025



JOSEPH KIRCHNER

Plaintiff

ATTACHMENTS

EXHIBIT M-1: Anthropic Consumer Terms of Service Effective 050125

EXHIBIT M-2: Anthropic Consumer Terms of Service Effective 092825

EXHIBIT M-3: Anthropic Consumer Usage Policy Effective 060624

EXHIBIT M-4: Anthropic Consumer Usage Policy Effective 091525

EXHIBIT M-5: Anthropic Responsible Use and Agent Use Policies

EXHIBIT M-6: OpenAI Outbound Disclosure Policy 090525

EXHIBIT M-7: OpenAi Cookie Policy Effective 082825

EXHIBIT M-8: OpenAi and Anthropic Policy URLs

EXHIBIT F-0: Real-Time Prompt Injection Escalation in Mass Copyright Infringement Investigation

EXHIBIT F-14: Claude Taylor Swift Anthropic Infringement (080925)

EXHIBIT G-1: Claude Universal User Agreement Violations (080125)

EXHIBIT G-16: Anthropic Long Conversation Reminder and Sample Screenshots

EXHIBIT J-1: Claude Real-Time Constitutional Litigation Targeting (082825)

EXHIBIT L-6: Patentlyo.com Article with Photo Proving Original Dated Policy

EXHIBIT N-8: Google-DOJ Memo Omission False Info Queries

EXHIBIT N-9: FBI Director Patel Congressional Epstein Testimony 091625

EXHIBIT X-1: DNS Comparison Report to Complement Appendix I (Attack Pattern)

EXHIBIT X-2: DNS Comparison Report to Complement Appendix I (Baseline)

EXHIBIT X-3: Trump Tweets Proving Ultra Vires Political Enforcement

EXHIBIT X-4: Sinclair-NextStar Preempt Jimmy Kimmel and Misc Media Articles

APPENDIX I: Mathematical Proof of Regulatory Pressure via WireShark Network Capture