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

8
9 INGENUITY 13, LLC, a Limited
Liability Company Organized Under
10 the Laws of the Federation of Saint
Kitts and Nevis,

11
12 Plaintiff,

13
14 v.

15 JOHN DOE,

16 Defendant.
17

Case Number: 2:12-cv-08333-ODW-JC

Case Assigned to:
District Judge Otis D Wright, II

Discovery Referred to:
Magistrate Judge Jacqueline Chooljian

Case Consolidated with Case Nos.:
2:12-cv-6636; 2:12-cv-6669; 2:12-cv-
6662; 2:12-cv-6668

**OPPOSITION TO EX PARTE
APPLICATION FOR ORDER
WITHDRAWING ORDER FOR JOHN
STEELE, PAUL HANSEMEIER,
PAUL DUFFY, AND ANGELA VAN
DEN HEMEL TO APPEAR**

OPPOSITION

This opposition is being filed to the “Ex Parte Application for Order Withdrawing Order for John Steele, Paul Hansemeier, Paul Duffy, and Angela Van Den Hemel to Appear” (the “**Application**”) which is in the process of being manually filed¹ by specially appearing counsel.

(a) Personal Jurisdiction

John Steele has frequently sent demand letters into the State of California, seeking to pressure Internet users into settling copyright infringement claims. An example of only one such letter (undersigned counsel knows there are many more) accompanies this opposition as Exhibit 1 to the Declaration of Nicholas Ranallo. Further, Mr. Steele has not been shy about conducting media interviews, with California publications, about his California cases. *See* <http://www.sfgate.com/business/article/Lawsuit-says-grandma-illegally-downloaded-porn-2354720.php>. Accordingly, both general and specific jurisdiction exists over John Steele.

Paul Hansemeier travelled to San Francisco California to appear as the 30(b)(6) deponent of AF Holdings, LLC in a case pending in the Northern District of California. *See* ECF No. 69. Accordingly, both general and specific jurisdiction exists over Paul Hansemeier.

Paul Duffy is a member of the State Bar of California.² Further, he substituted in as counsel of record in various AF Holdings and Ingenuity 13 cases pending in the Northern District of California (*see e.g.*, Exhibit EE³) and has

¹ At 2:55 PM, after being served by fax and email, rather than CM/ECF, undersigned counsel requested clarification as to which part of L.R. 5-4.2 was being invoked as the basis for exempting the Application from mandatory e-filing. As of this filing, no response has yet been received.

² *See* <http://members.calbar.ca.gov/fal/Member/Detail/224159>

³ The Exhibit lettering used herein refers to the Exhibits to prior declarations previously filed in this case *see* ECF Nos. 40-1; 40-2; 53-1; 53-2; 59-1; 59-2.

1 attempted, at his own initiative, to meet and confer regarding this case, C.D. Cal. 12-
2 cv-8333 (see Exhibit P). See also ECF No. 52, p. 10. Accordingly, both general and
3 specific personal jurisdiction exists over California courts for Paul Duffy.

4 Angela Van Den Hemel was identified by Mr. Gibbs as being the person who
5 violated this Court's discovery order. Accordingly, specific jurisdiction exists over
6 Angela Van Den Hemel.

7 **(b) Any Argument About Unreasonable Time Is Negated by the Manner in**
8 **Which The Application Was Filed**

9 It appears that the Application may have been *manually* filed in order to create
10 a purposeful lag time (of the motion getting from the filing window to chambers) on
11 what is supposed to otherwise be an emergency motion. It is unclear why
12 undersigned counsel found himself in possession of a copy of the moving papers
13 prior to the Court. Further, the original amount of time was reasonable.

14 * * *

15 For the foregoing reasons, the emergency application to withdraw the order
16 ordering the specially appearing moving parties to appear on Monday should be
17 withdrawn.

18
19 Respectfully submitted,

20 DATED: March 8, 2013

THE PIETZ LAW FIRM

21
22 /s/ Morgan E. Pietz

23 Morgan E. Pietz
24 THE PIETZ LAW FIRM
25 Attorney for Putative John Doe(s)
26 Appearing on Caption
27
28