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District Court Berlin

Order

Reference number: 27 O 215/13

07/05/2013

In the case of
Ralph Napierski,

petitioner,

solicitors:

- Rechtsanwälte BDHSW Rechtsanwälte,
Zimmerstraße 69, 10117 Berlin,

against
the B.Z. Ullstein GmbH,

represented by the Managing Director
Kurfürstendamm 22, 10874 Berlin,

respondent,

it is ruled by way of injunction – due to the particular urgency without oral hearing – (§§ 935, 940. 91 sec. 1 ZPO; §§ 823, analogue 1004 sec. 1 sentence 2 BGB in conjunction with article 1 sec. 1, 2 As. 1 GG)

1. In order to prevent a fine, to be determined for each case by the court, of up to 250,000.00 EUR, alternatively detention, or detention of up to six months, the latter to be imposed on the Managing Director, the respondent is prohibited to allege and/or broadcast:

(1)...

(2) "Berliner snuck into group of cardinals"

(3) "The fake bishop is said to have told the gathered his name was Basilius and that he was a member of the Italian Orthodox Church"

(4) "Together with the cardinals he entered the Synod Hall"

EXCERPT
FROM THE COURT ORDER:

(5) "This is where the Swiss Guard noticed the fake dignitary and expelled him from the Vatican grounds"

as seen in the "BZ" from March 5th 2013, p. 1 and 3.

Reasons:

The substantiated actual and legal presentation in the associated petition, as well as in the documents from 18/04/2013 and 02/05/2013 along with attachments, justify the argued injunctive relief to the extent of the tenor of the prohibition.

