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2013 JUL 11 PM 3:27

CLERK, U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

BY \_\_\_\_\_

1 Paul Duffy  
161 N. Clark St. Ste 3200  
Chicago, Illinois 60601

2 Pro se

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6 UNITED STATES DISTRICT COURT  
7 CENTRAL DISTRICT OF CALIFORNIA

8 INGENUITY 13 LLC,

9 Plaintiff,

10 v.

11 JOHN DOE,

12 Defendant.

CASE NO. 2:12-CV-8333-ODW (JCx)

Judge: Hon. Otis D. Wright, II  
Magistrate Judge: Hon. Jacqueline Chooljian  
Courtroom: 11

Complaint Filed: September 27, 2012  
Trial Date: None set

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14 **MEMORANDUM OF POINTS AND**  
15 **AUTHORITIES IN SUPPORT OF EX**  
16 **PARTE APPLICATION FOR ORDER**  
17 **REDUCING APPELLATE BOND**  
**AMOUNT IN LIGHT OF RECENT**  
**NINTH CIRCUIT CONSOLIDATING**  
**ORDER**

18 On July 9, 2013, the Ninth Circuit issued an order *sua sponte* consolidating eight appeals  
19 from this action and ordering the submission of a consolidated brief, to the extent practicable. In  
20 light of this development, the undersigned respectfully requests the Court to enter an administrative  
21 order reducing the amount of the appellate bond to reflect the putative John Doe's appellate costs  
22 calculation. The putative John Doe's calculated appellate costs are as follows:

23  
24 \$5,000 in hard costs plus \$45,000 in attorneys' fees to defend the  
25 initial appeal. However, this case has been appealed by seven  
26 different parties, each of whom has undertaking [sic] their own,  
27 separate appeal. Accordingly, Doe has proposed security for each  
28 additional appeal (after the first one) in the amount of \$15,000  
each.  $\$50,000 + (\$15,000 \times 6) = \$140,000$  to secure costs on  
appeal, per Fed. R. App. Proc. 7.

1 (ECF No. 175 at 8-9.) While the putative John Doe has not yet identified a single legal authority  
2 entitling him to attorneys' fees on appeal, Movant nevertheless respectfully submits that the  
3 putative John Doe's appeal bond may now be reduced by \$90,000—an amount that reflects the  
4 consolidation of the six appeals beyond the original appeal (or as the putative John Doe puts it,  
5 \$15,000 x 6). (*Id.*) The Court should enter an order reducing the amount of the appellate bond to  
6 \$45,585.66.

7 Movant has conferred with the other individuals subject to the bond order and has received  
8 their consent to the relief sought in this motion. Pietz objects to the relief sought herein. Movant  
9 was unable to contact Gibbs. Further, Movant is using Pietz's own calculations. In light of these  
10 facts, Movant respectfully submits that the Court should grant this motion.

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DATED: July 11, 2013

Respectfully submitted,



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Paul Duffy  
161 N. Clark St. Ste 3200  
Chicago, IL 60601

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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

INGENUITY 13 LLC,  
*Plaintiff,*

v.

JOHN DOE,  
*Defendant.*

CASE NO. 2:12-CV-8333-ODW (JCx)

Judge: Hon. Otis D. Wright, II  
Magistrate Judge: Hon. Jacqueline Chooljian

**CERTIFICATE OF SERVICE**

IT IS HEREBY CERTIFIED THAT:

I, the undersigned, am a citizen of the United States and am at least eighteen years of age.  
My address is Paul Duffy 161 N. Clark St. Ste. 3200, Chicago, IL 60601. I have caused service of:

**MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF EX PARTE APPLICATION FOR ORDER REDUCING APPELLATE BOND AMOUNT IN LIGHT OF RECENT NINTH CIRCUIT CONSOLIDATING ORDER**

On the following parties via U.S. Mail first-class, postage prepaid:

<b>PARTIES</b>	<b>COUNSEL OF RECORD/PRO SE</b>
Prenda Law, Inc. 161 N.Clark St. Ste. 3200 Chicago, IL 60601	Klinedinst PC 501 West Broadway, Suite 600 San Diego, California 92101 Telephone: (619) 239-8131 Fax: (619) 238-8707 e-mail: hrosing@klinedinstlaw.com e-mail: dmajchrzak@klinedinstlaw.com
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Livewire Holdings, LLC 2100 M Street Northwest, Suite 170-417 Washington, D.C. 20037	Pro Se
6881 Forensics, LLC Springates East Government Road Charlestown, Nevis	Pro Se

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Non-Party Putative John Doe	Morgan Pietz (SBN 260629) The Pietz Law Firm 3770 Highland Ave., Ste. 206 Manhattan Beach, CA 90266
Morgan Pietz and Nicholas Ranallo	Heller & Edwards Lawrence E. Heller 9454 Wilshire Boulevard, Suite 500 Beverly Hills, CA 90212-2983

I declare under penalty of perjury that the foregoing is true and correct. Executed on July 11, 2013.



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Signature