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

8 Jeffrey D. Moffatt,

9 Plaintiff

10 v.

11 State of Arizona,  
12 State Supreme Court of Arizona,  
13 State Bar of Arizona, and

14 Scott Bales, Chief Justice in his  
15 Official Capacity,

16 Defendants  
17

**DOCKET NO.:** CV-17-06029-VBF (DFM)

**(AMENDED) OPPOSITION UNDER  
Fed. R. Civ. P. 12(f)(2) TO  
DOCUMENT#[171] DECLARATION OF  
ELIZABETH B. VANALEK – DATED  
NOVEMBER 7, 2018 AND IN SUPPORT  
OF DOCUMENT#[170]**

ORAL ARGUMENT REQUESTED

**Date:** No Date Set

**Time:**

**Courtroom:**

Honorable Judge Valerie Baker Fairbank  
18  
19

20 *COMES Now, Plaintiff Jeffrey D. Moffatt* (Moffatt), who moves this Court  
21 with an **OPPOSITION TO DOCUMENT# [171] DECLARATION OF**  
22 **ELIZABETH B. VANALEK – DATED NOVEMBER 7, 2018 UNDER Fed. R.**  
23 **Civ. P. 12(f)(2) AND IN SUPPORT OF DOCUMENT #[170]** for all the  
24 foregoing issues as follows:  
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26

1 Elizabeth B. Vanalek (Vanalek) in her declaration advised that the limited  
2 liability partnership (LLP) does not have an annual requirement for filing with the  
3 California Secretary of State. Moffatt has diligently searched for Gordon Rees  
4 Scully Mansukhani, LLP (Foreign Corporation) (GRSM) amendments to the  
5 Franchise Tax Board (FTB) rules and found no such GRSM amendment to  
6 alleviate the yearly filing requirement.  
7

8 Opposing counsel Vanalek, did not address the failure to be registered with  
9 the State Bar of California, as a requirement to act as counsel for actions inside the  
10 State of California. The case law in support, was included in [170] the Motion to  
11 Strike all Defendant's pleadings by GRSM. Opposing counsel did not offer FTB  
12 form 565 which requires an annual filing.  
13  
14

15 If the court does not wish to grant the motion to strike, it should grant  
16 Moffatt discovery options to seek the evidence necessary to establish the legality  
17 of GRSM's standing to operate and practice law in the State of California, as well  
18 as practice as a legal entity in Federal District Court.  
19

20 Whether GRSM is filing the necessary FTB 565 form, is real evidence, and  
21 is part of the controversy on if GRSM is properly able to perform work in the State  
22 of California, which includes being Defendant's counsel on the present matter.  
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