

1 **RUSSELL ROPE**
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2 Sacramento, CA 95812
3 310-663-7655
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4 *In Pro Per*

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7 SUPERIOR COURT OF THE STATE OF CALIFORNIA
8 COUNTY OF LOS ANGELES
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11 RUSSELL ROPE,
12 Plaintiff,
13 v.
14 COINBASE, INC. & DOES 1-20,
15 Defendants
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) Case No.: 25STCV16692
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) **PLAINTIFF’S NOTICE OF INTENT TO**
) **SEEK RECONSIDERATION**
) **&/OR EXTRAORDINARY WRIT RELIEF**
) **REGARDING ORDER GRANTING**
) **PETITION TO COMPEL ARBITRATION**
) **Department: 28 – Hon. Rupert A. Byrdsong**

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20 **NOTICE**

21 Plaintiff respectfully gives **formal notice** that he intends to:

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23 **1. File a Motion for Reconsideration (CCP § 1008(b))**

24 based on **new and different facts**, including but not limited to:

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 - More than 10-year pattern of fraud and malice

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 - biometric lockout misconduct

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- newly compiled evidence from federal RICO claim
- evidence connecting Coinbase’s vendors/partners to prior criminal patterns
- additional technical materials disproving Coinbase’s “impossibility” claims
- supplementary evidence showing lack of assent to arbitration

2. Seek Extraordinary Relief (Writ of Mandate/Prohibition)

if reconsideration is denied.

This Notice preserves Plaintiff’s rights and informs the Court and parties that Plaintiff is preparing the required evidentiary record.

MEMORANDUM OF POINTS & AUTHORITIES

I. CCP § 1008(b) Permits Reconsideration at Any Time Before Judgment

The statute allows reconsideration based on new facts, new law, or new circumstances.

There is **no 10-day limit**.

II. Newly Discovered Evidence Necessitates Reconsideration

Plaintiff will present:

- RICO complaint & sometime like 100 new exhibits

- evidence of ongoing concerted fraud
- technical evidence disproving Coinbase’s assertions
- new records of biometric system misconduct
- newly explained communications and patterns

The new evidence also includes documentation of discriminatory effects from the biometric verification requirement, which disproportionately impacted Plaintiff due to documented medical conditions and constitutes new circumstances relevant to reconsideration under CCP § 1008(b). These issues were not previously evaluated by the Court and materially affect enforceability of the arbitration clause.

These facts were not presented at the hearing and materially affect the outcome.

III. A Writ of Mandate Will Be Sought if Necessary

Arbitration orders are reviewable only via writ.

This Notice preserves all rights.

DECLARATION OF RUSSELL ROPE

1. I am the Plaintiff.
2. I intend to file a Motion for Reconsideration under CCP § 1008(b).

3. 3. I have identified new evidence tying this case to a larger pattern of fraud and misconduct, as well as new information concerning the discriminatory effect of the biometric lockout.

4. I require the Statement of Decision to identify omissions and legal error.

5. If reconsideration is denied, I intend to seek writ review.

I declare this under penalty of perjury.

Submitted on December 4, 2025

/s/ Russell Rope

Plaintiff In Pro Per

[PROPOSED] ORDER

RE: NOTICE OF INTENT TO SEEK RECONSIDERATION / WRIT RELIEF

The Court acknowledges Plaintiff's Notice of Intent.

No further order is required.

IT IS SO ORDERED.

Date: _____

Hon. Rupert A. Byrdsong

Judge of the Superior Court

1 **PROOF OF SERVICE**

2 I am over the age of 18 and plaintiff in pro per. My address is:

3 ID 1607 POB 1198, Sacramento, CA 95812.

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6 On the date below, I served the following:

7 **PLAINTIFF’S NOTICE OF INTENT TO SEEK RECONSIDERATION / WRIT RELIEF**

8 on all counsel of record via electronic service to:

- 9
10 • jpetrick@nortonlaw.com
11 • cpurcell@nortonlaw.com
12 • ekirk@nortonlaw.com
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16 I declare under penalty of perjury that the foregoing is true.

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18 Submitted on **December 4, 2025**

19 /s/ Russell Rope

20 *Plaintiff In Pro Per*
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