

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF  
CALIFORNIA

Lee Drone v. Peter D. Bear, et al.

Drone · No. 25-cv-09583-EKL · Decided June 1, 2026

SUMMARY

The court grants a motion to dismiss for improper venue, concluding that none of the defendants resides in California and that the relevant events and property are located in Wisconsin. It dismisses the damages claims against Judge Ryan D. Nilsestuen without leave to amend because judicial immunity bars those claims. The court transfers the remaining claims to the U.S. District Court for the Western District of Wisconsin under 28 U.S.C. § 1406(a), and terminates the other pending motions as moot without prejudice.

CASE DETAILS

|                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|--------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT              | United States District Court for the Northern District of California                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| JURISDICTION       | United States District Court for the Northern District of California                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| DECIDED            | June 1, 2026                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| DOCKET             | 25-cv-09583-EKL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| DISPOSITION        | other                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| PROCEDURAL POSTURE | Defendants moved to dismiss an action asserting claims arising from an alleged coordinated pattern of extortion, fraud, and procedural manipulation concerning ownership of Wisconsin property. The court granted Dane County Title Company's motion under Federal Rule of Civil Procedure 12(b)(3), granted Judge Ryan D. Nilsestuen's motion in part based on judicial immunity, dismissed the damages claims against Nilsestuen without leave to amend, and transferred the remaining claims to the Western District of Wisconsin under 28 U.S.C. § 1406(a). |
| STANDARD OF REVIEW | The court applied Federal Rule of Civil Procedure 12(b)(3) to determine whether venue was proper and considered judicial immunity on a motion to dismiss. It exercised discretion to address venue before personal jurisdiction based on prudential considerations.                                                                                                                                                                                                                                                                                             |
| PRECEDENTIAL VALUE | unpublished                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

TOPICS

venue

motions to dismiss

civil procedure

personal jurisdiction

title disputes

## PRACTICE AREAS

civil procedure

venue

judicial immunity

real estate

RICO

## QUESTIONS PRESENTED

1. Whether venue was proper in the Northern District of California under 28 U.S.C. § 1391(b).
2. Whether the court could resolve improper venue before deciding personal jurisdiction.
3. Whether claims for damages against Judge Nilsestuen were barred by judicial immunity.
4. Whether the interests of justice favored transferring the remaining claims to the Western District of Wisconsin rather than dismissing them under 28 U.S.C. § 1406(a).
5. Whether the entire action should be transferred even though only the Title Company challenged venue.

## HOLDINGS

1. Venue was improper in the Northern District of California because none of the defendants resided there, a substantial part of the events and property at issue were located in Wisconsin, and the Western District of Wisconsin was an available district satisfying the venue statute.
2. The court could resolve improper venue before deciding personal jurisdiction when prudential considerations justified reversing the usual order of analysis.
3. The damages claims against Judge Nilsestuen were barred by judicial immunity because the challenged acts were judicial acts undertaken within the jurisdiction of his court.
4. The remaining claims should be transferred to the Western District of Wisconsin because venue was improper in California and transfer, rather than dismissal, was in the interest of justice.

## KEY QUOTATIONS

*“Venue is proper in a judicial district under three circumstances: (1) when a defendant resides in the district, if all defendants are residents of the state in which the district is located; (2) when a substantial part of the events giving rise to the claim occurred, or a substantial part of property that is subject to the action is situated, in the district; or, (3) if there is no district that satisfies (1) or (2), a judicial district in which any defendant is subject to personal jurisdiction.” (at 1)*

*“The Court DISMISSES the claims for damages against Judge Nilsestuen without leave to amend. The remaining claims are TRANSFERRED to the U.S. District Court for the Western District of Wisconsin.” (at 4-5)*

## FACTUAL BACKGROUND

The complaint alleged a coordinated pattern of extortion, fraud, and procedural manipulation affecting Drone's ownership interest in property located in Madison, Wisconsin. The defendants were alleged to reside in Wisconsin or to have conducted the relevant acts there, including the Title Company's handling of closing

documents, correspondence concerning the property, and a Wisconsin state-court harassment action overseen by Judge Nilsestuen. The only alleged California conduct was a 2021 visit by Goodman to discuss the Wisconsin property and related loan arrangements, which was not the basis of any claim.

## PROCEDURAL HISTORY

Drone filed the action in the Northern District of California. Dane County Title Company moved to dismiss for lack of personal jurisdiction, improper venue, and failure to state a claim; Judge Nilsestuen separately moved to dismiss based on judicial immunity. The court resolved venue before personal jurisdiction, dismissed the damages claims against Nilsestuen as barred by judicial immunity, transferred the remaining claims to the Western District of Wisconsin, and terminated the other pending motions as moot without prejudice to refiling there.

## DISPOSITION

other

## REMAND INSTRUCTIONS

No remand. The remaining claims were transferred to the United States District Court for the Western District of Wisconsin. Claims for damages against Judge Nilsestuen were dismissed without leave to amend, and the other defendants' pending motions were terminated as moot without prejudice to refiling in the transferee court.

## CASES CITED

- Leroy v. Great W. United Corp., 443 U.S. 173, 180 (1979)
- Sinochem Int'l Co. Ltd. v. Malaysia Int'l Shipping Corp., 549 U.S. 422, 432 (2007)
- Mathis v. Geo Grp., Inc., 535 F. Supp. 2d 83, 86 (D.D.C. 2008)
- Harris v. U.S. Att'y Gen., No. 2:19-cv-01397-AG-JDE, 2019 WL 4180015, at \*6 (C.D. Cal. June 21, 2019)
- Ashelman v. Pope, 793 F.2d 1072, 1075-76 (9th Cir. 1986)
- Mireles v. Waco, 502 U.S. 9, 11 (1991)
- Duvall v. County of Kitsap, 260 F.3d 1124, 1133 (9th Cir. 2001)
- Gage v. N.J. Dep't of Env't Prot., No. 1:22-cv-0944 (CIN), 2023 WL 6292788, at \*1-2 (D.D.C. Sept. 27, 2023)
- McCoy v. McCormick, No. 3:22-cv-157-SB, 2022 WL 2438335, at \*2 (D. Or. July 5, 2022)
- Duarte v. Cal. Hotel & Casino, No. 08-00185 JMS/LEK, 2009 WL 4668739, at \*2 n.6, \*4-5 (D. Haw. Dec. 4, 2009)