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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.

**Response in Opposition to Motion  
at ECF No. 190**

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 file this Opposition to the Motion filed at ECF No. 190. In opposition, Defendants state as follows:

1. Mr. Greer's motion does not cite the authority upon which Mr. Greer believes he is entitled to conduct a debtor's examination. For that reason alone, the Motion ought to be denied, because Defendants cannot be expected to intelligently respond to a motion that is bereft of any and all legal authority. DUCivR 7-1 (a)(1) requires that a Motion provide "the grounds for.. relief" and "supporting authority" which will enable an effective response.

2. Mr. Greer indicated by email to undersigned counsel on January 13, 2025, that he believes his motion is governed by Fed. R. Civ. P. 69. Exhibit A. But Fed. R. Civ. P. 69 provides for this Court to issue writs of execution according to the laws of the State of Utah. Utah law does not appear to contemplate or authorize a procedure such as that requested by the Plaintiff here.

3. Mr. Greer's Motion is moot, because this Court awarded Defendants a judgment against Mr. Greer that exceeds the earlier amount of Mr. Greer's costs. ECF No. 230 (awarding \$1,000 to defendants). Defendants pointed out to Mr. Greer that his motion is moot, and offered to offset the amount Mr. Greer claims (\$225.25) against the total amount that is owed to Defendants (\$1,000). Exhibit B. In response, Mr. Greer pledged to withdraw his motion. *Id.* Notwithstanding Mr. Greer's plain statement that he would withdraw the motion, he has not done so.

WHEREFORE, the Motion docketed at ECF No. 190 should be denied because it requests relief which this Court is not authorized to provide under the Federal Rules of Civil Procedure, or because the Motion is moot.

DATED February 19, 2025

**HARDIN LAW OFFICE**

/s/ Matthew D. Hardin

**Matthew D. Hardin**

Attorney for Defendants