

Matthew D. Hardin (*pro hac vice*)
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Attorney for Defendants
Joshua Moon and Lolcow, LLC

THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

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, pursuant to Fed. R. Civ. P. 6 (b)(1)(A) and DUCivR 6-2 and state as follows:

1) On May 21, 2025, Mr. Greer served via CM/ECF a document captioned “REQUEST TO REFER MOTION TO JUDGE DAVID BARLOW & FOR A MOTION TO STAY ECF 230 UNDER FRCP 62(b).”¹ ECF No. 304. In that filing, Mr. Greer requests that this Court stay an order that Mr. Greer has entirely failed to comply with for over two months, in which Mr. Greer was ordered to pay \$1,000 in monetary sanctions to the Plaintiff.

2) The parties previously briefed this exact same issue before the magistrate judge. ECF Nos. 251 (Mr. Greer’s briefing), 256 (Defendants’ Opposition), 283 (Court denies

¹ Mr. Greer appears to have filed the document on May 20. As Mr. Greer invariably does, he did not email the document to counsel, so counsel did not receive it contemporaneously with the Court.

Mr. Greer's motion). But Mr. Greer's instant briefing does not exactly mirror his earlier briefing, and appears to introduce at least some new facts or argument. Additionally, it is unclear whether Mr. Greer is seeking a stay based on this Court's inherent authority, or whether Mr. Greer is attempting to appeal a decision of the Magistrate Judge to the District Judge.

3) New facts may bear on this Court's consideration of the Plaintiff's Motion to Stay the Order at ECF No. 230, and Defendants may also seek to reconsider or modify that order to account for those new facts.² Specifically, at ECF No. 230 at 11, this Court noted that part of the reason it reduced the award of sanctions to Defendants was because of Plaintiff's "IFP status." But Mr. Greer has repeatedly confessed in his own filings that he has an ability to pay filing fees, and the Magistrate Judge revoked Mr. Greer's IFP status at ECF No. 283. Defendants have filed a growing body of evidence which indicates that Mr. Greer's in forma pauperis status was obtained by fraud. As indicated at ECF Nos. 253, 267, 286, and 293, Mr. Greer has been paying state court filing fees (rather than proceeding in forma pauperis) during the pendency of this litigation. Additionally, Mr. Greer has repeatedly professed that he has the financial ability to open brothels in Nevada, and to obtain land or purchase hotels in Nevada for the purposes of prostitution, in numerous public *fora*, including in the Nevada state courts and in Nevada public meetings and correspondence, while this case has been pending. Defendants respectfully submit that this Court may wish to revisit its prior

² As indicated at ECF No. 231, this Court entered its order at ECF No. 230 without the benefit of adversarial briefing, and without following the procedures required by DUCivR 72-2 (b). For reasons unknown to the defense, the Court never established a briefing schedule before granting in part Mr. Greer's objection to the magistrate's order.

order, in which the Court gave Mr. Greer the benefit of “IFP status,” insofar as a growing body of evidence indicates that Plaintiff’s IFP status was obtained by fraud.³ Mr. Greer himself has gone to war to prevent Defendants from obtaining any information about his financial resources, greatly complicating Defendants ability to ascertain the true extent of Plaintiff’s financial resources. See, e.g., ECF No. 303 (indicating Mr. Greer is pursuing criminal charges against undersigned counsel arising from filing public records requests in Nevada seeking records related to Mr. Greer’s real estate dealings), ECF No. 290 (indicating Mr. Greer is pursuing a personal protective order against undersigned counsel also arising from public records requests filed to ascertain the degree of Mr. Greer’s misrepresentations to this Court), Exhibit D (Mr. Greer tells the City of Winnemucca, for the second time, not to respond to undersigned counsel’s open records requests).

4) Additionally, Mr. Greer has repeatedly indicated to undersigned counsel that he is refusing to pay court fees and the sanctions judgment as a form of retribution for a vigorous defense mounted by Mr. Moon and Lolcow, LLC rather than because he believes there is a legitimate reason he is not obligated to pay such fees. Exhibits B (“I was at one time going to pay it, but then you...”), C (in response to request for payment, Mr. Greer says “I am getting the police involved... You are ducking done.”). To the extent that Mr. Greer’s narrative in emails to counsel indicates Mr. Greer is motivated in bad faith to evade a judgment rather than in good faith to raise meritorious legal issues,

³ Additionally, it appears Mr. Greer may have paid a \$425 filing fee to the Nevada Secretary of State to register a new LLC for the purposes of establishing a brothel in Nevada on the same day Mr. Greer filed a statement with this Court indicating that paying filing fees was a “financial hardship.” ECF No. 290, *contra*. Exhibit A.

the Defendants should be entitled to develop and produce evidence regarding Mr. Greer's bad faith. Developing evidence of Mr. Greer's ongoing bad faith may take more time than usual in large part because Mr. Greer is currently going to great lengths to frustrate the defense's ability to develop its own evidence through open records requests. Additionally, Mr. Greer himself says he is contacting individuals to "warn" them against discussing anything with undersigned counsel. ECF No. 303.

5) Defendants have served a Motion for Sanctions upon Mr. Greer relating, *inter alia*, to his various statements to this Court about his financial ability to build brothels (but not to pay court filing fees). That Motion cannot be filed until June 10, 2025 pursuant to Fed. R. Civ. P. 11 (c). Defendants respectfully submit that the Motion for Sanctions will shed considerable light on Mr. Greer's in forma pauperis status and on the issues he raises in his request for a stay.

WHEREFORE, Defendants respectfully request that this Court extend the time for them to respond to Mr. Greer's motion at ECF No. 304 through and including June 30, 2025.


DATED May 21, 2025

HARDIN LAW OFFICE

/s/ Matthew D. Hardin

Matthew D. Hardin

*Attorney for Defendants Joshua Moon
and Lolcow, LLC*

From: Matthew Hardin matthewdhardin@gmail.com 
Subject: Re: Requesting payment
Date: May 19, 2025 at 8:46 AM
To: Russell Greer RussMark@gmail.com
Cc: greer.scott@gmail.com, waylon@robinhoodrealtynv.com
Bcc: Joshua Moon jcmoon@pm.me



MH

Good morning, Mr. Greer.

One additional item just came to my attention: It seems that you paid \$425 to the Nevada Secretary of State to start a new brothel-focused LLC on May 14, 2025, the same day you also told the U.S. District Court in Utah that you could not pay filing fees of \$402 because that would be a "financial hardship." I've attached the documents for your reference.

Is there a reason you would be wealthy enough to start new brothel companies but not to pay court filing fees or the sanctions the Court has already awarded to my client? Otherwise, I am afraid this will be grounds for additional sanctions. I am copying Scott Greer because your email of 12/31/2024 seemed to indicate he was in charge of your financial affairs, and Waylon Huber because the recent Winnemucca production seems to indicate that you are also using his services to acquire expensive real estate while telling the District Court that you are too poor to pay sanctions that court has awarded or even the filing fees. Please let me know if there has been some misunderstanding.

Thank you,

GreerMay14PauperFiling.pdf



GreerMay14_LLCFiling.pdf



Matthew D. Hardin

Hardin Law Office

Direct Dial: 202-802-1948

NYC Office: 212-680-4938

Email: MatthewDHardin@protonmail.com

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On May 14, 2025, at 10:08 AM, Matthew Hardin <matthewdhardin@gmail.com> wrote:

Good morning, Mr. Greer.

As you indicated in your series of emails and motions relating to the \$225.25 you believed you were owed last year, it is incredibly important to comply with District Court orders awarding costs. The District Judge ordered you to pay us \$1,000 on or before March 13, 2025 (ECF No. 230), and we later consented to offset that amount to \$774.75 at ECF No. 228. Your motion to stay the deadline for payment was denied at ECF No. 283. Yet you have not paid us, and you are now more than two months past the deadline to do so. Should we expect payment imminently, or will you be forcing us to resort to collection efforts?

Thanks,

Matthew D. Hardin

Hardin Law Office

Direct Dial: 202-802-1948

NYC Office: 212-680-4938

Email: MatthewDHardin@protonmail.com

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On Dec 7, 2024, at 5:17 PM, Russell Greer <RussMark@gmail.com> wrote:

Mr. Hardin,

Earlier this year, the district court awarded me appellate costs. Since you are Moon's lawyer, I am kindly asking to be paid the amount awarded to me by the district court clerk. Please arrange for payment by Monday the 9th of December, 2024. Venmo is the easiest method for me to receive payment.

Thank you

 Sent from my iPhone



RG

From: Russell Greer RussMark@gmail.com
Subject: Re: Request for Payment
Date: May 16, 2025 at 1:05 PM
To: matthewdhardin@protonmail.com

Hi sir.

Because I believe you are not entitled to it. I goofed up with the initial disclosure. This is my first time ever getting this far in a lawsuit. I don't believe I should be sanctioned for a mistake or because my witnesses did a 180 on me.

I was at one time going to pay it, but then you keep filing frivolous notices that have nothing to do with this case and so I decided I would just fight this and appeal this. I need to file another stay to have the 10th circuit look at whether this is justifiable.

I know you'll publish this as a notice, I would ask you to stop publishing things that don't need to be published.

Also why are you messaging me on 3 different emails: there's a gmail, an iCloud and now a proton

.
Thanks

Sent from my iPhone

On May 16, 2025, at 7:27 AM, Matthew D. Hardin <matthewdhardin@gmail.com> wrote:

Good afternoon, Mr. Greer.

I'm writing again because we have not heard from you with respect to your (non) payment of the sanctions awarded against you. As you know, Judge Barlow ordered you to pay us by March 13, 2025. ECF No. 230. Your motion for a stay was denied, but we have not been made whole. You have openly told the court you can afford to pay the money, so I'm a bit puzzled what good faith basis there might be for nonpayment. When should I expect to receive your check?

Thanks,

Matthew D. Hardin
Hardin Law Office
Direct Dial: 202-802-1948
Email: MatthewDHardin@protonmail.com

On Sun, Mar 31, 2024 at 6:50 AM Russell Greer <russmark@gmail.com> wrote:

Dear Matthew,

If you may recall, in January, the 10th circuit court of appeals and the district court in Utah granted me printing costs.

While the erroneous venue transfer is being resolved, which I have no problem appealing this all over again to the 10th Circuit, I do politely ask that Mr Moon pay me the monies that I'm owed.

A check can be made to Andrew Grimm of the Digital Justice Foundation, CC'd on this email, for the full amount owed.

I also once again ask that we settle this case to avoid any further appeals. My request is fairly simple: I just want kiwi farms to leave me alone.

From: Russell Greer russmark@gmail.com
Subject: Re: Requesting payment
Date: May 20, 2025 at 10:32 AM
To: Matthew Hardin matthewdhardin@gmail.com



RG

I am getting the police involved. You're now involving people I am in contact with? You are ducking done

Russell Greer
CEO of ID LLC/Paralyzed Face Productions/CART U
NV Bus. License #NV20222557279
www.russellgreer.com
IMDB Profile: https://www.imdb.com/name/nm10428966/?ref=ext_shr_lnk

Sent from my iPhone

On May 20, 2025, at 6:08 AM, Matthew Hardin <matthewdhardin@gmail.com> wrote:

Good morning, Mr. Greer.

I write because I have not heard from you with respect to my inquiry below. Do you consent to issuance of a writ of execution so that we can take proper enforcement efforts for the unpaid judgment which was due to be paid on March 13?

Best,

Matthew D. Hardin

Hardin Law Office

Direct Dial: 202-802-1948

NYC Office: 212-680-4938

Email: MatthewDHardin@protonmail.com

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On May 15, 2025, at 1:56 PM, Matthew Hardin <matthewdhardin@gmail.com> wrote:

Good afternoon, Mr. Greer.

I have not heard from you with reference to the below request for payment. As a reminder, you told the Court at ECF No. 190 that a refusal to immediately pay funds upon receipt of an email requesting payment was grounds for a debtor's examination. We are therefore puzzled why your position has changed now that the shoe is on the other foot. Do you consent to issuance of a writ of execution so that we can take proper enforcement efforts?

Thank you,

Matthew D. Hardin

Hardin Law Office

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Email: MatthewDHardin@protonmail.com

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Thank you

Sent from my iPhone

From: Russell Greer russmark@gmail.com
Subject: Re: Public Records Request
Date: May 20, 2025 at 10:31 AM
To: Matthew Hardin matthewdhardin@gmail.com
Cc: records@winemuccacity.org



RG

I strongly oppose this.

Do not release these records. He is a lawyer for a stalking site that I'm in a lawsuit with.

Matthew, I am getting the police involved. You are done, sir

Sent from my iPhone

On May 20, 2025, at 6:16 AM, Matthew Hardin <matthewdhardin@gmail.com> wrote:

Good morning,

Please see the attached request for records.

Thank you,
<City-Public Records Request form-06012024 r2.pdf>

Matthew D. Hardin

Hardin Law Office

Direct Dial: 202-802-1948

NYC Office: 212-680-4938

Email: MatthewDHardin@protonmail.com