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U.S. District Court

Southern District of Florida

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Case Name: Birmingham et al v. Rofx.net et al
Case Number: [1:21-cv-23472-RNS](#)
Filer: Steven Hansen
Roman Leonov
Mitchell Parent
Jonathan Zarley

WARNING: CASE CLOSED on 03/08/2024

Document Number: [266](#)

Docket Text:

Plaintiffs' Limited Response to [265] REPORT AND RECOMMENDATIONS re [263] MOTION for Judgment in Garnishment Against Bank of America, N.A. filed by Roman Leonov, Steven Hansen, Jonathan Zarley by Steven Hansen, Roman Leonov, Mitchell Parent, Jonathan Zarley. (Gonzalez, Dennis)

1:21-cv-23472-RNS Notice has been electronically mailed to:

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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 1:21-cv-23472-RNS

Ryan Birmingham, Roman Leonov, Steven Hansen,
Mitchell Parent, and Jonathan Zarley,

Plaintiffs,

v.

Alex Doe, *et al.*,

Defendants.

**PLAINTIFFS' LIMITED RESPONSE TO CLARIFY R&R
FOR ENTRY OF FINAL GARNISHMENT JUDGMENT**

Following Magistrate Judge Goodman's report and recommendation [ECF No. 265, hereinafter "**R&R**"], granting in part and denying in part Plaintiffs' Motion for Entry of Final Garnishment Judgment Against Garnishee Bank of America, N.A. [ECF No. 263, hereinafter "**Motion**"], Plaintiffs Roman Leonov, Steven Hansen, Mitchell Parent, and Jonathan Zarley ("**Plaintiffs**"), respectfully request that the Court: (1) clarify a statement cited in Plaintiffs' Motion; and (2) issue an Order adopting the R&R in all other respects. In support thereof, the Plaintiffs state the following:

The R&R cites to and quotes the following language from Plaintiffs' Motion: "Garnishee's counsel has reviewed the language of the Proposed Order, and consents to entry of this Proposed Order as drafted." R&R at 7 n.8 (quoting Mot. at 3 n.2). Plaintiffs acknowledge that this statement in their Motion was not entirely accurate and should have read as follows: "Garnishee's counsel *does not object to the form* of this Proposed Order as drafted. Garnishee's counsel *does not have a position as to the contents* of this Proposed Order, other than payment of the statutory attorney fee." (Emphasis added).

Otherwise, Plaintiffs do not object to the R&R in any material respects, and accordingly, pursuant to 28 U.S.C. § 636(b)(1)(A) and Rule 4 of the Magistrate Judge Rules for this Court, the Court should adopt the R&R and enter final judgment for Plaintiffs and against Garnishee Bank of America, N.A. as recommended by Magistrate Judge Goodman.

Dated: November 11, 2024.

Respectfully submitted,

/s/ Dennis A. González

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on or about November 11, 2024, a true and accurate copy of PLAINTIFFS' LIMITED RESPONSE TO CLARIFY R&R FOR ENTRY OF FINAL GARNISHMENT JUDGMENT was served on counsel of record via the CM/ECF system. A copy of the foregoing document was served upon Defendants at the addresses listed below via mail or as otherwise indicated:

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Notus, LLC Via publication on Plaintiffs' website	Profit Media Group LP Via publication on Plaintiffs' website
Shopostar, LLC c/o Registered Agent Colorado Registered Agent LLC 1942 Broadway Street, Suite 314C, Boulder, CO 80302	Olga Tielly 3rd Floor 207 Regent Street, London, United Kingdom W1B3HH
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Respectfully submitted,

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