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5 *Pro-persona*

6 IN THE UNITED STATES COURT OF APPEALS  
7 FOR THE NINTH CIRCUIT

9	INGENUITY13 LLC,	)	<b>No. 13-55871</b>
10		)	
	Plaintiff,	)	D.C. No. 2:12-cv-08333-ODW-JC
11		)	Central District of California,
	and	)	Los Angeles
12		)	
	BRETT L. GIBBS,	)	(Consolidated Appeals – Nos. 13-55859,
13		)	13-55880, 13-55881, 13-55882, 13-55883,
	Movant – Appellant,	)	13-55884, and 13-56028)
14		)	
	v.	)	
15	JOHN DOE,	)	<b>NOTICE OF INDICATIVE RULING</b>
		)	<b>AND REQUEST FOR REMAND AND</b>
16	Defendant-Appellee.	)	<b>DISMISSAL</b>
17		)	

18 **PLEASE TAKE NOTICE** that, pursuant to Federal Rule of Appellate Procedure (“FRAP”)  
19 12.1, Brett L. Gibbs hereby notifies the Ninth Circuit Court of Appeals that, on October 30, 2013,  
20 the United States District Court, Central District of California, issued an Order Granting Motion for  
21 Indicative Ruling Vacating [Its] May 6, 2013 Sanctions against Brett L. Gibbs. The Order states:

23 If the Ninth Circuit were to remand the matter, the Court would vacate Gibbs’ joint  
24 and several liability for the monetary sanctions imposed in May 6, 2013 Order  
25 based on his dissociation with the Prenda parties. The Court makes no statement  
with regard to the other parties subject to the May 6, 2013 sanctions.

26 Attached as Exhibit A is a true and correct copy of the Court’s Order.

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FRAP 12.1 states:

- (a) Notice to the Court of Appeals. If a timely motion is made in the district court for relief that it lacks authority to grant because of an appeal that has been docketed and is pending, the movant must promptly notify the circuit clerk if the district court states either that it would grant the motion or that the motion raises a substantial issue.
- (b) Remand After an Indicative Ruling. If the district court states that it would grant the motion or that the motion raises a substantial issue, the court of appeals may remand for further proceedings but retains jurisdiction unless it expressly dismisses the appeal. If the court of appeals remands but retains jurisdiction, the parties must promptly notify the circuit clerk when the district court has decided the motion on remand.

Pursuant to FRAP 12.1, Mr. Gibbs hereby respectfully requests that the Court of Appeals remand the case of *Ingenuity13, LLC and Brett Gibbs v. John Doe*, Case No. 13-55871, to the District Court for further proceedings. The District Court’s Order applies only to Case No. 13-55871 and does not apply to the seven other cases with which Case No.13-55871 has been consolidated. Mr. Gibbs further requests that the Ninth Circuit Court of Appeals remand Case No. 13-55871 without retaining jurisdiction and expressly dismiss his appeal.

**DATED: October 30, 2013**

By:           /s/ Brett L. Gibbs, Esq.          

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on October 30, 2013, all individuals of record who are deemed to have consented to electronic service are being served a true and correct copy of the foregoing document, and all attachments and related documents, using the Court's Appellate ECF system, in compliance with the Local Rules.

/s/ Brett L. Gibbs  
Brett L. Gibbs, Esq.