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5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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8 PRESTON D. MARSHALL, *et al.*,

No. C 10-1665 SI

9 Plaintiffs,

10 v.

11 JOHN HUFFMAN IV, *et al.*,

12 Defendants.
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ORDER DENYING KEVIN B. WILLIAMS' MOTION FOR DISQUALIFICATION OF ASSIGNED JUDGE; DENYING KEVIN B. WILLIAMS' EX PARTE MOTION FOR RELIEF FROM ORDER DENYING MOTION FOR ORDER GRANTING ECF REGISTRATION; DENYING KEVIN B. WILLIAMS' EX PARTE APPLICATION FOR RIGHT TO ATTACH ORDER

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15 This order addresses a number of motions filed by non-party Kevin B. Williams. The Court
16 previously denied Mr. Williams' motion to intervene in this copyright infringement lawsuit. Docket
17 No. 26. Mr. Williams sought to intervene in this case based upon an alleged contract between himself
18 and plaintiffs. The Court denied Mr. Williams' request to intervene, finding that it did not have subject
19 matter jurisdiction over Mr. Williams' claim. Mr. Williams has appealed that order to the Ninth Circuit
20 Court of Appeals, and that appeal is pending.

21 Mr. Williams then filed a Notice of Lien attempting to secure an interest in any recovery by
22 plaintiffs in this case on the same basis made in his motion to intervene – the alleged contract claim.
23 Plaintiffs have moved to strike the Notice of Lien. That motion has been briefed and is scheduled for
24 a hearing on January 13, 2012.

25 After filing the Notice of Lien, Mr. Williams has filed (1) a motion seeking an order “granting
26 ECF registration and consent to electronically file and serve papers”; that motion was denied, Docket
27 No. 58; (2) a motion for disqualification of the undersigned judge; (3) a motion for relief from the order
28 denying Mr. Williams' request that he be granted ECF registration; and (4) an “ex parte application for

1 right to attach order.” The ex parte application is filed pursuant to sections of the California Code of
2 Civil Procedure relating to procedures for obtaining a writ of attachment. As with Mr. Williams’ motion
3 to intervene and the Notice of Lien that he filed, the ex parte application seeks to assert a claim on any
4 recovery by plaintiffs in this case based upon an alleged contract between Mr. Williams and plaintiffs.

5 The Court DENIES Mr. Williams’ motion for disqualification, motion for relief, and ex parte
6 application. Docket Nos. 64, 68 & 73. Unless and until the Ninth Circuit reverses this Court’s decision
7 denying Mr. Williams’ motion to intervene, Mr. Williams is not a party or an intervenor in this case,
8 and thus Mr. Williams has no right to file pleadings in this action. If Mr. Williams wishes to pursue a
9 breach of contract claim against plaintiffs, he may do so by filing an action in state court against
10 plaintiffs alleging such a claim; this copyright infringement lawsuit is not the forum to litigate such a
11 claim.

12 Mr. Williams has filed an opposition to plaintiffs’ motion to strike his Notice of Lien, and the
13 Court will rule on that motion in a separate order. Mr. Williams is hereby informed that, aside from
14 filing any appeals of this Court’s orders denying his motions, Mr. Williams shall not file any further
15 documents in this case. Aside from notices of appeal, no further filings shall be accepted from Mr.
16 Williams.

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18 **IT IS SO ORDERED.**

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20 Dated: December 13, 2011

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23 SUSAN ILLSTON
24 United States District Judge
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