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8 *Attorneys for Defendant Alejandro Galindo*

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

11 COLUMBIA PICTURES INDUSTRIES,
12 INC.; AMAZON CONTENT SERVICES,
13 LLC; DISNEY ENTERPRISES, INC.;
14 PARAMOUNT PICTURES
15 CORPORATION; WARNER BROS.
16 ENTERTAINMENT, INC.; UNIVERSAL
17 CITY STUDIOS PRODUCTIONS LLLP;
18 UNIVERSAL TELEVISION LLC; and
19 UNIVERSAL CONTENT
20 PRODUCTIONS LLC,

21 Plaintiffs,

22 v.

23 ALEJANDRO GALINDO, RICHARD
24 HORSTEN (a/k/a RIK DE GROOT),
25 ANNA GALINDO, MARTHA GALINDO,
26 OSVALDO GALINDO, RAUL
ORELLANA, FIRESTREAM LLC., and
DOES 8- 10,

Defendants.

Case No. 2:20-cv-03129-MEMF-GJSx

**OPPOSITION/REPLY/OBJECTI
ON TO PLAINTIFF’S MOTION/
STATEMENT/RESPONSE IN
OPPOSITION OF MOTION TO
WITDRAW AS COUNSEL AND
FOR OTHER RELIEF**

Hon. Judge: Honorable Maame Ewusi-Mensah Fripong

Trial Date: None

Hearing
June 30th at 10:00

Defendant hereby opposes the recent filing by Plaintiff on the following grounds:

1. There was no meet and confer before they filed **Docket#206** (“*Statement and Requests*”) which appears to be a motion seeking relief and a ruling in the form of denying Defendants motion to withdraw as legal counsel.

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2. In filing what really appears to be a motion seeking affirmative requested relief, there was no meet and confer call prior to filing, (which came frankly as a surprise) and which made unprofessional and unsubstantiated character attacks suggesting that Defense counsel was somehow involved in discovery abuses stating it was “*under my watch.*” There was no need for them to make these unfounded insinuations.
3. There is absolutely no evidence anything was done improper by Defense counsel and in nearly 18 years of legal practice and having handled several hundred litigations (mostly federal court) I have never been accused of such abuses as they are now insinuating.
4. Moreover, nothing has changed in this posture of this matter, except that a separate entry - with a very large judgment - was entered against Defendant Galindo (See Plaintiff’s exhibit “B” filed with their Statement), which would leave Plaintiff with no likely way to every recoup their alleged damages against the Defendants in this case, because frankly Plaintiff’s refused to clarify the full nature and extent of the infringements, which would have allowed this case to move to a default a long time ago. In other words, it appears they are now upset because they are now in *second position* due to their prolonged delay. This was

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- pointed out several times during this litigation wherein we pointed to the failure to prosecute this proceeding. Some of the defaults in this case were entered on 5/6/2021 and *very little* has been done to advance the case since then.
5. My motion to be relieved as counsel was filed over 3 months ago and only now, they file this motion/statement/response, refusing to confer in advance.
 6. Furthermore, they have received orders granting judgments on all the other defendants, (excluding Mr. Galindo) but have done nothing to enforce them leaving them in a weak position and appearing to now hit the “panic button.”
 7. Although seeking denial of the motion, and other relied, there is no proposed order attached to their motion/statement/response.
 8. When Plaintiff counsel was asked why there was no meet and confer prior to filing, she stated it is not required, but offered to have a call (*post-filing*) to discuss. They would not agree to withdraw their document and meet and confer first, which in good faith I believe is required.
 9. Defense counsel has continued to make repeated attempts to contact Defendant Galindo (as the Court has requested be done), but to no avail, and has not had the opportunity to discuss responses or obtain his input regarding Plaintiff’s motions for discovery sanctions.

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10. There is no logical way to properly defend Mr. Galindo, pursuant to my legal duties, at a hearing where he has not responded, and has abandoned all contacts with me and my firm.

11. Moreover, being that Mr. Galindo has previously asserted 4th, 14th and 5th amendment rights, and since the discovery abuse allegations - such as intentional destruction of evidence - raise additional potential 5th amendment issues (See *18 USC 1503* and *United States v. Lundwall* (SD NY 1998) 1 F.Supp.2d 249, 253, there is no way to effectively represent Defendant at any future hearing as it would not be possible to advise, speculate, or discuss anything that can potentially affect Defendant's legal rights.

12. The Plaintiff's request for relief should be denied on the above grounds.

13. The motion to withdraw as legal counsel should be granted for the reasons above and including incorporating prior arguments and pleadings made and filed with this Court.

RESPECTFULLY SUBMITTED

DATED: June 11, 2022

THE LAW OFFICES OF STEVEN C. VONDRAN

By: /s/ Steve Vondran

Steven C. Vondran, Attorney for Defendant
Alejandro Galindo

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CERTIFICATE OF SERVICE

I am over the age of 18 and not a party to this action and employed by a member of the bar of this court. Our business address is 620 Newport Center Drive, Suite 1100, Newport Beach, CA 92660.

DOCUMENT SERVED:

OBEJECTION TO MOTION SEEKING TO DENY DEFENSE COUNSEL'S MOTION TO WITHDRAW AS LEGAL COUNSEL AND OTHER RELIEF

I hereby declare that on June 11, 2022, a copy of the foregoing document was filed with the United States District Court for the Central District of California in accordance with its Electronic Case Filing (ECF) procedures and served upon the attorneys of record for the parties to this action through ECF via e-mail through ECF to all persons registered with the ECF.

I declare under penalty of perjury under the laws of the United States of America that the foregoing statements are true and correct. Executed this 11th day of June 2022, at Flagstaff, Arizona.

/s/ Lisa Vondran
Lisa Vondran, Legal Assistant

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