

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

Plaintiff In Pro Per,

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MATTHEW R. WALSH
Plaintiff In Pro Per,

vs.

ROKOKO ELECTRONICS
(AND DOES 1 THROUGH 50,
INCLUSIVE)

Defendant

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

*[Assigned to Hon. Otis D. Wright, II,
Courtroom 5D; Hon. Rozella A. Oliver,
Courtroom 590]*

Hearing date: November 24, 2025
Hearing time: 1:30PM

**REPLY TO DEFENDANTS
[UNTIMELY] OPPOSITION TO
PLAINTIFFS MOTION FOR
RECONSIDERATION [Opposition
was due no later than Nov 3]**

Filed concurrently with:
Declaration of MRW re: Rebuttles to
Defendants Untimely Opposition

Defendant’s disregard for the rules continues once again; in almost cartoon-like fashion. Once again Defendant disregards the rules, misses a Court deadline, and once again disregards even more Local Rules and the FRCP. The Court should

1 weigh if ReedSmith should be disqualified and referred to the state bar.

2 Defendant's conduct is ultra vires and raises serious ethical concerns.

3
4
5 **1. DEFENDANTS OPPOSITION IS UNTIMELY, IT MUST BE**
6 **STRICKEN OR DISREGARDED IN IT'S ENTIREY**
7

- 8 a. Local Rule 7-9 absolutely sets forth that "not later than twenty-one
9 (21) days before the date designated for the hearing of the
10 *motion*" ... "serve upon all other parties and file with the Clerk" ... "
11 *the evidence upon which the opposing party will rely in opposition to*
12 *the motion and a brief but complete memorandum which shall contain*
13 *a statement of all the reasons in opposition thereto*"
14
15 b. The last day Defendant could possibly file was November 3, 2025. It
16 is now November 10, 2025.
17
18 i. Plaintiff filed a notice of non-opposition already on November
19 4, 2025. (Dkt #87)
20
21 ii. Plaintiff then filed a Motion for Entry of Default (Dkt #89) as
22 his Motion for Reconsideration asked for Default as relief.
23
24 c. Only now, realizing the weight of her decision to not oppose does she
25 bother to file a late opposition. This is highly improper and prejudicial
26 and violates Plaintiff's rights under the Local Rules and FRCP.
27
28

1
2
3
4 **2. THIS COURT HAS ALREDY WARNED DEFENDANT, THE RULES**
5 **MUST UPHELD AND HER OPPOSITION BE STRICKEN.**

- 6
7 a. As warned *prior* “*Further filings that fail to comply with applicable*
8 *rules or that are otherwise inappropriate will be **summarily stricken,***
9 *and the Court will not hesitate to impose monetary sanctions in cases*
10 *where the violations are particularly **egregious or repeated.**” - (Dkt*
11 *#39 dated June, 23, 2025)*
- 12
13 b. And further in “*Filings that do not conform to the Local Rules and*
14 *this Order will not be considered*” (Dkt #71)
- 15
16 c. Defendants misconduct and violations of the Local Rules are constant.
17
18 Defendant has not filed even one compliant motion to date and
19 further, most of their oppositions and replies are incredibly flawed and
20 improper; from violations of Local Rules, blatant demonstrable
21 falsities, falsified evidence and AI-fabricated caselaw over and over
22 again.
- 23
24
25 d. Plaintiff respectfully requests that the Court follow it’s own warnings
26 and commandments to Defendant and strike her improper opposition
27 and other documents which are improper, yet were allowed to stand
28

1 despite prior warnings (Motion to Dismiss Dkt #42).

2
3
4 **3. DEFENDANT’S LATE FILING, CAUSED PLAINTIFF TO**
5 **SCRAMBLE AND RUSH TO FILE A LATE REPLY BRIEF;**
6 **SANCTIONS AND CONTEMPT ARE WARRANTED.**
7

- 8 a. Defendant has now, once again, trampled and affected Plaintiff’s
9 rights under the rules of law was L.R. 7-10 states “*A moving party*
10 *may, not later than fourteen (14) days before the date designated for*
11 *the hearing of the motion, serve and file a reply memorandum”*
12
13
14 b. Defendant has prejudiced Plaintiff insofar that:
15 i. Plaintiff does not have unlimited time and legal resources like
16 Defendant and Counsel. Plaintiff has himself.
17
18 ii. A late, unexcused opposition soon before the motion hearing
19 creates undue stress and burden on Plaintiff requiring him to
20 take unwarranted and unnecessary time off work or away from
21 family, then research, author, check compliance and file during
22 a time period where there should be no opposition.
23
24 iii. It’s beyond logic, reason or equitable fairness for Plaintiff to
25 have to pay for Defendant’s inability or refusal to follow the
26 rules.
27
28

1 iv. Further, prejudice comes as it was not possible to even reply
2 within 14 days because she filed her opposition 14 days from
3 the hearing. Defendant's cascade of rule failures has now made
4 it so that Plaintiff has to break rules just to comply with
5 procedure. This is unacceptable.
6

7
8 **c. Defense's opposition must be stricken, Defense must be**
9 **sanctioned pursuant to L.R. 7-13, L.R. 87-3, Rule 11 and Rule 37.**
10 **Further, it should now be obvious that Defendant *does not care***
11 **about the rules of this Court, nor the rule of law. Precisely what**
12 **Plaintiff has stated on the record for months.**
13
14

15
16 **4. DEFENDANT HAS SHOWN AND EXPLAINED NO REASONING**
17 **OR EXCUSE FOR THE LATE OPPOSITION.**
18

- 19 5. Defense counsel has 1,300 attorneys and \$1.5B in annual revenue. It would
20 require vast mental gymnastics to determine again why they cannot meet yet
21 another deadline, especially when noticed of their non-opposition (Dkt #87).
22
23 6. Nowhere in Defendant's untimely opposition does she explain any
24 reasoning for why her opposition is late, nor does she make any claim of
25 excusable neglect, inadvertence of mistake. The reason is simple: she has no
26 excuse to file late.
27
28

1 7. “[I]nadvertence, ignorance of the rules, or mistakes construing the rules do
2 not usually constitute ‘excusable’ neglect.” Kyle, 28 F.3d at 931 (quoting
3 Pioneer, 507 U.S. at 392); Briones v. Riviera Hotel & Casino, 116 F.3d 379,
4 381 (9th Cir.1997) (ignorance of Rules does not constitute excusable
5 neglect).
6

7
8 8. Under (Pioneer, 507 U.S. at 395): ***“To determine whether a party's failure
9 to meet a deadline constitutes “excusable neglect”, the Court considers
10 four factors:”***
11

12 a. **“(1) the danger of prejudice to the opposing party;”**

13
14 i. There is no danger of prejudice to Defendant. The relief sought
15 would simply compel them to finally cooperate with discovery
16 they have stonewalled; and further would finally strike their
17 Motion to Dismiss which should have never made it onto the
18 docket for the fact it was filed in violation of Rule 7-3 and
19 additionally violates 12 rules and court orders it violates and
20 that it contains falsified evidence. Defense filed that document
21 on June 26 and did nothing to ever correct it’s failures.
22

23
24 ii. Basically, Defendant’s just get held to the rules. That’s it.
25

26 b. **“(2) the length of the delay and its potential impact on the
27 proceedings;”**
28

1 i. The length of the delay is 7-days. A considerable amount of
2 time as Defendant filed within 14-days of the hearing and now
3 Plaintiff has to scramble for a last minute reply, in well under
4 14-days to avoid a sua sponte ruling that could severely harm
5 his case.
6

7
8 ii. It's impact on the proceedings is high:

- 9
10 1. Defense would be forced to compel discovery finally;
11 granting Plaintiff what he should already have received.
12
13 2. Plaintiff's subpoenas would be unfrozen and a Court
14 order to Compel production would be granted, which
15 should have been a normal course of law.
16
17 3. Plaintiff would no longer be in inequitable fear of
18 Defendant's Motion to Dismiss which was filed without
19 a 7-3 conference and violates 12 local rules and court
20 orders.
21

22 c. **“3) the reason for the delay, including whether it was in the**
23 **reasonable control of the movant;”**
24

25 i. Defendant has offered absolutely no reason for the delay. They
26 simply almost never follow the Local Rules.
27

28 d. **“and 4) whether the movant acted in good faith.”**

1 i. Good faith would have been asking the Court for leave after the
2 Notification of Non-Opposition, which Defendant too ignored.

3
4 ii. Good faith requires an attempt to explain reasoning behind the
5 untimely and late filing; and further, filing at a prescribed time
6 which would not take time away from Plaintiff's ability to reply
7 properly.
8

9
10 iii. Further, as the record and Plaintiff's Motion for Sanctions (Dkt
11 #78) shows, Defendant continually acts in bad faith and blatant
12 disregard for the Local Rules, FRCP this Court and the
13 Plaintiff.
14

15 e. Defense has supplied no reasoning, did not seek leave of Court and
16 therefore her opposition is entirely improper and without legal
17 standing to be heard. "*[Defendant] neither sought leave of court for*
18 *the late filing nor offered any justification for the delay.... Finding no*
19 *justification for the delay, the court will not consider this late filing.*"
20
21 (Howard v. MMK Enters., LLC, 2018 WL 1941679, at *1 (E.D. Cal.
22 Apr. 25, 2018))
23
24
25

26 **9. DEFENDANT FALSELY CLAIMED PLAINTIFF'S CASELAW WAS**
27 **INAPPLICABLE**
28

1 a. Defense claimed Plaintiff's caselaw was inapplicable to the situation
2 at hand. Much to Defendant's discontent, Plaintiff hereby notifies the
3 Court and Defendant that the caselaw was specifically stripped from
4 Orders made by this very Court, as is the case in most of Plaintiff's
5 filings. If Defense takes issue with the applicability of the caselaw,
6 they should take it up with the presiding judge who utilized it in their
7 orders, not Plaintiff who simply recited it back to the same Court.
8
9
10

11
12 **CONCLUSION**

13 Although Plaintiff is pleased that Defendant is showing their true colors on wide
14 display, Defendant is way out of line here and for no good cause or reasoning. Her
15 continued misconduct is ultra vires, her opposition is beyond late, so late, in fact;
16 that it stole time from Plaintiff's 14-day reply window and forced him to rush to
17 file an overnight reply to avoid an unfair sua sponte ruling. Her opposition must
18 be stricken or disregarded in its entirety and she must be at least sanctioned
19 heavily to curb her continued misconduct. So far the Defendant has been running
20 around freely without consequences. This is a Federal Court of law, not the Wild
21 West and it's time for Defendant to realize that fact.
22
23
24
25
26
27
28

1 *“The [Defendant] has made clear that he will not comply with the court's orders.*
2 *No sanction short of dismissal will be sufficient to bring about compliance. The*
3 *[Defendant] has been given repeated opportunities to comply but has steadfastly*
4 *refused to do so. **Enough is enough.**”* (Verano v. State of Fla., No. 4:15CV518-
5 RH/EMT, 2016 WL 1559589, at *1 (N.D. Fla. Apr. 18, 2016))
6
7
8
9
10

11 **PRAYER FOR RELIEF**

- 12 1. **STRIKE** Defendant’s opposition for it’s blatant violations made after
13 warnings from the Court.
14
15 2. **STRIKE** Defendant’s Motion to Dismiss (Dkt #42) for it’s egregious
16 violations despite prior Court warnings.
17
18 3. **GRANT** Plaintiff’s unopposed Motion for Reconsideration (Dkt #85) in full
19
20 4. **GRANT** Plaintiff’s Motion for Entry of Default (Dkt #89) to finally end
21 these abuses of process and hold Defendant’s responsible.
22
23 5. **SANCTION** Defendant for ongoing misconduct.
24
25 6. Find Counsel in **CONTEMPT**.
26
27 7. **DISQUALIFY** Counsel ReedSmith for egregious violations.
28

1 Executed this 11th day of November, 2025, in Santa Clarita, California.
2

3 
4

5 Matthew R. Walsh
6 Plaintiff In Pro Per
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28