



Written by [Bob Adelman](#) on August 13, 2020

## Atilis Gym Reopens After Town Revokes Owners' License

The borough council of Bellmawr, New Jersey, voted 5-1 to rescind the business license of the Atilis Gym. The owners of the gym, Ian Smith and Frank Trumbetti, opened the gym the next day anyway.

When the owners' attorney asked the council to prove that the gym was a threat to public health, they were unable to answer. When the attorney asked the council to delay the vote until evidence could be produced that the gym's operations posed a threat to public health, they declined. It was as if they were saying, "We don't need no stinkin' evidence. We're going to shut this place down! How dare they defy the state?"



The state's attorney general called their resistance to the state "brazen" and "abhorrent":

Atilis Gym's brazen conduct is abhorrent to an organized judicial system, jeopardizes the public health and the safety of New Jerseyans, and must not be tolerated.

It is clear that additional sanctions and relief are necessary to coerce Atilis Gym's compliance with the court's order.

The state's AG accordingly recommended daily fines of up to \$10,000 and imprisonment for the recalcitrant duo until they "comply."

The problem facing the state of New Jersey is that the owners have engaged the state in a battle that the state cannot win. It's David versus Goliath, which, it should be remembered, ended badly for Goliath. The problem is that the owners are not going to comply, even if officials raze their building and imprison them owners for defying the unconstitutional orders.

Ian Smith posted the following on Instagram after the council voted to rescind his business license:

In a clear political move, the all-Democrat town council followed their orders from Gov. Murphy to revoke our business license.

Zero evidence was put forth to support the claim that our gym poses any threat to the public.

Smith told Eyewitness News that "It's just a political attack that did not need to occur. Unfortunately, now instead of being on our side, the Borough of Bellmawr is now an adversary, and they will be dealt with in the future.... They will be served papers. The individuals who are responsible for that are now going to have to answer for what they've done."

The real threat isn't to the public. It's to the state's steadily diminishing credibility in trying to defend its actions. As former New Jersey Judge Andrew Napolitano said, "[Governor Phil Murphy] can't write the law and can't punish people for violating what he has written."

From the very beginning, Governor Murphy has decided to make the Atilis Gym case an example to



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others who would dare to take a stand against him and his orders. Back in May when he decided to take on the owners he said, "I'm not concerned [that the situation in Bellmawr] will spiral out of control. If it does, we will take action. If you [Smith and Trumbetti] show up at that gym tomorrow ... we will ... enforce this."

He added: "I don't want to start World War III [but] I'm not worried about that right now."

Now he is. He didn't know whom he was dealing with: two small business owners who not only know their constitutional rights but are willing to risk everything, including their business and their freedoms, to defend them.

When the owners opened up the gym in May in defiance of Murphy's edicts, owner Smith said, "We're opening up tomorrow morning [May 25], no matter what."

Even after a judge sanctioned them, they continued to operate the gym. Smith told the *Washington Examiner* that the governor is specifically targeting them to set an example:

We're being targeted. It's very clear that he's on a mission to destroy our business because we dared to defy him.

There are plenty of other businesses that are open and operating just like we are [who are] defying the shutdown. But Governor Murphy has a personal vendetta against us, and it couldn't be more clear than it is today....

We're the only business in the state to be punished in a way that we have, including locking our doors and changing our locks on us, arresting us and boarding up our doors. So it's very clear that he is on a mission to get us.

After sheriffs boarded up the place, the owners not only kicked in the boards in order to reopen the gym, they posted the event on Instagram, along with this response to the governor:

You will not trample on our rights and you will not destroy our lives. We will not back down. Ever....

We didn't pick this fight. This fight came to us.

Frank and I made a promise to each other that we would see this thing all the way through — no matter what. We have not broken any laws, yet we are being treated like criminals.

Tyrants use force to exercise their will — threat of imprisonment, financial ruin, and more. And a tyrant is what we have in office. No science, no data, only conclusive statements with no proof.

We presented a plan, a sensible one and opened responsibly — and you decided to make it personal, so now here we are.

You will not tread on my rights, you will not ruin everything we've worked our whole lives for, and you will be held responsible for your trespasses.

#lionsnotsheep

This case of David versus Goliath has gotten national attention. Smith has pleaded his case on *Tucker Carlson Tonight*. Their GoFundMe accounts are closing in on \$300,000 to pay for their legal fees.

This is a no-win situation for the former Goldman Sachs executive who now runs New Jersey. The case is surely headed for the state's Supreme Court. If it sides with Murphy, it will then head for the Supreme Court of the United States. And that, Judge Napolitano says, it "will be a monumental case."



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Image: screenshot from [YouTube video](#)

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