

RUSSELL ROPE
ID 1607 POB 1198
Sacramento, CA 95812
310-663-7655
justice@russellrope.com
In Pro Per

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

RUSSELL ROPE,

Plaintiff,

v.

COINBASE, INC. & DOES 1-20,

Defendants

Case No.: 25STCV16692

PLAINTIFF'S COMPREHENSIVE

EVIDENTIARY OBJECTIONS & MOTION

TO STRIKE DECLARATIONS OF ALL

PRESENT & PRIOR COUNSEL

DECLARATIONS, & ALL COINBASE

EXHIBITS (INCLUDING THOSE FILED

WITH DEFENDANT'S NOV. 17, 2025 REPLY

Date: November 26, 2025 **Time:** 8:30 a.m.

Department: 28 – Hon. Rupert A. Byrdsong

I. INTRODUCTION

Plaintiff **Russell Rope**, in pro per, submits these **Comprehensive Evidentiary Objections and Motion to Strike** directed to:

1. **Declaration of Celine G. Purcell**

2. **Declaration of Josephine K. Petrick**

3. **All declarations and exhibits previously filed by Coinbase's former counsel**

1 4. **All Coinbase Exhibits (1–4 and any others) submitted with any filing**

2 5. **All newly submitted evidence in Defendant’s Nov. 17, 2025 Reply**

3
4 Coinbase’s evidentiary record is fundamentally defective. It consists of:

- 5
- 6 • attorney argument disguised as fact testimony
 - 7
 - 8 • unauthenticated screenshots from a different app than Plaintiff used
 - 9 • generic, undated Terms of Service with no proof Plaintiff ever saw
 - 10 • corrupted or incomplete internal files
 - 11
 - 12 • hearsay “logs” lacking any custodian of records
 - 13
 - 14 • speculation about Plaintiff’s conduct
 - 15 • mischaracterizations of Coinbase Wallet vs. Coinbase.com
 - 16
 - 17 • conclusory assertions about “mandatory arbitration” without factual support
 - 18
 - 19 • no evidence of *assent*, required under California law

20
21 Because **Coinbase bears the burden of proving the existence of a valid arbitration agreement**, and
22 because its submissions fail every requirement of the California Evidence Code, the Court **must strike**
23 **or disregard all Coinbase evidence** in evaluating the Petition to Compel Arbitration.

II. LEGAL STANDARD

1. Admissibility Requires Relevance, Competence, and Authentication

(Evid. Code §§ 350, 352, 403, 702, 1401.)

2. Attorney Declarations Are Not Evidence of Technical or Factual Matters

They may not testify to facts outside their personal knowledge.

Aguimatang v. Caltrans (1992) 202 Cal.App.3d 241.

3. Digital Evidence Requires Strict Authentication

People v. Goldsmith (2014) 59 Cal.4th 258; Evid. Code §§ 1401, 1552.

Screenshots, logs, PDFs, and app images require:

- source identification
- accuracy confirmation
- chain of custody
- metadata
- competent witness familiar with system architecture

Coinbase provides none.

4. Arbitration Requires Proof of Assent

The burden is on Coinbase.

Rosenthal v. Great Western Fin. Securities (1996) 14 Cal.4th 394, 413.

Pinnacle Museum Tower Assn. v. Pinnacle Market Dev. (2012) 55 Cal.4th 223.

Coinbase must prove:

1. the exact terms that applied,
2. when they applied,
3. that Plaintiff received them, and
4. that Plaintiff affirmatively assented.

Coinbase has proven none of these elements.

III. OBJECTIONS TO DECLARATION OF CELINE PURCELL

1. Paragraphs 3–5 — Mischaracterizations of procedural history

Grounds: Lack of foundation (Evid. Code § 702), hearsay (§1200), irrelevant (§350), prejudicial (§352).

Explanation: Purcell summarizes court rulings without certified orders.

2. Paragraphs 6–7 — Legal conclusions & hearsay

Purcell embeds Coinbase’s legal arguments as “facts.” Not permissible.

1 **3. Paragraphs 8–9 — Speculation re Plaintiff’s conduct**

2 No personal knowledge. No evidence supporting assertions.
3
4

5 **4. Entire Purcell Declaration — Argument disguised as testimony**

6 Violates *Aguimatang*; not competent evidence.
7
8
9

10 **IV. OBJECTIONS TO DECLARATION OF JOSEPHINE K. PETRICK**

11 **1. Global objection**

12 Petrick attempts to testify regarding:
13

- 14 • technical architecture
- 15
- 16 • system behavior
- 17
- 18 • Plaintiff’s alleged account activity
- 19
- 20 • whether credentials were recoverable
- 21
- 22 • the nature of Coinbase Wallet
- 23
- 24 • feasibility of bypassing biometrics

25 **None** of these topics fall within an attorney’s personal knowledge.
26
27
28

1 **2. Assertions of “mandatory arbitration”**

2 Legal conclusions, not evidence. Violates Evid. Code § 800.
3
4

5 **3. Assertions about app behavior, logs, or systems**

6
7 Unauthenticated, speculative, and contradicted by Plaintiff’s evidence.
8
9

10 **4. Statements regarding account lockout or passkey recovery**

11 No competent technical witness. No engineer declaration.

12 Fails Evid. Code §§ 702, 803.
13
14
15
16

17 **V. OBJECTIONS TO ALL PRIOR DECLARATIONS (BEFORE NORTON LAW FIRM)**

18 Coinbase’s prior counsel submitted:
19

- 20 • declarations with no personal knowledge,
- 21 • generic screenshots,
- 22 • mismatched Terms of Service,
- 23 • irrelevant internal documents,
- 24 • incomplete records,
- 25 • technical claims without a technical witness,
- 26
27
28

- documents that conflate Coinbase Wallet, Coinbase App, and Coinbase.com.

These are inadmissible for the same reasons above.

VI. OBJECTIONS TO COINBASE EXHIBITS (ALL EXHIBITS 1–4 AND ANY OTHER EXHIBITS)

1. Exhibit 1 — Screenshots from wrong app / unauthenticated

Fails Evid Code §§ 1401, 1552.

No metadata. No witness competent to authenticate.

2. Exhibit 2 — Corrupted / unreadable file

No chain of custody; incomplete document (§356).

3. Exhibit 3 — Terms of Service / Arbitration Clause

Generic, undated, untethered to Plaintiff.

Fails *Rosenthal* burden.

4. Exhibit 4 — Internal logs / system extracts

Violation of business records exception (Evid. Code § 1271).

No custodian declaration.

Double hearsay.

1 **VII. OBJECTIONS TO EVIDENCE IN THE NOV. 17, 2025 REPLY**

2 The Reply repeats the same deficiencies:

3
4 **1. New legal conclusions disguised as “facts”**

5 Not admissible evidence.
6
7

8 **2. Assertions that Plaintiff “accepted” terms**

9
10 No proof of assent → *Rosenthal* violation.
11

12
13 **3. References to new “screenshots,” “app behavior,” or “system limitations”**

14 All unauthenticated, hearsay, speculative.
15
16

17 **4. Recycled Terms of Service**

18 Still undated. Still not tied to Plaintiff. Still inadmissible.
19

20 **5. New attorney narrative**

21
22 Improper expansion of declaratory evidence in Reply.

23 See *Jay v. Mahaffey* (2013) 218 Cal.App.4th 1522 (new evidence in reply is improper).
24
25
26
27
28

1 **VIII. GLOBAL OBJECTIONS TO ALL COINBASE SUBMISSIONS**

2
3 **1. Hearsay (Evid. Code § 1200)**

4 All logs, screenshots, internal reports.

5
6 **2. Lack of authentication (Evid. Code §§ 1401, 1552)**

7 NONE of Coinbase's exhibits meet the Goldsmith test.

8
9 **3. No personal knowledge (Evid. Code § 702)**

10 Attorneys cannot testify to technical matters.

11
12 **4. Misleading and prejudicial (Evid. Code § 352)**

13 Conflating Coinbase Wallet vs. Coinbase App misleads the Court.

14
15 **5. Failure of proof under *Rosenthal***

16 No evidence of assent → arbitration cannot be compelled.

17
18
19
20
21 **IX. MOTION TO STRIKE**

22 Plaintiff respectfully moves to strike:

- 23
24 1. **The Declaration of Celine Purcell (entirely or in part)**
- 25
26 2. **The Declaration of Josephine Petrick (entirely or in part)**
- 27
28 3. **All prior counsel declarations and exhibits**

4. Coinbase Exhibits 1–4

5. All “evidence” in the Nov. 17 Reply

6. Any portion of Coinbase's Petition or Reply relying upon such materials

Alternatively, Plaintiff requests the Court to **disregard** every defective item when ruling on the Petition to Compel Arbitration.

X. CONCLUSION

For the reasons above, Plaintiff respectfully requests:

1. All evidentiary objections be **SUSTAINED**

2. All declarations and exhibits submitted by Coinbase be **STRICKEN**

3. The Court evaluate the Petition to Compel Arbitration **only** on admissible, authenticated evidence

4. Any further relief the Court deems proper

Respectfully submitted,

Dated: November 15, 2025

/s/ Russell Rope
Plaintiff In Pro Per

1 ***[PROPOSED ORDER]***

2
3 ****[PROPOSED] ORDER GRANTING PLAINTIFF’S**

4 **EVIDENTIARY OBJECTIONS AND MOTION TO STRIKE****

5
6
7 The Court has reviewed and considered Plaintiff’s Comprehensive Evidentiary Objections and Motion
8 to Strike and rules as follows:

- 9
10 1. Plaintiff’s objections are **SUSTAINED**.
- 11 2. The Declarations of **Celine G. Purcell** and **Josephine K. Petrick** are **STRICKEN**, in whole
12 and/or in part.
- 13 3. All exhibits submitted by Coinbase (including Exhibits 1–4) are **STRICKEN or**
14 **DISREGARDED**.
- 15 4. All prior counsel declarations and exhibits are **STRICKEN or DISREGARDED**.
- 16 5. All “evidence” newly submitted with Defendant’s Nov. 17, 2025 Reply is **STRICKEN or**
17 **DISREGARDED** as improper and unauthenticated.
- 18 6. The Court will evaluate the Petition to Compel Arbitration **only on admissible evidence**.

19
20
21
22
23 IT IS SO ORDERED.

24
25 Dated: _____ By: _____

26
27 Hon. Rupert A. Byrdsong

28 Judge of the Superior Court

1 **PROOF OF SERVICE**

2 I, **Russell Rope**, declare that on **November 15, 2025**, I served the following document:

3 **PLAINTIFF’S COMPREHENSIVE EVIDENTIARY OBJECTIONS & MOTION TO STRIKE**

4 on:

- 5
- 6 • cpurcell@nortonlaw.com
 - 7 • jpetrick@nortonlaw.com
 - 8 • ekirk@nortonlaw.com

9 by electronic service under Code Civ. Proc. §1010.6 and CRC 2.251.

10 I declare under penalty of perjury under the laws of the State of California that the foregoing is true and

11 correct.

12

13

14

15

16

17

18

19

20

21 Respectfully submitted,

22 Dated: November 15, 2025

23 /s/ **Russell Rope**

24 *Plaintiff In Pro Per*