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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.

**NOTICE REGARDING ECF NO. 168**

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

District Judge David Barlow  
Magistrate Judge Jared C. Bennett

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NOW COME the Defendants, by and through undersigned counsel, and hereby give NOTICE that the document Plaintiff Russell Greer filed at ECF No. 168 was not previously shared with Defendants pursuant to this Court's orders at, *e.g.* ECF Nos. 167, 153, and 60.

A true and correct copy of the document Mr. Greer sent to Defendants is attached hereto as Exhibit A, and differs materially from what Mr. Greer later filed with the Court at ECF No. 168. A true and correct copy of Mr. Greer's email transmitting a draft report to undersigned counsel is attached hereto as Exhibit B. Undersigned counsel first saw the document filed at ECF No. 168 when it was served via CM/ECF. A true and correct copy of Mr. Greer's later correspondence, in its entirety, is attached hereto as Exhibit C. At no point did Mr. Greer request Defendants position on the amended draft report which he has filed with this Court for the first time at ECF No. 168.

DATED November 1, 2024

**HARDIN LAW OFFICE**

*/s/ Matthew D. Hardin*

**Matthew D. Hardin**

Attorney for Defendants