

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA**

THIRD DEGREE FILMS, INC.
20525 Nordhoff Street, Suite 25
Chatsworth, CA 91311

Plaintiff,

v.

DOES 1 – 259,

Defendants.

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Case No. 4:11-cv-570-RH-WCS

**JOHN DOES' MEMORANDUM IN OPPOSITION TO PLAINTIFF'S RESPONSE TO
SHOW CAUSE ORDER**

COMES NOW the TT LAW Defendants,¹ by and through the undersigned counsel, hereby files this Memorandum in Opposition to Plaintiffs' Two Responses to Show Cause Order [DE 39 & 44], and states as follows:

INTRODUCTION AND FACTUAL BACKGROUND

1. In the Court's February 16, 2012 Order, it consolidated 27 cases (the "Consolidated Actions") for case-management purposes only and required Plaintiffs' counsel, Terik Hashmi, to show cause why the consolidated Actions should not be dismissed on the ground that he has no authority to practice law in Florida or in this Court. Additionally, the Court stayed the Consolidated Actions pending a ruling on Mr. Hashmi's authority to practice law in Florida.

¹ This opposition memorandum is filed on behalf of various John Doe Defendants ("TT Law Defendants") named in several of the Consolidated Actions represented by the undersigned, as identified in the following chart:

CASE NO.: 4:11-cv-570	JOHN DOE: 59, 82, 251, 85
CASE NO.: 4:11-cv-572	JOHN DOE: 54, 115
CASE NO.: 4:11-cv-584	JOHN DOE: 6
CASE NO.: 4:12-cv-25	JOHN DOE: 13
CASE NO.: 1:11-cv-280	JOHN DOE: 38,65
CASE NO.: 1:12-cv-2	JOHN DOE: 139,79,172, 57

2. On February 26, Mike Meier, an attorney not otherwise affiliated with the Consolidated Actions, filed a notice of appearance [DE 32] and later moved to substitute in as counsel for Plaintiffs [DE 33]. Mr. Meier is purportedly admitted as an attorney in the Northern District of Florida, although he is admittedly not licensed to practice in the State of Florida.

3. On February 28, 2012 [DE 36], the Court granted Mr. Meier's motion to substitute as counsel for Plaintiffs but reiterated that Plaintiffs must show cause why the Consolidated Actions should not be dismissed due to the "illegal filing of the cases, if that is what occurred."

4. On March 2, 2012 [DE 39], Mr. Meier filed a response to the Court's Order to Show Cause arguing that the actions should not be dismissed for various reasons.

5. That same day [DE 40], Defendant John Doe 34, named in the action *Elegant Angels, Inc. v. Does 1-87* ("*Elegant Angels Action*"), responded in opposition to Mr. Meier's submission and requested, inter alia, that the court dismiss the *Elegant Angels Action* because it was filed by a person who had no authority to practice law in Florida.

6. On March 9, 2012 [DE 44], Mr. Hashmi responded to the Court's Order to Show Cause making the same arguments previously put forth by Mr. Meier.

7. On March 12, 2012, attorney Daniel J. Simon filed a Memorandum in Opposition to Plaintiff's Response to Show Cause Order [DE 45] on behalf of twenty-four (24) John Doe Defendants in seven (7) of the subject cases consolidated under Case No.: 4:11-cv-570-RH/WCS, in which the Defendants moved to join the Memorandum in Opposition filed by John Doe 34 in the *Elegant Angels Action* and submitted an additional basis for dismissal of the Consolidated Actions. Specifically, in each of the Consolidated Actions, Mr. Hashmi submitted a "Verification" pursuant to 28. U.S.C. 1746, as Mr. Hashmi is no longer affiliated with the Consolidated Actions following the Court's determination of his improper practice in Florida, all

these essential verifications are invalid, and therefore the “Verified Complaints” in the Consolidated Actions cannot stand and should be dismissed.

8. The TT Law Defendants now move to join both the Memorandum in opposition filed by John Doe 34 in the *Elegant Angels Action* [DE 40] and the Memorandum in opposition filed by the 24 John Does Defendants represented by attorney Simon [DE 45].

WHEREFORE, the TT Law Defendants respectfully prays for an order dismissing the Consolidated Actions and such further relief as the Court may deem just and proper.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing document was served on all of those parties receiving electronic notification via the Court’s CM/ECF electronic filing as of March 19, 2012.

By: /s/ David F. Tamaroff
DAVID F. TAMAROFF, ESQ.