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6 *In Propria Persona*

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

9 INGENUITY 13 LLC,

10 *Plaintiff,*

11 v.

12 JOHN DOE,

13 *Defendant.*

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

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

**NOTICE OF REMAND AND  
REQUEST FOR ORDER  
VACATING MONETARY  
SANCTIONS AGAINST MOVANT  
BRETT L. GIBBS PURSUANT TO  
COURT'S OCTOBER 30, 2013  
ORDER**

1 Attorney Brett L. Gibbs, *in propria persona*, files this request for an order  
2 vacating the sanctions imposed on him in the Court’s May 6, 2013 Order Issuing  
3 Sanctions. In support of this motion, Gibbs presents the following:

4 On May 6, 2013, the Court ordered sanctions in the amount of \$81,319.72 on  
5 John Steele, Paul Hansmeier, Paul Duffy (the “Prenda Principals”), AF Holdings LLC,  
6 Ingenuity 13, LLC, Prenda Law, Inc. and Gibbs. (ECF No. 130) The Court ruled that  
7 all of the sanctioned parties were jointly and severally liable for the full amount of the  
8 sanctions. Each of the sanctioned parties, including Gibbs, filed a timely appeal of the  
9 Sanctions Order with the Ninth Circuit Court of Appeals.

10 On October 17, 2013, Gibbs filed a Motion for Indicative Ruling Vacating May  
11 6, 2013 Sanctions against him. (ECF No. 240) Defendant filed his opposition to this  
12 motion on October 28, 2013. (ECF No. 241) On October 30, 2013, the Court granted  
13 Gibbs’ Motion and issued an Indicative Ruling Vacating May 6, 2013 Sanctions  
14 Against Gibbs, (ECF No. 243) and Gibbs filed a Notice of Indicative Ruling and  
15 Request for Remand and Dismissal with the Court of Appeals for the Ninth Circuit  
16 (Case No. 13-55871, Doc. No. 11-1).

17 On November 7, 2013, the Ninth Circuit “remanded [the case] to the district  
18 court for the limited purpose of enabling the district court to consider appellant’s  
19 motion to vacate the May 6, 2013 order imposing sanctions on appellant,” thereby  
20 restoring jurisdiction to this Court to implement its prior indicative ruling. The Ninth  
21 Circuit further set a schedule for Gibbs to “report the status of the district court  
22 proceeding...” (Case No. 13-55871, Doc. No. 13). A copy of the Ninth Circuit’s Order  
23 is attached as Exhibit A.

24 Gibbs now respectfully requests that the Court issue an Order vacating the  
25 monetary sanctions imposed upon him in the Court’s May 6 Order, pursuant to the  
26 Court’s October 30, 2013 Order. Gibbs reiterates his commitment to cooperate fully  
27 with investigations into his conduct and the conduct of the other sanctioned parties.

1 Gibbs also reiterates his commitment to remain disassociated from the Prenda  
2 Principals.

3 Gibbs also respectfully requests that the Order Vacating Sanctions include a  
4 statement that the Court has concluded, after reconsidering the record and the  
5 arguments and new evidence presented by Gibbs, that Gibbs did not lie to the Court or  
6 ignore or disobey any Order of the Court. This statement will allow the Ninth Circuit  
7 to rely on Gibbs testimony when evaluating whether to uphold sanctions on the  
8 Prenda Principals, the Plaintiffs, and Prenda Law. Similarly, it will allow other courts  
9 which are considering sanctions against these individuals and companies to use Gibbs'  
10 testimony without having to respond to the assertion that Gibbs' testimony should not  
11 be considered because he was found to have lied to this Court. Finally, it will allow  
12 Gibbs to begin to rebuild his reputation which has been severely damaged by his  
13 much-regretted association with Steele Hansmeier PLLC, Prenda Law, Inc. and the  
14 Prenda Principals.

15  
16 Respectfully submitted,

17 DATED: November 7, 2013

18 /s/ Brett L. Gibbs  
19 Brett L. Gibbs  
20 28 Altamont Avenue  
21 Mill Valley, CA 94941  
22 *In Propria Persona*  
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**CERTIFICATE OF SERVICE**

1  
2 The undersigned hereby certifies that on this 7<sup>th</sup> day of November, 2013, a true  
3 and correct copy of the foregoing Notice of Remand and Request to Vacate Sanctions  
4 Against Brett L. Gibbs Pursuant to Court’s October 30, 2013 Order, and all attached  
5 and related documents, was filed with the Clerk of the Court for the Central District of  
6 California by using the CM/ECF system and served on all of those parties receiving  
7 notification through the CM/ECF system. Further, as to those individuals who do not  
8 or cannot access the CM/ECF system, on this 7<sup>th</sup> day of November, 2013, a true and  
9 correct copy of the foregoing Notice of Remand and Request to Vacate Sanctions  
10 Against Brett L. Gibbs Pursuant to Court’s October 30, 2013 Order, and all attached  
11 and related pleadings, was mailed via the U.S. Postal Service from Mill Valley,  
12 California, with first-class postage thereon fully prepaid, to the following individuals  
13 at the addresses below:

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20 Paul Duffy  
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26 ///

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