

**IN THE SUPREME COURT
STATE OF FLORIDA**

**JANE DOE, mother and legal guardian of
JOHN DOE, a minor,**

Petitioner,

**CASE NO: 94-355
4TH DCA CASE NO: 97-02587**

v.

**AMERICA ONLINE, INC., a foreign
corporation, and RICHARD LEE
RUSSELL, individually**

Respondents.

_____ /

PETITIONER'S AMENDED REPLY BRIEF ON THE MERITS

**Certified Questions from The District Court of Appeal
Fourth District**

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CERTIFICATE OF TYPE SIZE & STYLE

Appellant hereby certifies that the type size and style of the Amended Reply
Brief of Appellants is Times New Roman 14 point.

SUMMARY OF ARGUMENT

- I. ZERAN v. AOL IS NOT APPLICABLE TO THIS CASE AS THIS IS NOT A DEFAMATION CASE BUT RATHER INVOLVES CRIMINAL CONDUCT

- II. ZERAN v. AOL DOES NOT BIND THIS COURT AND SHOULD NOT BE FOLLOWED BECAUSE IT WRONGLY INTERPRETS SECTION 230 OF THE CDA

- III. THE LOWER COURT ERRED IN FINDING THAT SECTION 230 OF THE CDA APPLIES RETROACTIVELY TO EVENTS GIVING RISE TO CLAIMS BEFORE ITS ENACTMENT

- IV. WHERE THE TRIAL COURT FAILED TO GRANT PLAINTIFF LEAVE TO AMEND HER COMPLAINT, THE COURT COMMITTED REVERSIBLE ERROR

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