

1 Brett Gibbs
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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
12 **v.**

13 **JOHN DOE,**

14 *Defendant.*

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

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

15 **NOTICE OF MOTION FOR**
16 **INDICATIVE RULING**
17 **VACATING MAY 6, 2013 ORDER**
18 **ISSUING SANCTIONS AGAINST**
19 **MOVANT BRETT L. GIBBS**

20 Date: November 18, 2013
21 Time: 1:30 p.m.
22 Ct. Room: 11 – Spring St. Floor

23 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD HEREIN:**

24 **PLEASE TAKE NOTICE** that on November 18, 2013, at 1:30 p.m.,
25 or as soon as the matter can be heard, in Courtroom 11—Spring Street
26 Floor—which is located at the Western Division United States Courthouse,
27 312 North Spring Street, Los Angeles, CA 90012-4701, Attorney Brett L.
28 Gibbs, *in propria persona*, will, in accordance with Federal Rule of Civil Procedure
62.1 and Federal Rule of Appellate Procedure 12.1, move this Court for an indicative

1 ruling vacating the sanctions imposed upon him, and only those imposed on him, in
2 the Court's May 6, 2013 Order Issuing Sanctions. In this motion, Mr. Gibbs will argue
3 the following:

- 4 • The Court should reconsider whether Gibbs lied about the size of a
5 Defendant's property;
- 6 • The Court should reconsider Gibbs' involvement in violating the October
7 19, 2012 Court Order vacating early discovery; and
- 8 • The Court should reconsider whether Gibbs testified or acted in bad faith
9 in this case.

10 Accompanying this Notice of Motion is: (1) the Motion for an Indicative Order
11 Vacating the Court's May 6, 2013 Order Issuing Sanctions Against Movant Brett L.
12 Gibbs; (2) the Declaration of Brett L. Gibbs in support thereof; (3) Exhibits A through
13 G; and (4) a Proposed Order Granting the Motion for an Indicative Ruling Vacating
14 the Court's May 6, 2013 Order Issuing Sanctions Against Movant Brett L. Gibbs.

15
16 DATED: October 17, 2013

Respectfully Submitted,

17 /s/ Brett L. Gibbs
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21 Telephone: (415) 381-3104
22 brett.gibbs@gmail.com
23 *In Propria Persona*
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 17th day of October, 2013, a true and correct copy of the foregoing Notice of Motion for an Indicative Ruling Vacating May 6, 2013 Order Issuing Sanctions Against Movant Brett L. Gibbs, and all attached and related pleadings, was filed with the Clerk of the Court for the Central District of California by using the CM/ECF system and served on all of those parties receiving notification through the CM/ECF system. Further, as to those individuals who do not or cannot access the CM/ECF system, on this 17th day of October, 2013, a true and correct copy of the foregoing Notice of Motion for an Indicative Ruling Vacating the May 6, 2013 Order Issuing Sanctions Against Movant Brett L. Gibbs, and all attached and related pleadings, was mailed via First-Class Mail with postage thereon fully prepaid via the U.S. Postal Service from Mill Valley, California to the following individuals at the addresses below:

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/s/ Brett L. Gibbs
Brett L. Gibbs