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Pro Se Litigant

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

RUSSELL GREER

Plaintiff

v.

JOSHUA MOON ET AL,

Defendants

**PLAINTIFF'S MOTION FOR
PROTECTIVE ORDER UNDER FED. R.
CIV. P. 26(c)**

Case No.: 2:24-cv-00421-DBB-JCB

Plaintiff Russell Greer respectfully moves for a Protective Order under *Federal Rule of Civil Procedure 26(c)* to prevent further harassment, reputational attacks, defamatory insinuations, and improper communications by Defendant’s counsel, Matthew D. Hardin, who has repeatedly engaged in discovery tactics designed not to litigate this copyright dispute, but to intimidate, embarrass, and damage Plaintiff in unrelated aspects of his life.

This motion is supported by the following Memorandum of Points and Authorities, Plaintiff’s accompanying Declaration, and Exhibits A–C.

MEMORANDUM IN SUPPORT

I. INTRODUCTION

This is a *copyright* case.

Yet Defendant’s counsel has taken it upon himself to:

1. disseminate false allegations of “violence,” “luring women into the desert,” and “public safety threats” that have no factual basis whatsoever;
2. send these defamatory statements to third parties entirely unrelated to the litigation, including a person in touch with Plaintiff.
3. disclose a so-called witness without providing a real name, address, or any actual Rule 26-compliant summary of testimony;
4. refuse to correct or supplement the disclosure when requested; and
5. respond to Plaintiff with mocking, disparaging personal insults instead of a professional legal response.

This conduct far exceeds zealous advocacy.

It is harassment.

It is intimidation.

It is defamatory.

And it violates the Federal Rules of Civil Procedure.

Plaintiff previously sought protective relief in April-May 2025 for similar conduct, but the Court never ruled on it. Defendant's counsel has now **resumed the same behavior**, necessitating renewed court intervention.

II. FACTUAL BACKGROUND

A. The December 4, 2025 Witness Disclosure

On December 4, 2025, Defendant's counsel emailed Plaintiff a witness disclosure claiming that a supposed Nevada sex worker—"Natalie Banks"—would testify about:

- Plaintiff's "past threats of violence";
- attempts to "lure women into the Nevada desert";
- Plaintiff's "danger to public and personal safety";
- Plaintiff's "fraud";
- Plaintiff's "vexatious litigation"; and
- Plaintiff's "financial ability to pay for prostitution." **Exhibit A.**

Counsel provided:

- no real name (stating it "may be a pseudonym");
- no address;
- no contact information beyond a website;
- and no factual foundation whatsoever.

Worse, counsel copied a third party on this email, intentionally spreading defamatory statements to a completely uninvolved third party.

B. The Actual Emails From This Witness Contradict Every Claim

Plaintiff possesses the full email chains with this alleged witness. The communications show:

- Plaintiff politely asking if she would speak at a **town hall** about brothel legalization;
- Plaintiff's tone remaining calm, professional, and non-threatening;
- The alleged witness responding with **hostility, profanity, and mockery**, showing she felt no fear whatsoever;
- **No threats, no luring, no danger, and no misconduct. Exhibit B.**

These emails **directly contradict** every "topic of knowledge" listed by Defendant's counsel.

C. Counsel Then Sent a Mocking, Retaliatory Reply

When Plaintiff requested preservation of evidence, Defendant’s counsel responded with an email stating:

- he “preferred” Plaintiff’s emails before Plaintiff “decided to write them using AI”;
- Plaintiff’s email was “incapable of an intelligent response”;
- Plaintiff engaged in “spoliation” without citing any evidence; and
- Plaintiff’s preservation request was “ironic.” **Exhibit C**

This response was unprofessional, retaliatory, and further evidence that counsel is not conducting discovery in good faith.

III. LEGAL STANDARD

Under **Fed. R. Civ. P. 26(c)(1)**, the Court may issue a protective order to shield a party from:

- annoyance,
- embarrassment,
- oppression, or
- undue burden or expense.

Courts in the Tenth Circuit routinely grant protective orders when discovery is used to:

- harass a litigant,
- inject irrelevant character attacks,
- intimidate a pro se party,
- spread defamatory material, or
- involve third parties without legitimate litigation purpose.

All grounds are present here.

IV. ARGUMENT

A. Hardin’s Disclosure Is Improper, Harassing, and Violates Rule 26

The disclosure:

- lacks identity (possibly a pseudonym);
- lacks address;
- lacks contact information;
- is not based on personal knowledge;
- lists inflammatory, defamatory “topics”;
- is wholly irrelevant to copyright infringement.
- Further, this “witness” appears to have migrated onto the Kiwi Farms website to purposely defame Plaintiff.

This violates Rule 26(a)(1)(A)(i).

B. Contacting Plaintiff’s Friend Was a Deliberate, Malicious Act

Copying an uninvolved party on violent, criminal accusations is:

- reputationally harmful,
- intentionally intimidating,
- not connected to discovery,
- and highly unprofessional.

Courts have sanctioned attorneys for far less.

C. Counsel’s Email Responses Demonstrate Bad Faith & Harassment

Mocking a litigant (“incapable of an intelligent response”; “ironic”; “AI-written emails”) is improper conduct under:

- Rule 26,
- Rule 37,
- DUCivR Civility Guidelines, and
- the Utah Standards of Professionalism and Civility.

D. The Actual Emails Prove These Allegations Are Fabricated

Exhibit B shows:

- no threats,
- no coercion,
- no danger,
- no misconduct.

The witness’s own words show irritation, not fear.

Counsel’s allegations were not mistaken — they were reckless.

V. REQUESTED RELIEF

Plaintiff respectfully requests the Court issue an Order providing that:

1. Defendants and their counsel shall cease sending communications containing unsubstantiated allegations of criminality, violence, or danger.
2. Defendants and their counsel shall not contact third parties unrelated to this litigation regarding Plaintiff.
3. The “Natalie Banks” witness disclosure shall be stricken as non-compliant with Rule 26 and unjustifiably scandalous and prejudicial.
4. Defendants’ counsel shall be prohibited from including defamatory or irrelevant personal attacks in future discovery.
5. Defendants’ counsel shall supplement all disclosures within 14 days with real identities, real contact information, and factual bases.
6. The Court should award any further relief it deems just, including but not limited to sanctions under Rule 37.

VI. CONCLUSION

Defendants' counsel has repeatedly used this litigation as a vehicle to intimidate, embarrass, and damage Plaintiff.

A protective order is necessary to restore fairness, protect Plaintiff from reputational harm, and ensure future discovery complies with the Federal Rules.

Respectfully submitted,

Russell Greer

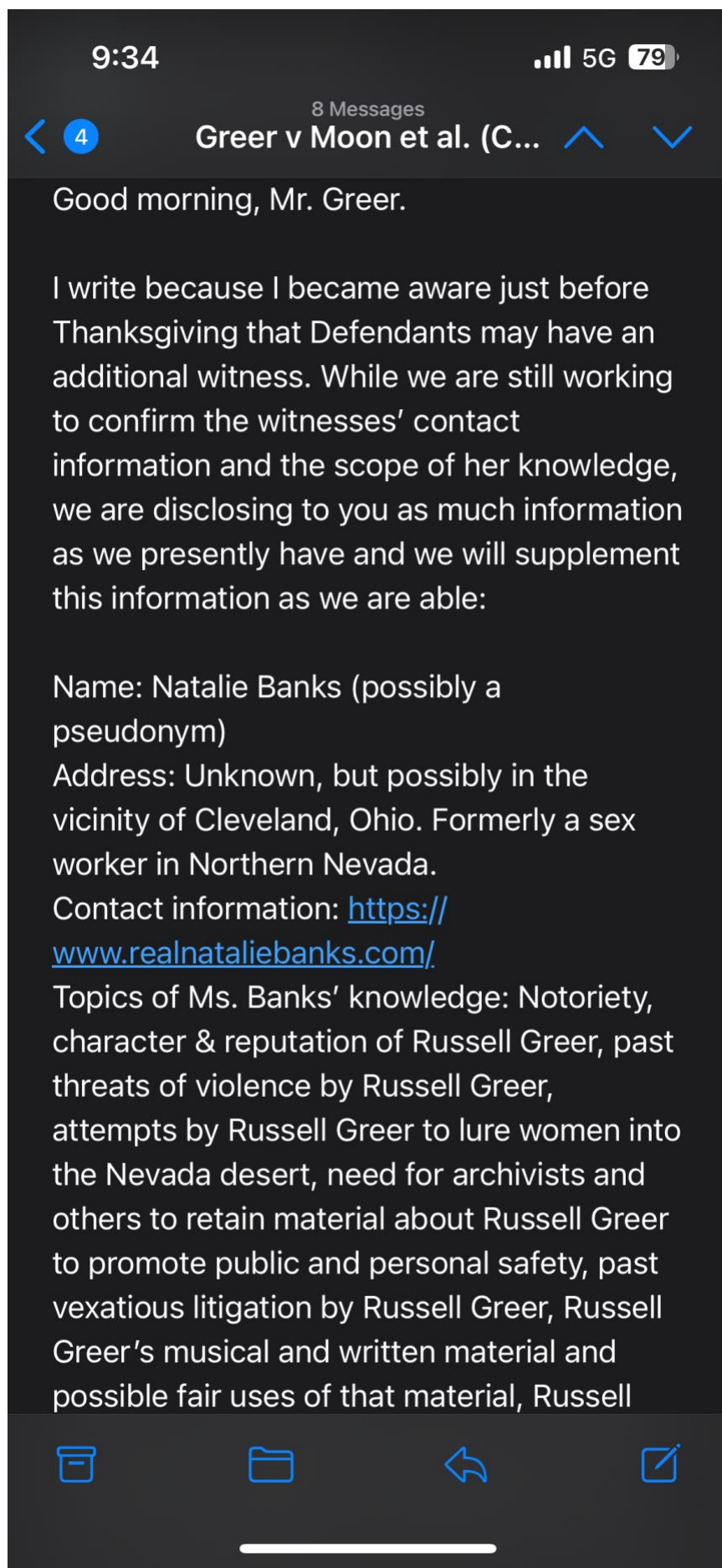
/rgreer/

11-24-25

CERTIFICATE OF SERVICE:

Pursuant to FRCP 5(b), I certify that on 12-4-25, I served a true and correct copy of the attached document by ECF to all attorneys on record.

EXHIBIT A



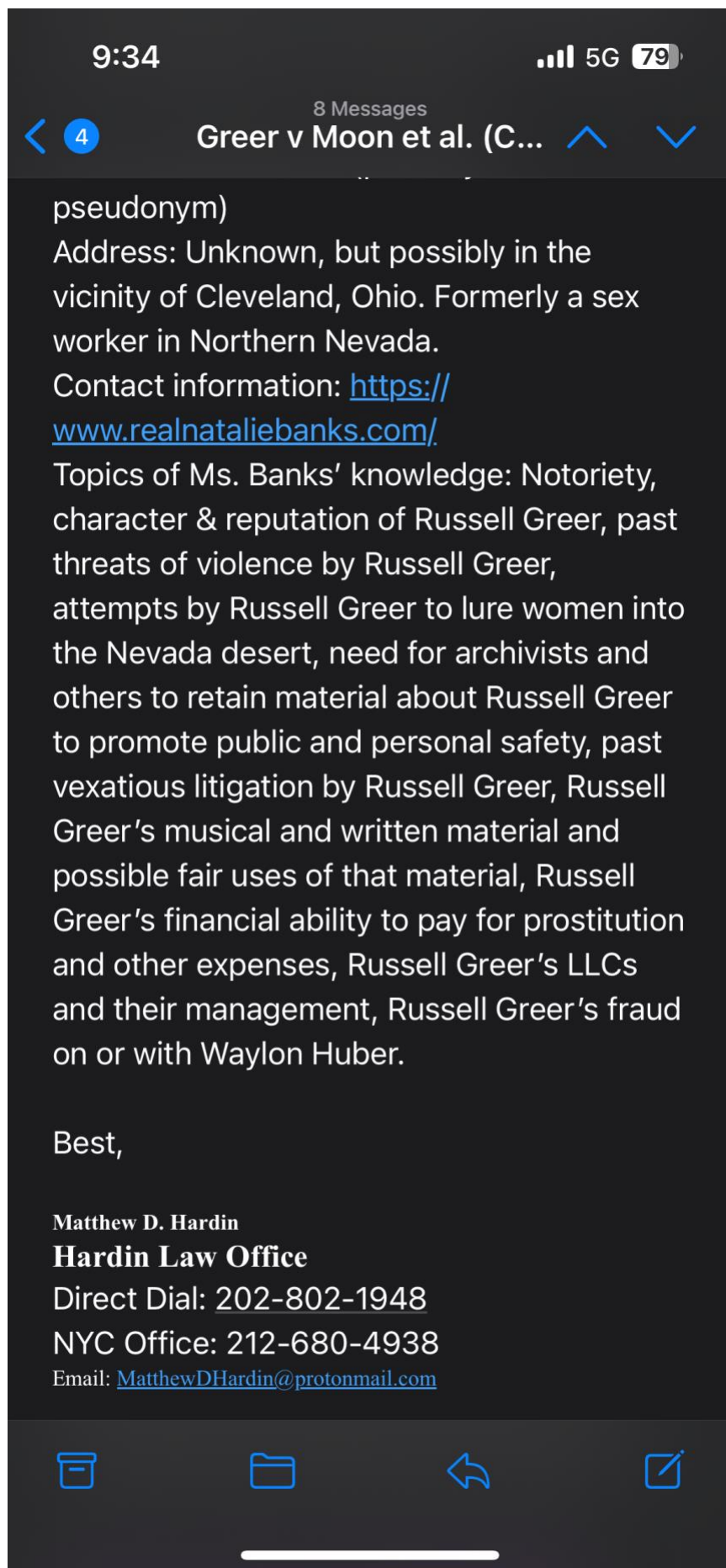


EXHIBIT B

From: Natalie Banks GfenatalieCLE@gmail.com
Subject: Re: West Wendover brothel
Date: May 4, 2023 at 6:58:43 PM
To: Intimate Dealings Manager info@intimatedealings.com

Oh yeah, I mean I tend to get mad when people come at me with some dumb shit and you're clearly on some very dumb shit or weird shit I mean like you have your face all over your Instagram profile. You look creepy as shit I've been doing this for 10 years. I don't treat me like a fucking idiot dude by.

On Thu, May 4, 2023 at 6:57 PM Intimate Dealings Manager

<info@intimatedealings.com> wrote:

Why are you getting mad? I meant no offense. I was just confused. That's all. And there's a better market. We are also trying to legalize Reno and Carson. So we have the marketing strategy. Happy to talk.

Russell

Intimate Dealings LLC

NV Business ID: NV20222429675

info@intimatedealings.com

[\(623\) 335-2646](tel:(623)335-2646)

<http://www.intimatedealings.com/>

On May 4, 2023, at 6:45 PM, Natalie Banks <gfenataliecle@gmail.com> wrote:

Well, I find it incredibly weird that you would reach out to somebody that is clearly happy working at the brothel that they're working at to ask them to come and work at a brothel that doesn't even exist yet a town over. like build a whorehouse in the horse will come, but I'd ask marketing strategy if you want to criticize my fucking business strategybye

On Thu, May 4, 2023 at 6:17 PM Intimate Dealings Manager

<info@intimatedealings.com> wrote:

Hi I was just following up on this. Respectfully, sort of odd that you will post about the "trailer park boys", but not reply to something that can help you and sex work.

Russell

Intimate Dealings LLC

NV Business ID: NV20222429675

info@intimatedealings.com

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<http://www.intimatedealings.com/>

On Mar 7, 2023, at 5:30 AM, Intimate Dealings Manager
<info@intimatedealings.com> wrote:

Hey beautiful

I have a nonprofit that is working at trying to legalize prostitution in West Wendover. We will be having the town hold a vote next year to try legalizing it.

Since you worked at an Elko brothel, wondering if this is something you're interested in?? If so, I need sex workers to speak at a town hall supporting this.

Here's our YouTube video: <https://youtu.be/jccDlsSEZhs>

Russell

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NV Business ID: NV20222429675

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For more information, Visit my website! xoxonatalie.nl

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From: Russell Greer russellgreer27@icloud.com
Subject: Facial disability
Date: May 5, 2023 at 8:25:21 PM
To: Gfenataliecle@gmail.com

Hi,

Since you think people with facial disabilities "look creepy", I thought I would enlighten you with the disability I have. https://en.m.wikipedia.org/wiki/Moebius_syndrome

My life has been super difficult, but I keep going. Sex work has helped me out a lot and that's why I'm trying to improve the industry.

I only approached you because mega donors want to see a sex worker visible in the group. We have sex workers who support us, but they don't want to be seen. I was approaching you because you're super cute and thought this might be of interest to you.

I never meant to come off rude or anything and I could have reworded my second email. Just understand how it looks on my end.

Again, I forgive you for attacking me for my immutable traits.

Russell Greer
CEO of ID LLC/Paralyzed Face Productions/CART U
NV Bus. License #NV20222557279
www.russellgreer.com

Sent from my iPhone

EXHIBIT C

