

**Matthew D. Hardin (*pro hac vice*)**  
**HARDIN LAW OFFICE**  
101 Rainbow Drive # 11506  
Livingston, TX 77399  
Telephone: (202) 802-1948  
Email: MatthewDHardin@gmail.com  
*Attorney for Defendants*

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THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH

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RUSSELL GREER,

Plaintiff,

v.

JOSHUA MOON, *et al.*

Defendant.

**Motion for an Extension of Time**

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

District Judge David Barlow  
Magistrate Judge Jared C. Bennett

NOW COME the Defendants, by and through undersigned counsel, and submit this Second Motion for an Extension of Time to respond to the Plaintiff's Motion at ECF No. 190. Additionally, for the first time, Defendants move for an Extension of Time to respond to the Motion for Leave to Amend filed at ECF No. 209. In support of this motion, Defendants state as follows:

1. Mr. Greer filed a "Motion for Entry of an Order Compelling Joshua Moon and Lolcow LLC to Appear for a Judgment Debtor Examination and Produce Documents" on December 11, 2024. The Court granted Defendants through January 15, 2025 to respond to that motion. ECF No. 192.
2. Mr. Greer filed a Motion for Leave to Amend his Complaint on January 2, 2024. ECF No. 209. A response is presently due by the Defendants on or before January 16, 2024. DUCivR 7-1.

3. Defendants seek a second extension of the deadline to respond to Mr. Greer's Motion at ECF No. 192, and a first extension of the deadline to respond to the Motion at ECF No. 209, because there is good case to believe that a more thorough investigation of certain of Mr. Greer's representations in those filings is in order before responding to them, as more specifically detailed below.
4. First, with respect to Mr. Greer's claims in ECF No. 192 that he is entitled to some sort of discovery, Defendants seek an extension of time to respond on the following grounds:
  - a. Mr. Greer has not complied with the meet and confer requirements of DUCivR 37-1, although he now claims that he intends to comply with the meet and confer requirements on January 6, 2025 (Plaintiff still has not provided a time for this conferral, but has at long last agreed on a date).
  - b. Additionally, Mr. Greer's behavior to date and the Court's requirement that Plaintiff show cause why he should not pay Defendants their costs relating to various of Plaintiff's antics militates in favor of an extension so that the Court can determine whether any award to Mr. Greer is offset by funds owed to Defendants.
  - c. Lastly, it recently came to undersigned counsel's attention that Mr. Greer has been untruthful with this Court regarding the address at which he resides. A check mailed to Mr. Greer in payment of witness fees accompanying his subpoena, Exhibit A, was returned to

undersigned counsel. Exhibit B. After initially refusing to provide Defendants with an accurate address, Plaintiff later provided an address in Wyoming at which he purportedly receives payments.

Exhibit C. Defendants now intend to investigate whether Mr. Greer in fact resides at that Wyoming address,<sup>1</sup> and whether any payments directed according to Mr. Greer's previous instructions (including Mr. Greer's previous request that Defendants should pay an attorney who expressly disclaimed representing Mr. Greer, as well as payments sent to Mr. Greer's purported Las Vegas address) were ever sent and, if so, whether such payments would have been received

5. With respect to Mr. Greer's Motion for Leave to Amend, Defendants have not yet decided whether they consent to or oppose the amendment, and intend to investigate the content of the amendment before making such a decision.

Specifically, Defendants propose to investigate the following:

- a. To the extent Plaintiff claims in the proposed Amended Complaint that he resides in Nevada, ECF No. 209-1 at 3, ¶ 13, but also alleges that this Court has personal jurisdiction over a Floridian, a Florida LLC that does no business in Utah, and two anonymous individuals, ECF No. 209-1 at 3, ¶ 12 and ¶ 14, Defendants intend to investigate Mr. Greer's proposed Amended Complaint and to compare it to recent evidence suggesting that the Plaintiff is actually a resident of Wyoming suing a

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<sup>1</sup> To the extent that Mr. Greer now appears to reside with his father in Wyoming, Mr. Greer's failure to previously disclose his father's address to Defendants takes on an especially curious hue.

resident of Florida and a Florida LLC in a jurisdiction which has nothing to do with his underlying claims and which lacks personal jurisdiction over the Defendants. Defendants may need to conduct jurisdictional discovery even at this late juncture of the case, due to Mr. Greer's evolving narrative of his own residence and Plaintiff's repeatedly-expressed preference to conduct this entire case over email rather than in a court of competent jurisdiction.

- b. To the extent that Plaintiff confesses in his proposed Amended Complaint that he uses litigation as a "publicity stunt" rather than to seek true redress for legal grievances, ECF No. 209-1 at 4, ¶ 19, Defendants intend to investigate whether they should consent to the amendment insofar as it will allow Defendants to file a counterclaim for malicious prosecution, and/or a claim seeking an injunction declaring Mr. Greer a vexatious litigant.
- c. To the extent that Mr. Greer attached exhibits and names individuals, including but not limited to John Does, in his proposed Amended Complaint, Defendants intend to compare the exhibits to Mr. Greer's (lack of) initial disclosures and to determine whether there is prejudice from allowing Mr. Greer to amend his Complaint four years into this litigation, apparently without disclosing evidence or anticipated testimony to the Defendants.

WHEREFORE, Defendants respectfully request that this Court extend the deadline to respond to Mr. Greer's pending motions at ECF Nos. 190 and 209 through

and including February 28, 2025.

DATED January 2, 2025

**HARDIN LAW OFFICE**

*/s/ Matthew D. Hardin*

**Matthew D. Hardin**

Attorney for Defendants

## MATTHEW D. HARDIN

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101 Rainbow Drive · Box # 11506 · Livingston, TX 77399  
Phone: (202) 802-1948 · Facsimile: (212) 433-8368  
Email: MatthewDHardin@protonmail.com

December 17, 2024

Russell Greer  
1100 Dumont Blvd.  
Apt. 139  
Las Vegas, NV 89169



Re: *Greer v. Moon et al.* (D. Utah Case No. 2:24-cv-00421)  
NOTICE OF DEPOSITION & SUBPOENA

Dear Mr. Greer:

Please find enclosed a Notice of Deposition and Subpoena. You are required to appear for a deposition in the above-referenced case at 9:00 a.m. on March 3, 2024, and, if necessary, also at 9:00 a.m. on March 4, 2024 to continue your testimony. As indicated in the Notice of Deposition and in the subpoena, the deposition will be held at

Viewpointe Executive Suites  
8275 S Eastern Ave, Ste 200  
Las Vegas, NV 89123

This location appears to be approximately 7 miles from your apartment in Las Vegas. I have therefore arranged for a check to be mailed to your attention (under separate cover) in the amount of \$89.83, which is the appearance fee for two days of testimony at \$40 per day, plus \$9.93 in allowable mileage costs.

Regards,

A handwritten signature in blue ink, appearing to read "Matthew D. Hardin".

Matthew D. Hardin

**Matthew D. Hardin (pro hac vice)**  
**HARDIN LAW OFFICE**  
101 Rainbow Drive # 11506  
Livingston, TX 77399  
Telephone: (202) 802-1948  
Email: MatthewDHardin@gmail.com  
*Attorney for Defendants*

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THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH

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RUSSELL GREER,

Plaintiff,

v.

JOSHUA MOON, *et al.*

Defendants.

**NOTICE OF DEPOSITION**

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

District Judge David Barlow  
Magistrate Judge Jared C. Bennett

**To: Russell Greer (Plaintiff)**

**From: Joshua Moon and Lolcow LLC (Defendants)**

Pursuant to Fed. R. Civ. P. 30, NOTICE IS HEREBY GIVEN that Defendants will  
take the deposition of:

Russell Greer  
1100 Dumont Blvd  
Apt 139  
Las Vegas, NV 89169

beginning at 9:00 a.m., on March 3, 2025, and continuing through 5:00 p.m., at

Viewpointe Executive Suites  
8275 S Eastern Ave, Ste 200  
Las Vegas, NV 89123

Pursuant to the Scheduling Order at ECF No. 177, testimony may continue on  
March 4, 2024, beginning at 9:00 a.m.

All testimony will be recorded via both audiovisual and stenographic means.

DATED December 17, 2024

**HARDIN LAW OFFICE**

/s/ Matthew D. Hardin

**Matthew D. Hardin**

Attorney for Defendants



## UNITED STATES DISTRICT COURT

for the

District of Utah

Russell Greer

Plaintiff

v.

Joshua Moon, et al.

Defendant

Civil Action No. 2:24-cv-00421-DBB-JCB

## SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

Russell Greer

To:

(Name of person to whom this subpoena is directed)

☒ **Testimony:** YOU ARE COMMANDED to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization, you must promptly confer in good faith with the party serving this subpoena about the following matters, or those set forth in an attachment, and you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about these matters:

Place: Viewpointe Executive Suites  
8275 S Eastern Ave, Ste 200  
Las Vegas, NV 89123

Date and Time:  
March 3, 2024 at 9:00 a.m.

The deposition will be recorded by this method: both audiovisual and stenographic means.

☐ **Production:** You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 12/17/2025

CLERK OF COURT

OR

/s/ Matthew D. Hardin

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) Joshua Moon and Lolcow, LLC, who issues or requests this subpoena, are:

Matthew D. Hardin, 101 Rainbow Drive # 11506, Livingston TX 77399 / MatthewDHardin@gmail.com / 202-802-1948

## Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Additional information regarding attempted service, etc.:

**Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)****(c) Place of Compliance.**

**(1) For a Trial, Hearing, or Deposition.** A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
  - (i) is a party or a party's officer; or
  - (ii) is commanded to attend a trial and would not incur substantial expense.

**(2) For Other Discovery.** A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

**(d) Protecting a Person Subject to a Subpoena; Enforcement.**

**(1) Avoiding Undue Burden or Expense; Sanctions.** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

**(2) Command to Produce Materials or Permit Inspection.**

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

**(3) Quashing or Modifying a Subpoena.**

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

**(e) Duties in Responding to a Subpoena.**

**(1) Producing Documents or Electronically Stored Information.** These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

**(2) Claiming Privilege or Protection.**

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

**(g) Contempt.**

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.



MH

**From:** Matthew D. Hardin [MatthewDHardin@gmail.com](mailto:MatthewDHardin@gmail.com)  
**Subject:** Re: A check to Russell Greer has been returned  
**Date:** December 30, 2024 at 3:06 PM  
**To:** Russell Greer [russmark@gmail.com](mailto:russmark@gmail.com)  
**Bcc:** Joshua Moon [jcmoon@pm.me](mailto:jcmoon@pm.me)

You're the one asking for payment, and payments are being returned because you refuse to provide an accurate address.

Matthew D. Hardin  
 Hardin Law Office  
 Direct Dial: 202-802-1948  
 Email: [MatthewDHardin@protonmail.com](mailto:MatthewDHardin@protonmail.com)

On Mon, Dec 30, 2024 at 3:04 PM Russell Greer <[russmark@gmail.com](mailto:russmark@gmail.com)> wrote:  
 Mr. Hardin.

Didn't the judge say at the November hearing that I would just be receiving email henceforth?

Sent from my iPhone

On Dec 30, 2024, at 10:52 AM, Matthew Hardin <[matthewdhardin@gmail.com](mailto:matthewdhardin@gmail.com)> wrote:

Mr. Greer,

Please see below. This is the check I mailed to pay your appearance fee for the deposition. Obviously, the deposition has now been cancelled and therefore the fee was not due in any event. But the check was mailed the same day as I served the subpoena, and it appears not to have made it to you at the Dumont Avenue address, because it was returned by the postal service. Is there an address at which mail for you can be received? If my clients elect to pay you \$225.25 as you have repeatedly demanded, to what address would you like a check sent?

Best,

**Matthew D. Hardin**  
 Hardin Law Office  
 Direct Dial: 202-802-1948  
 NYC Office: 212-680-4938  
 Email: [MatthewDHardin@protonmail.com](mailto:MatthewDHardin@protonmail.com)

Begin forwarded message:

**From:** "Bank of America" <[alerts@paymentsinvoicing.bankofamerica.com](mailto:alerts@paymentsinvoicing.bankofamerica.com)>  
**Subject:** A check to Russell Greer has been returned  
**Date:** December 30, 2024 at 1:37:46 PM EST  
**To:** "matthewdhardin@protonmail.com" <[matthewdhardin@protonmail.com](mailto:matthewdhardin@protonmail.com)>  
**Reply-To:** "Bank of America" <[alerts@paymentsinvoicing.bankofamerica.com](mailto:alerts@paymentsinvoicing.bankofamerica.com)>

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The payment of \$89.83 to Russell Greer -- check number 300801818 dated 12/19/24 -- could not be delivered by the postal service because the address for Russell Greer was incorrect. The check has been voided and the account ending in \*\*\*\*\*0360 will be credited within three business days. To update the address and reissue the payment, [log in to Online Banking](#).

**Update your Payments and Invoicing email preferences** by going to **Payments & Invoicing** and selecting **Settings**, then selecting **Email Preferences**

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**From:** Russell Greer RussMark@gmail.com  
**Subject:** Re: A check to Russell Greer has been returned  
**Date:** December 31, 2024 at 8:09 AM  
**To:** Matthew Hardin matthewdhardin@gmail.com

Good morning, sir.

Any checks can be sent to

Russell Greer  
207 Broken Circle  
Evanston, Wyoming 82930

I will have the amended pleading filed by 11:59 PM PST

Sent from my iPhone

On Dec 30, 2024, at 12:04 PM, Russell Greer <russmark@gmail.com> wrote:

Mr. Hardin.

Didn't the judge say at the November hearing that I would just be receiving email henceforth?

Sent from my iPhone

On Dec 30, 2024, at 10:52 AM, Matthew Hardin <matthewdhardin@gmail.com> wrote:

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**Update your Payments and Invoicing email preferences** by going to **Payments & Invoicing** and selecting **Settings**, then selecting **Email**

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