

ORIGINAL

FILED

1 MATTHEW R. WALSH
2 19197 GOLDEN VALLEY RD #333
3 SANTA CLARITA, CA 91387
4 (661) 644-0012

2025 JUN 17 PM 2:05

CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

5 Plaintiff In Pro Per,

BY: 

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

8 MATTHEW R. WALSH
9 19197 GOLDEN VALLEY RD #333
10 SANTA CLARITA, CA 91387,

Case No.: 2:25-CV-05340-ODW-RAO

11 Plaintiff In Pro Per,

PLAINTIFFS OPPOSITION TO
DEFENDANTS MOTION FOR
ENLARGEMENT OF TIME TO
RESPOND TO COMPLAINT

12 vs.

13 ROKOKO ELECTRONICS
14 (AND DOES 1 THROUGH 50, INCLUSIVE)
15 31416 AGOURA RD STE 118
16 WESTLAKE VILLAGE, CA
17 91361

18 Defendant

19 **PLAINTIFFS OPPOSITION TO DEFENDANTS MOTION FOR**
20 **ENLARGEMENT OF TIME TO RESPOND TO COMPLAINT**

21
22 **1. THIS COURT LACKS JURISDICTION TO HEAR DEFENDANTS MOTION**

23 This Court lacks jurisdiction to grant the relief requested, as the question of whether to
24 remove or remand this case itself remains unresolved. Plaintiff's Motion to Remand is
25 pending, and the Court may not act substantively until it first determines whether it has
26 jurisdiction at all any such act by the Court prior would be *ultra vires*.

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2 *“For a court to pronounce upon a law's meaning or constitutionality when it has no*
3 *jurisdiction to do so is, by very definition, an ultra vires act. Pp. 93-102.”* (Steel Co. v.
4 Citizens for Better Environment, 523 U.S. 83 (1998))

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7 2. **DEFENDANTS CONDUCT IS PROCEDUALLY IMPROPER**

8 Defendant must oppose the motion to remand, or they must accept that Plaintiff's
9 arguments were credible and remand must be granted.

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12 3. The Court has not ruled if it should even have jurisdiction; any motions without
13 established jurisdiction and further motions to compel the Court to rule on them without
14 jurisdiction is entirely inappropriate.

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16 *“This [Supreme] Court declines to endorse the "doctrine of hypothetical jurisdiction,"*
17 *under which several Courts of Appeals have found it proper to proceed immediately to*
18 *the merits question, despite jurisdictional objections” -- Justice Scalia on (Steel Co. v.*
19 *Citizens for Better Environment, 523 U.S. 83 (1998))*

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22 4. Defendant has openly stated in their **MOTION FOR ENLARGEMENT OF TIME TO**
23 **RESPOND TO COMPLAINT** that they seek dismissal. They aim to do this by
24 manipulating the judicial process to force default:
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27 *“ In a long and venerable line of cases, this Court has held that, **without proper***

1 *jurisdiction, a court cannot proceed at all, but can only note the jurisdictional defect*
2 *and dismiss the suit.” (see Citations A)*

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4
5 5. However, in cases removed from state court, the proper remedy is not dismissal — it is
6 mandatory remand under 28 U.S.C. § 1447(c) which clearly states “*If at any time before*
7 *final judgment it appears that the district court lacks subject matter jurisdiction, the case*
8 *shall be remanded.*”

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11 6. Defendant has failed to meet their burden to establish subject matter jurisdiction and has
12 not opposed Plaintiff’s motion to remand while simultaneously forcing court procedure
13 forward. **Accordingly, this Court must now remand.**

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15 7. **DEFENDANT IS NEARING PROCEDURAL DEFAULT IN THIS COURT**

16 A responsive pleading is or was due 7 days from removal to Federal Court. As of June
17 19th, 2025, Defendant will once again be in procedural Default in this matter (Federal
18 Court as of Local Rule 7-9).

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21 8. Plaintiff does not seek to enter Default in this Court but instead requests that their motion
22 be denied and the matter be remanded back to the Superior Court.

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25 9. **DEFENDANTS REQUEST IS UNTIMELY AND WITHOUT CAUSE**

26 Having procedurally defaulted in state court, Defendant cannot now reset the clock
27 through forum shopping and vague assurances of a future filing, especially while

1 simultaneously admitting they intend to circumvent all Court and escape the matter
2 entirely.

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4 **10. Rule 6(b)(1)(B) demands a showing of good cause or excusable neglect — and**
5 **Defendant has offered none.** No such claim can be brought as the facts herein have
6 demonstrated.
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9 **11. DEFENDANT HAS HAD THE COMPLAINT FOR 58 DAYS, REFUSED TO ACT**

10 Defendant’s counsel claims “*This motion is made in good faith and not for the purpose of*
11 *delay*”. However, Plaintiff asserts the allegations in the Complaint, reiterates his Motion
12 for Summary Judgment and the Separate Statement of Material facts; along with the state
13 Court record which shows zero activity from Defendant – all constitute a systemic pattern
14 of bad faith. Defendant’s deny and delay pattern is entirely what sprouted and continued
15 escalating this matter from a simple parts availability dispute to a 13-cause of action Civil
16 complaint rife with hard evidence.
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20 12. Additional time is not warranted and granting it would be a miscarriage of justice as:

- 21
22
23 a. Defendant has had Plaintiff’s Complaint or a proximately similar Complaint
24 designed specifically for Superior Court should escalation be required (Mot.
25 Remand Exhibit 6). This Complaint was provided at the first legitimate Court
26 action which commenced litigation against them on April 17th, 2025. It was
27

1 personally served upon Defendant at a proximate date.

2
3 b. Defendant has had foreign counsel (a member of his board) advising him, per his
4 express admissions since at least April, 28th 2025.

5
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7 c. Defendant has actively participated in litigation in this matter since at least April
8 28th, 2025 (Mot. Remand Exhibits 5, 10-12) through official Court channels
9 including but not limited to ODR and Defendant-initiated Arbitration.

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12 d. Defendant has had domestic counsel since on or before May 5th, 2025

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14 e. Defendant was provided multiple copies of the Complaint, courtesy copies
15 (including color copies to counteract the Court scanning process), every document
16 filed on the state docket was served upon Defendant including the **declaration of**
17 **general appearance** and the **notice of motion and motion for summary**
18 **judgment in lieu of default** and yet, Defendant and their Counsel ignored every
19 opportunity to answer, oppose, demur or file any responsive or dispositive
20 pleading.
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24 **13. PLAINTIFF ARGUES CONTINUED BAD FAITH LITIGATION**

25 Defendant's counsel made clear express admissions of their intentions:

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27 ***"Due to the removal of the case and because Rokoko intends to file a motion to dismiss***

1 *as to all fourteen causes of action, Rokoko requires additional time to prepare and file*
2 *its response to Plaintiff's Complaint. "*

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5 14. This along with their admissions by conduct through the Court system thus far that they
6 have openly stated here – **They do not seek to “find the right Court” by removal to**
7 **Federal Court, but to not find themselves in any court.**

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9 **15. CONCLUSION**

10 Defendant *wants* dismissal or even default. Should they get it here, they avoid the
11 impending summary judgment in lieu of default waiting for them in State Court. Both
12 their domestic and foreign counsel are well aware:

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15 Procedural default judgments are not enforceable in Denmark or largely abroad (*Bank of*
16 *Montreal v. Kough, Bano v. Union Carbide Corp, Hilton v. Guyot*). For enforcement, any
17 such judgments must be upon the merits – which is precisely why Defendant sought to
18 escape the motion for summary judgment in lieu of default.

19
20
21 Defendants string of months long bad faith litigation tactics:

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24 1. They have made material omissions to this Court.
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26 2. They have knowingly submitted false statements under penalty of perjury.
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1 3. They deliberately engaged in premeditated forum shopping to avoid California
2 liability (Mot. Remand Ex 4)

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4 They have demonstrated contempt for this matter and continuous litigation sleight
5 of hand, intentionally designed to entirely avoid propounded discovery, entry of default,
6 imminent summary judgment, and most importantly – consequence and accountability
7 for their actions.
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10 **PRAYER FOR RELIEF**

11 Plaintiff respectfully requests that the Court:
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- 13
14 a. Deny Defendant’s **MOTION FOR ENLARGEMENT OF TIME TO**
15 **RESPOND TO THE COMPLAINT** and;
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18 b. Grant **PLAINTIFFS MOTION TO REMAND** and;
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21 c. Decline to enter default in this matter and;
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23 d. Award Plaintiff costs and actual expenses, including Court costs and attorney fees
24 under 28 U.S.C. § 1447(c), *Martin v. Franklin Capital Corp.* (2005) 546 U.S.
25 132, 136. and;
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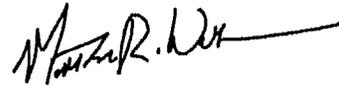
e. Consider Rule 11 sanctions.

f. Further relief the Court deems just and proper.

I, Matthew R. Walsh, declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 19th day of June, 2025, in Santa Clarita, California.

Dated this 19th of June, 2025.



Matthew R. Walsh
Plaintiff In Pro Per

1 CITATIONS A

2 (See, e. g., *Capron v. Van Noorden*, 2 Cranch 126; *Arizonans for Official English v. Arizona*,
3 520 U. S. 43, 73. *Bell v. Hood*, *supra*; *National Railroad Passenger Corp. v. National Assn. of*
4 *Railroad Passengers*, 414 U. S. 453, 465, n. 13; *Norton v. Mathews*, 427 U. S. 524, 531;
5 *Secretary of Navy v. Avrech*, 418 U. S. 676, 678 (*per curiam*); *United States v. Augenblick*, 393
6 U. S. 348; *Philbrook v. Glodgett*, 421 U. S. 707, 721; and *Chandler v. Judicial Council of Tenth*
7 *Circuit*, 398 U. S. 74, 86-88
8

1 **PROOF OF SERVICE**

2 I, Matthew R. Walsh, declare:

3 I am a resident of the State of California, over the age of eighteen years, and a party to this
4 action. My business address is 19197 Golden Valley Rd #333, Santa Clarita, CA 91387.

5 On June 17, 2025, I served the following document(s):

6 **PLAINTIFFS OPPOSITION TO DEFENDANTS MOTION FOR ENLARGEMENT OF
7 TIME TO RESPOND TO COMPLAINT**

8 by transmitting a true copy via electronic mail to the following email address(es):

9 **Reed Smith LLP (Counsel for Defendant)**
10 Heather Valencia, Esq.
11 Hvalencia@reedsmith.com

12 By placing a true and correct copy in a sealed envelope, with first-class postage fully prepaid,
13 and depositing it in the United States Mail at Santa Clarita, California, addressed as follows:

14 **Reed Smith LLP (Counsel for Defendant)**
15 Heather Valencia, Esq.
16 515 South Flower Street, Suite 4300
17 Los Angeles, CA 90071

18 I declare under penalty of perjury under the laws of the United States of America that the
19 foregoing is true and correct.

20 Executed on June 17, 2025
21 Santa Clarita, California



22 _____
23 Matthew R. Walsh
24 Plaintiff In Pro Per