

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Twist It Up, Inc. v. Annie International, Inc.

No. SA CV 24-736-DMG (ADSx) (C.D. Cal. June 26, 2025) · No. SA CV 24-736-DMG (ADSx) · Decided June 26, 2025

SUMMARY

The Central District of California issued an order to show cause concerning allegedly nonexistent and improperly used legal citations in an opposition to a motion to strike deposition corrections. The court ordered attorney John D. Tran and any other responsible attorney to appear at a hearing and address potential monetary sanctions against Rhema Law Group PC and possible disciplinary referral under Federal Rule of Civil Procedure 11.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Dolly M. Gee
JURISDICTION	United States District Court for the Central District of California
DECIDED	June 26, 2025
DOCKET	SA CV 24-736-DMG (ADSx)
DISPOSITION	other
PROCEDURAL POSTURE	The court issued an order to show cause why sanctions should not be imposed on Rhema Law Group PC and responsible attorneys based on purportedly nonexistent, inaccurate, and irrelevant citations in Plaintiff's opposition to Defendant's motion to strike deposition corrections.
PRECEDENTIAL VALUE	Unpublished, nonprecedential district court order; precedential status unknown

TOPICS

- sanctions
- civil procedure
- discovery dispute
- summary judgment

PRACTICE AREAS

- Civil procedure
- Federal litigation
- Legal ethics and attorney discipline
- Sanctions

QUESTIONS PRESENTED

1. Whether citing nonexistent legal authority and citing authorities that do not support the propositions for which they are offered violate Federal Rule of Civil Procedure 11.
2. Whether the court could issue a sua sponte order to show cause concerning monetary sanctions against responsible attorneys and their law firm under Federal Rule of Civil Procedure 11.

HOLDINGS

1. Citing nonexistent legal authority and citing cases that do not support the propositions for which they are cited is improper under Federal Rule of Civil Procedure 11 and may provide grounds for sanctions after notice and a reasonable opportunity to respond.
2. The court may sua sponte impose monetary sanctions under Rule 11 when it first issues a show-cause order under Rule 11(c)(3) before voluntary dismissal or settlement of the claims made by or against the party to be sanctioned.

KEY QUOTATIONS

“Citation to nonexistent legal authority and to cases that do not include the proposition for which they are cited is improper under Federal Rule of Civil Procedure 11.” (at 2)

“The Court may sua sponte impose monetary sanctions if it issues a show cause order under Rule 11(c)(3) before voluntary dismissal or settlement of the claims made by or against the party that is, or whose attorneys are, to be sanctioned.” (at 2)

FACTUAL BACKGROUND

Twist It Up filed an opposition to Annie International's motion to strike deposition corrections. The opposition cited two purported cases that the court could not locate and cited a third case for a proposition unrelated to depositions or deposition corrections. The court stated that the filing appeared to contain portions generated with artificial intelligence and raised concerns that counsel had not independently verified the authorities before filing.

PROCEDURAL HISTORY

Annie International, Inc. moved to strike corrections made by Twist It Up, Inc.'s corporate representative to deposition testimony, asserting that the corrections improperly altered the testimony to create factual disputes and avoid summary judgment. Twist It Up opposed the motion. Upon reviewing the opposition, the court identified citations to nonexistent or materially unrelated authorities and ordered attorney John D. Tran and any other responsible attorney to appear at the upcoming summary-judgment hearing and show cause why monetary sanctions and a disciplinary referral should not issue.

DISPOSITION

other

CASES CITED

- Lewis v. CCPOA, 2009 WL 890585, at *4[1] (E.D. Cal. Mar. 31, 2009)
- James v. Claussen, 2022 WL 1120273, at *3 (C.D. Cal. Apr. 14, 2022)
- Hernandez v. Polanco Enters., Inc., 19 F. Supp. 3d 918, 931 (N.D. Cal. 2013)
- Lewis v. The CCPOA Benefit Tr. Fund, No. C-08-03228-VRW DMR, 2010 WL 3398521, at *2-*4 (N.D. Cal. Aug. 27, 2010)
- Yagman v. Republic Ins., 987 F.2d 622, 628 (9th Cir. 1993)
- Flowz Digital LLC v. Caroline Dalal, et al., CV 25-709-SB (PVCx) (C.D. Cal. May 30, 2025)
- Roadway Express, Inc. v. Piper, 447 U.S. 752, 766 (1980)

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