

FOR IMMEDIATE RELEASE

November 9, 2005

**ATTORNEYS PAUL HOFFMAN AND MICHAEL SELOW FILE FIRST
AMENDMENT CHALLENGE TO GAG ORDER ON NON-PARTY ATTORNEY
GLORIA ALLRED IN CONTRA COSTA CRIMINAL TRIAL**

On November 8, 2005, attorneys Paul L. Hoffman and Michael D. Seplow filed legal papers in the Contra Costa Superior Court challenging the constitutionality of a gag order placed on attorney Gloria Allred. Ms. Allred and her firm represent a potential witness in the trial of the defendant accused of murdering the wife of criminal defense attorney Daniel Horowitz. (The People of the State of California v. Scott Edgar Dyleski, No. 03-219113-8)

On or about October 27, 2005, Judge David B. Flinn of the Contra Costa County Superior Court issued a broad gag order preventing numerous persons, including attorney Gloria Allred, from making any public comments regarding the case. Attorneys Hoffman and Seplow, of Venice's Schonbun DeSimone Seplow Harris & Hoffman, have requested that the gag order on Ms. Allred be either rescinded or modified to allow Ms. Allred to discuss aspects of the case unrelated to the potential testimony of her client. In papers filed with the Court, Hoffman and Seplow contend that the gag order is a clear violation of Ms. Allred's constitutional right to freedom of expression:

The gag order as applied to Ms. Allred—who does not represent any parties to this action-- constitutes an unconstitutional prior restraint of Ms. Allred's freedom of expression that cannot be justified under the circumstances..... There has been no showing that any potential statements by Ms. Allred present a substantial likelihood of materially prejudicing the parties' right to a fair trial.

A hearing regarding the gag order is scheduled for November 16, 2005.

More information about this case, including the legal memorandum opposing the gag order, can be found at www.contracostacourts.org/specialaccess.

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