

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Cooperative Entertainment, Inc. v. Alibaba Cloud US LLC

Cooperative Entertainment · No. 25-cv-01842-LJC · Decided April 16, 2025

SUMMARY

The United States District Court for the Northern District of California denied William P. Ramey III’s application to appear pro hac vice for Plaintiff Cooperative Entertainment, Inc., with prejudice. The court found that Ramey falsely represented the number of prior pro hac vice admissions and cited his alleged unauthorized practice of law and related misconduct. The court ordered Ramey to show cause why monetary and other sanctions should not be imposed and ordered Plaintiff to submit a declaration concerning Ramey’s prior involvement in the case.

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	April 16, 2025
DOCKET	25-cv-01842-LJC
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff filed an application for attorney William P. Ramey III to appear pro hac vice as co-counsel. The court denied the application with prejudice and ordered Ramey to show cause why sanctions should not be imposed.
STANDARD OF REVIEW	The court exercised discretion under Civil Local Rule 11-3(d) to accept or reject the pro hac vice application. For potential Rule 11 sanctions, the court applied Rule 11(b)'s evidentiary-support requirement and Rule 11(c)(4)'s limitation that sanctions be sufficient to deter repetition.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

- sanctions
- civil procedure
- commercial litigation

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Ramey's application to appear pro hac vice should be denied based on a false declaration concerning prior pro hac vice admissions and his extensive unauthorized practice and related misconduct.
2. Whether Ramey should be ordered to show cause why monetary and nonmonetary sanctions should not be imposed under Federal Rule of Civil Procedure 11, the court's inherent authority, or other applicable authority.
3. Whether Plaintiff should be required to submit a declaration concerning whether Ramey authored filings before applying for pro hac vice admission.

HOLDINGS

1. The court denied Ramey's application to appear pro hac vice with prejudice because he falsely represented under penalty of perjury that he had not been granted pro hac vice admission in the preceding twelve months and because his extensive unauthorized practice, false representations, and related misconduct independently warranted denial.
2. The court ordered Ramey to show cause why monetary sanctions of \$1,000, referral to the court's Standing Committee on Professional Responsibility, and an order requiring distribution of the sanctions order should not be imposed.
3. Plaintiff was ordered to file a separate declaration by Jennifer Ishimoto stating whether Ramey authored any filings in the action before applying to appear pro hac vice.

KEY QUOTATIONS

“Ramey’s application to appear pro hac vice is DENIED, with prejudice, based on: (1) Ramey’s false representation under penalty of perjury that he had not been granted permission to appear pro hac vice in the preceding twelve months; and (2) Ramey’s extensive and pervasive unauthorized practice of law in this District, false representations regarding pro hac vice status, and related misconduct documented by Judge Kang in Koji IP.” (at 3)

“The district court has wide discretion in determining the appropriate sanction for a Rule 11 violation.” (at 3)

“Ramey is therefore personally ORDERED TO SHOW CAUSE why the following sanctions should not issue under Rule 11, the Court’s inherent authority, or any other applicable authority” (at 4)

FACTUAL BACKGROUND

Ramey applied to appear pro hac vice for Plaintiff and declared under penalty of perjury that he had received zero pro hac vice admissions in the preceding twelve months. The court identified at least five admissions for Ramey in the Northern District of California during that period. Ramey had also recently been sanctioned by another judge in the district for unauthorized practice of law and misconduct involving pro hac vice applications,

including a requirement to attach that sanctions order to future applications. His initial application did not include the order, and his later application repeated the allegedly false statement while attaching the order.

PROCEDURAL HISTORY

Plaintiff commenced the action on February 20, 2025, apparently represented by California attorney Jennifer Ishimoto. On April 14, 2025, Ramey applied to appear pro hac vice and declared that he had received no pro hac vice admissions in the preceding twelve months. The court found that declaration false based on multiple recent admissions in the district, denied the application with prejudice, and issued an order to show cause concerning potential Rule 11 and other sanctions. The court separately ordered Plaintiff to submit a declaration addressing whether Ramey had authored earlier filings.

DISPOSITION

other

CASES CITED

- WirelessWerx IP, LLC v. Zipline International, No. 24-cv-08462-PHK, ECF No. 27 (N.D. Cal. Mar. 4, 2025)
- Kephart Consulting, LLC v. AxxonSoft US, Inc., No. 24-cv-06770-KAW, ECF No. 30 (N.D. Cal. Feb. 24, 2025)
- CyboEnergy, Inc. v. Duracell Power Center, LLC, No. 24-cv-08891-LJC, ECF No. 10 (N.D. Cal. Dec. 12, 2024)
- WirelessWerx IP, LLC v. Life360, Inc., No. 23-cv-06725-AMO, ECF No. 38 (N.D. Cal. Oct. 8, 2024)
- WirelessWerx IP, LLC v. Lyft, Inc., No. 24-cv-01144-VKD, ECF No. 57 (N.D. Cal. Apr. 30, 2024)
- Koji IP, LLC v. Renesas Electronics America, Inc., No. 24-cv-03089-PHK, 2025 WL 917110 (N.D. Cal. Mar. 26, 2025)
- Hudson v. Moore Business Forms, Inc., 836 F.2d 1156, 1163 (9th Cir. 1987)
- CyboEnergy, Inc. v. N. Electric Power Tech., Inc., No. 23-cv-06121-JST, ECF Nos. 45, 47 (N.D. Cal. Apr. 14 & 16, 2025)
- Lime Green Lighting, LLC v. Brilliant NextGen Inc., No. 25-cv-00950-VKD, ECF Nos. 8, 9 (N.D. Cal. Apr. 14 & 16, 2025)

OPINION

Cooperative Entertainment, Inc. v. Alibaba Cloud US LLC
PER CURIAM.

1 2 3

4 UNITED STATES DISTRICT COURT

5 NORTHERN DISTRICT OF CALIFORNIA

6 7 COOPERATIVE ENTERTAINMENT, Case No. 25-cv-01842-LJC
INC.,

8 Plaintiff, ORDER DENYING APPLICATION TO

9 APPEAR PRO HAC VICE AND ORDER
v. TO SHOW CAUSE WHY SANCTIONS
10 SHOULD NOT BE IMPOSED

ALIBABA CLOUD US LLC,

11 Re: Dkt. No. 13 Defendant. 12 13 Plaintiff filed this action on February 20, 2025, apparently represented only by attorney 14 Jennifer Ishimoto, a member in good standing of the California Bar and the bar of the Court. 15 On April 14, 2025, attorney William P. Ramey III applied to appear pro hac vice to 16 represent Plaintiff as co-counsel to Ishimoto. ECF No. 13. In that application, Ramey declares 17 under penalty of perjury that he has “been granted pro hac vice admission by the Court 0 times in 18 the 12 months preceding this application.” Id. That declaration is false: Ramey has been granted 19 permission to appear pro hac vice at least five times in this District in the last year. *WirelessWerx 20 IP, LLC v. Zipline Int’l*, No. 24-cv-08462-PHK, ECF No. 27 (N.D. Cal. Mar. 4, 2025); *Kephart 21 Consulting, LLC v. AxxonSoft US, Inc.*, No. 24-cv-06770-KAW, ECF No. 30 (N.D. Cal. Feb. 24, 22 2025); *CyboEnergy, Inc. v. Duracell Power Ctr., LLC*, No. 24-cv-08891-LJC, ECF No. 10 (N.D. 23 Cal. Dec. 12, 2024); *WirelessWerx IP, LLC v. Life360, Inc.*, No. 23-cv-06725-AMO, ECF No. 38 24 (N.D. Cal. Oct. 8, 2024); *WirelessWerx IP, LLC v. Lyft, Inc.*, No. 24-cv-01144-VKD, ECF No. 57 25 (N.D. Cal. Apr. 30, 2024).¹ 26 1 Ramey also falsely declared under penalty of perjury in the *CyboEnergy* and *WirelessWerx v. 27 Lyft* cases that he had not previously been permitted to appear pro hac vice in the preceding twelve 1 A. Denial of Application 2 Previous pro hac vice appearances are material to the consideration of an application 3 because this Court’s local rules prohibit appearing pro hac vice “if the applicant . . . [i]s regularly 4 engaged in the practice of law in the State of California.” Civ. L.R. 11-3(c). 5 Ramey’s misrepresentation here is particularly egregious because Ramey has recently been 6 sanctioned by another judge in this District for unauthorized practice of law and misconduct 7 related to pro hac vice applications. In *Koji IP, LLC v. Renesas Electronics America, Inc.*, Judge 8 Kang identified “at least fifty-six . . . civil actions in the Northern District of California in which 9 Mr. Ramey registered as an attorney of record for a party on the docket for each of those cases, or 10 at a minimum, signed the pleadings identifying himself to be the plaintiff’s counsel with ‘pro hac 11 vice’ status or ‘pro hac vice anticipated’ language added.” *Koji IP*, No. 24-cv-03089-PHK, 2025 12 WL 917110, at *3 (N.D. Cal. Mar. 26, 2025), appeal docketed, No. 25-1639 (Fed. Cir. Apr. 11, 13 2025).² Judge Kang noted that Ramey sought permission to appear pro hac vice in only ten of 14 those cases—including each of the five cases listed above where Ramey was granted such status in 15 the year preceding his present application—and specifically quoted the number of prior pro hac 16 vice appearances that Ramey reported on each of those applications. Id. at *4. 17 As Judge Kang noted, among other serious concerns, “Given the sheer number of cases in 18 this District alone in which Mr. Ramey and [another attorney not appearing here] have been 19 involved in recent years, had they properly filed motions for pro hac vice admission in these cases, 20 they would certainly have reached the point of disqualification

for pro hac admission due to their 21 regular engagement in the practice of law in California”—not to mention “the numerous cases in 22 which they have also appeared in the Central District of California.” Id. at *16. 23 Judge Kang imposed monetary sanctions of \$45,264 against Ramey and ordered him to 24 include that sanctions order “as an attachment to any motion for pro hac vice admission filed by or 25 on behalf of any of these lawyers in any action filed in a California federal court during the next 26 five years,” as well as providing notice in pending cases and to various disciplinary bodies “no 27 1 later than April 26, 2025.” Id. at *21 (emphasis omitted). But less than three weeks after Judge 2 Kang issued that sanctions order, Ramey filed his present application in this case, with the above- 3 noted false representation of prior pro hac vice appearances, and without a copy of Judge Kang’s 4 order. On April 16, 2025, Ramey filed another copy of his application for admission pro hac vice, 5 still bearing an April 14 signature date and the false assertion that he has never been admitted pro 6 hac vice in the last year, but this time attaching Judge Kang’s sanctions order, as well as a second 7 order by Judge Kang in Koji IP imposing sanctions in response to a motion by the defendant. ECF

8 No. 14.

9 Under this Court’s local rules, the “assigned Judge shall have discretion to accept or reject 10 the application” to proceed pro hac vice. Civ. L.R. 11-3(d). Ramey’s application to appear pro 11 hac vice is DENIED, with prejudice, based on: (1) Ramey’s false representation under penalty of 12 perjury that he had not been granted permission to appear pro hac vice in the preceding twelve 13 months; and (2) Ramey’s extensive and pervasive unauthorized practice of law in this District, 14 false representations regarding pro hac vice status, and related misconduct documented by Judge 15 Kang in Koji IP. Each of those reasons is sufficient in itself to deny the application. Ramey also 16 appears to have violated at least the spirit of Judge Kang’s sanctions order (if not the letter, 17 depending on how the April 26, 2025 deadline is parsed) by failing to file a copy of that order with 18 the original version of his present application, although he rectified that violation—and only that 19 violation—in his subsequent filing. 20 B. Sanctions Against Ramey 21 Ramey’s misrepresentation regarding his previous permission to appear pro hac vice may 22 also warrant sanctions beyond the denial of his application. “By presenting to the court a 23 pleading, written motion, or other paper—whether by signing, filing, submitting, or later 24 advocating it—an attorney . . . certifies that . . . the factual contentions have evidentiary support 25” Fed. R. Civ. P. 11(b). “If, after notice and a reasonable opportunity to respond, the court 26 determines that Rule 11(b) has been violated, the court may impose an appropriate sanction on any 27 attorney, law firm, or party that violated the rule or is responsible for the violation.” Fed. R. Civ. 1 “A sanction imposed under this rule must be limited to what suffices to deter repetition of the 2 conduct or comparable conduct by others similarly situated,” and may “include nonmonetary 3 directives” or “an order to pay a penalty into court.” Fed. R. Civ. P. 11(c)(4). “The district court 4 has wide discretion in determining the appropriate sanction for a Rule 11 violation.” *Hudson v. 5 Moore Bus. Forms, Inc.*, 836 F.2d 1156, 1163 (9th Cir. 1987); see also Koji IP, 2025 WL 917110, 6

at *8. 7 Ramey’s assertion that he had “been granted pro hac vice admission by the Court 0 times 8 in the 12 months preceding this application,” ECF No. 13 at 1, does not appear to have had 9 evidentiary support. It is directly contradicted by this Court’s records, including but not limited to 10 Judge Kang’s recent sanctions order, which Ramey undoubtedly read and considered mere weeks 11 before filing his application in this case, and then attached to his second application that repeated 12 the same false statement. Judge Kang’s imposition of substantial monetary sanctions does not 13 appear to have been sufficient to deter Ramey from continuing to make false representations 14 related to pro hac vice applications in this District.³ Ramey is therefore personally ORDERED 15 TO SHOW CAUSE why the following sanctions should not issue under Rule 11, the Court’s 16 inherent authority, or any other applicable authority: (1) monetary sanctions in the amount of 17 \$1,000 payable to the Court; (2) referral to this Court’s Standing Committee on Professional 18 Responsibility to consider additional consequences, potentially including remedial education or 19 restrictions on Ramey’s ability to practice in this District; and (3) a requirement to provide a copy 20 of this Order (and any subsequent order imposing sanctions) to the same recipients and in the 21 same circumstances as required by Judge Kang’s sanctions order in Koji IP. Ramey shall file a 22 response to this Order no later than April 30, 2025. 23 24 3 The Court notes that Ramey made the same false statement in two other cases where he applied 25 for pro hac vice admission on April 14, 2025 (and filed subsequent versions of the same applications attaching Judge Kang’s orders on April 16, 2025), but this Order does not rely on 26 those false statements as the basis for sanctions in this case. See *CyboEnergy, Inc. v. N. Elec. Power Tech., Inc.*, No. 23-cv-06121-JST, ECF Nos. 45, 47 (N.D. Cal. Apr. 14 & 16, 2025); *Lime 27 Green Lighting, LLC v. Brilliant NextGen Inc.*, No. 25-cv-00950-VKD, ECF Nos. 8, 9 (N.D. Cal. 1 C. Declaration by Plaintiff 2 Ramey previously represented to Judge Kang that his and his colleagues’ “plan. . . going 3 forward [was] to work on California cases by ghostwriting pleadings, briefs, and infringement 4 || contentions, as well as lead settlement negotiations, all in the background without informing the 5 || judge (or their opponents) of the substantial work they are doing on those cases.” Koji IP, 2025 6 WL 917110, at *18. Accordingly, Plaintiff is ORDERED to file a declaration by Jennifer 7 Ishimoto by the same deadline, separate from Ramey’s response, indicating whether Ramey 8 authored any of the filings in this action prior to his application to appear pro hac vice. 9 IT IS SO ORDERED. 10 || Dated: April 16, 2025 ll am [rey

A J. CISIWEROS

ited States Magistrate Judge 15 16 17 Z 18 19 20 21 22 23 24 25 26 27 28