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**UNITED STATES DISTRICT COURT**

**CENTRAL DISTRICT OF CALIFORNIA**

JANE DOE, an Individual Woman,

Plaintiff,

vs.

CALVIN BROADUS AKA “SNOOP  
DOGG”, individually; DONALD  
CAMPBELL AKA “BISHOP DON  
MAGIC JUAN”, individually; SNOOP  
DOGG’S, LLC; THE BROADUS  
COLLECTION, LLC; CASA VERDE  
CAPITAL, LLC; and MERRY JANE  
EVENTS, INC.;

Defendants.

Case No. 2:22-cv-00900-GW-AS

**OPPOSITION TO DEFENDANT  
CALVIN BROADUS’S NOTICE OF  
PLAINTIFF’S NON-OPPOSITION  
TO HIS MOTION TO DISMISS  
HER FIRST AMENDED  
COMPLAINT**

**[Fed. R. Civ. P. 12(b)(6)]**

The Hon. George H. Wu

Hearing Date: April 21, 2022

Time: 8:30 a.m.

1 Please note that Defendants filed their Motions to Dismiss on March 24, 2022.  
2 According to Federal Rules of Civil Procedure Rule 27(a)(2) Committee Notes on  
3 Rules—2002 Amendment, “Under the new computation method, parties would never  
4 have less than 14 actual days to respond to motions, and legal holidays could extend  
5 that period to as much as 18 days.” Given the current hearing date, this rule conflicts  
6 with L.R. 7-9. The amendment explicitly states, “parties would never have less than  
7 14 actual days to respond to motions.” As FRCP 83 states, “a local rule must be  
8 consistent with—but not duplicate—federal statutes and rules adopted under 28  
9 U.S.C. §§2072 and 2075. Moreover, the Ninth Circuit is “under an obligation to  
10 construe local rules” so they do not conflict with the federal rules. *Marshall v. Gates*,  
11 44 F.3d 722, 725 (9th Cir. 1995). If Plaintiff’s deadline to respond is less than  
12 fourteen days because of the local rule, then the local rules, in this situation, directly  
13 conflict with the Federal Rules and must be construed so that they do not conflict.  
14 Therefore, Plaintiff’s deadline to file their opposition is April 7, 2022, fourteen days  
15 after Defendants filed their Motions to Dismiss on March 24, 2022. Plaintiff  
16 respectfully requests the court to postpone the hearing date of April 21, 2022, to a  
17 later date so that it is in line with both the amendment to Rule 27(a)(2) and L.R. 7-9.

18 Plaintiff has planned on, and will file their opposition to Defendants Motions to  
19 Dismiss no later than April 7, 2022, unless the Court further extends the court hearing  
20 past April 28, 2022 which will then extend the L.R. 7-9 twenty-one-day deadline.

1           Additionally, in their Notice, Defendants state “Plaintiff’s counsel said nothing  
2 about withdrawing or amending Plaintiff’s operative complaint, forcing defense  
3 counsel in each instance to incur the time and expense of preparing and filing Rule  
4 12(b)(6) motions that Plaintiff then failed to oppose by this Court’s deadlines.” This  
5 is false. Plaintiff informed Defendants that Plaintiff will be responding to Defendants’  
6 Motions to Dismiss. Plaintiff chose to respond by filing an Amended Complaint.  
7  
8 Plaintiff requests that Defendants refrain from engaging in gamesmanship and tactics  
9 which misrepresent Plaintiff’s actions. Plaintiff is disappointed but not surprised by  
10 Defendants’ attempts to dismiss Plaintiff’s complaints and unfairly weaponize a local  
11 rule which they know conflicts with federal rules. Such uncompromising behavior is  
12 not only inconsistent with general principles of professional conduct, but also  
13 undermines the truth-seeking function of our adversarial system. *See* Cal. Attorney  
14 Guidelines of Civility & Professionalism § 1 (“The dignity, decorum and courtesy that  
15 have traditionally characterized the courts and legal profession of civilized nations are  
16 not empty formalities. They are essential to an atmosphere that promotes justice and to  
17 an attorney’s responsibility for the fair and impartial administration of justice.”); *see*  
18 *also Marcangelo v. Boardwalk Regency*, 47 F.3d 88, 90 (3d Cir.1995) (“We do not  
19 approve of the ‘hardball’ tactics unfortunately used by some law firms today. The  
20 extension of normal courtesies and exercise of civility expedite litigation and are of  
21 substantial benefit to the administration of justice.”). It is Plaintiff’s hope that  
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27

1 Defendants do not waste the Courts' time and resources with such gamesmanship and  
2 frivolous notices, with an effort to prevent Plaintiff from exercising her rights under  
3 the Federal Rules of Civil Procedure.  
4

5 Plaintiff respectfully requests that the Court allows Plaintiff the fourteen days  
6 that Rule 27(a)(2) allows for, and deny Defendant BROADUS' request that the Court  
7  
8 Deem Plaintiff to have consented to granting Defendant BROADUS' Motion and  
9 dismiss with prejudice each of Plaintiff's claims in her First Amended Complaint.  
10 Plaintiff does not consent to Defendants' Motions to Dismiss and will file their  
11  
12 Opposition as required by Federal Rule 27(a)(2).  
13

14 Dated: April 6, 2022

Respectfully Submitted,

15 **DEREK SMITH LAW GROUP,**  
16 **LLP**  
17 *Attorneys for Plaintiff JANE DOE*

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**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on April 6, 2022, I electronically filed the foregoing OPPOSITION TO DEFENDANT CALVIN BROADUS'S NOTICE OF PLAINTIFF'S NON-OPPOSITION TO HIS MOTION TO DISMISS HER FIRST AMENDED COMPLAINT with the Clerk of the Central District of California using the CM/ECF system, which will send notice of electronic filing to the following:

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Dated: April 6, 2022

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