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

<p>9 Social Security Administration,          10          11 Complainant          12 v.          13 Jeffrey D. Moffatt,          14          15 Respondent.          16          17          18          19</p>	<p><b>DISTRICT COURT DOCKET NO.:</b>  <b>2-18-cv-07752-VBF (DFM)</b></p> <p>SSA DOCKET NO.: RS-17-03</p> <p><b>NOTICE OF MOTION AND MOTION          TO STRIKE AND OBJECTION TO          PHANTOM "STATUS REPORT RE:          PUBLIC INTEREST CONCERNS"          UNDER Fed. R. Civ. P. 12(f)(2), 18          U.S.C.A. § 1028(a)(4) and (f) (West)...</b></p> <p><b>ORAL ARGUMENT REQUESTED</b></p> <p>Honorable Judge Valerie Baker Fairbank,          United States District Court Judge</p>
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20 **TO THE COURT, ALL PARTIES AND THEIR COUNSEL OF RECORD:**

21 **NOTICE IS HEREBY GIVEN** that Respondent Jeffrey D. Moffatt  
 22  
 23 (Moffatt) is filing a Motion to Strike and Objection to Complainant Social Security  
 24 Administration's (SSA) Phantom "Status Report Re: Public Interest Concerns"  
 25  
 26

1 Under Fed. R. Civ. P. 12(f)(2) and 18 U.S.C.A. § 1028(a)(4) and (f) and Challenge  
2 to SSA's De Facto Debarment.

3 This motion is based on this Notice, the attached Motion to Strike and  
4 Objection to Phantom "Status Report Re: Public Interest Concerns," Under Fed.  
5 R. Civ. P. 12(f)(2) and United States Code ("U.S.C.") Title 18, § (a)(4) and (f) and  
6 Challenge to SSA's De Facto Debarment, Memorandum of Points and Authorities  
7 in Support, exhibits filed concurrently, the records and pleading on file herein; and  
8 on such other evidence as may be presented before the Court at the time of the  
9 hearing on the motion.  
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12 **Dated:** August 1, 2019  
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15 \_\_\_\_\_ /s/ Jeffrey D. Moffatt  
16 By: Jeffrey D. Moffatt  
17 Federal SSA Attorney / Pro Se  
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1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **JUDGE FAIRBANK MADE A DECISION TO STAY DOCKET NO.: 2-18-**  
3 **cv-07752-VBF (DFM) THROUGH 01//02/10 MINUTE ORDER**

4 The Honorable Valerie Baker Fairbank is presiding over related case Jeffrey  
5 D. Moffatt vs. The State Bar of Arizona, et. al. in Docket No.: CV-17-06029-VBF  
6 (DFM) purported (“Arizona Disciplinary Matter”).  
7

8 The Honorable Valerie Baker Fairbank also presiding in Jeffrey D. Moffatt  
9 vs. the Social Security Administration (“SSA”), Docket No.: 2-18-cv-07752-VBF  
10 (DFM) ordered the parties not to notice hearings unless it schedules an oral  
11 argument and not to file any additional motions until and unless this Court has  
12 issued an Order denying the Respondent’s pending remand motion.  
13

14 According to Civil Minutes – General dated January 2, 2019, the Honorable  
15 Valerie Baker Fairbank ordered, “The parties **shall not notice** hearings. The Court  
16 will schedule oral argument on a motion if it deems it necessary after reviewing all  
17 briefs supporting and opposing the motion. The parties **shall not file** any  
18 additional motions in this case until and unless this Court has issued an Order  
19 denying the Defendant’s pending remand motion.”  
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22 It appears Complainant SSA filed the Phantom “Status Report Re: Public  
23 Interest Concerns” with this Court on July 24, 2019, in defiance of Court order of  
24 Jan 2, 2019, in an attempt to exert pressure to influence the Court to take action  
25 against the Respondent on its own motion based on the false claim that the  
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1 Respondent “misleadingly asserted” that “he is an attorney” and “has never been  
2 disbarred or suspended from a state bar” and poses “growing public interest  
3 concerns” to the public.

4  
5 Complainant SSA presents what it describes as “Research performed by  
6 Plaintiff in July 2019 confirms that the Arizona State Bar disbarred Defendant on  
7 March 7, 2016<sup>1</sup>, and that Defendant is not a member of any state bar in the United  
8 States (See Declaration of Brenda Saefong).”

9  
10 It is clear Complainant SSA filed its Phantom “Status Report Re: Public  
11 Interest Concerns,” as a back door way to file a motion, despite the Court January  
12 2, 2019, Minute Order prohibiting all parties from filing any motions.

13  
14 Complainant SSA urges, “In order to protect additional members of the  
15 public with SSA claims from the adverse effects of Defendant’s troubling  
16 behavior, Plaintiff respectfully reiterates its request and urges this Court to  
17 Remand this case to the Social Security Administration for the resumption of  
18 proceedings.”

19  
20 Respondent Moffatt has substantial constitutional protected rights at risk, his  
21 right to practice law is at issue in the related cases both being presided over by the  
22 Honorable Valerie Baker Fairbank, Jeffrey D. Moffatt vs. The State Bar of  
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24  
25 <sup>1</sup> The Arizona State Bar website, accessible to the public, reflects that on December 13, 2016, the Arizona Supreme  
26 Court affirmed the hearing panel’s decision to Defendant’s disbarment. The website lists multiple actions and  
behaviors of highly unprofessional behavior as reasons for Defendant’s disbarment on the website. Indeed,  
Defendant admitted, amidst state bar charges, that he asked a potential client for a nude photo in exchange for a  
consultation fee (Defendant’s Memorandum, Docket Doc. #12, Pg. 12, Line 6)