

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA**

THIRD DEGREE FILMS, INC.,

Plaintiff,

v.

CONSOLIDATED
CASE NO. 4:11cv570-RH/WCS

DOES 1-259,

Defendants.

_____ /

THIRD DEGREE FILMS, INC.,

Plaintiff,

v.

CASE NO. 4:11cv572-RH/WCS

DOES 1-375,

Defendants.

_____ /

DIGITAL SIN, INC.,

Plaintiff,

v.

CASE NO. 4:11cv583-RH/WCS

DOES 1-208,

Defendants.

_____ /

DIGITAL SIN, INC.,

Plaintiff,

v.

CASE NO. 4:11cv584-RH/WCS

DOES 1-145,

Defendants.

DIGITAL SIN, INC.,

Plaintiff,

v.

CASE NO. 4:11cv586-RH/WCS

DOES 1-167,

Defendants.

NEXT PHASE DISTRIBUTION, INC.,

Plaintiff,

v.

CASE NO. 4:12cv6-RH/WCS

DOES 1-126,

Defendants.

PATRICK COLLINS, INC.,

Plaintiff,

v.

CASE NO. 4:12cv7-RH/WCS

DOES 1-85,

Defendants.

_____ /

ZERO TOLERANCE ENTERTAINMENT, INC.,

Plaintiff,

v.

CASE NO. 4:12cv8-RH/WCS

DOES 1-52,

Defendants.

_____ /

MEDIA PRODUCTS, INC.,

Plaintiff,

v.

CASE NO. 4:12cv24-RH/WCS

DOES 1-34,

Defendants.

_____ /

SBO PICTURES, INC.,

Plaintiff,

v.

CASE NO. 4:12cv25/RH/WCS

DOES 1-92,

Defendants.

_____ /

SBO PICTURES, INC.,

Plaintiff,

v.

CASE NO. 4:12cv26-RH/WCS

DOES 1-97,

Defendants.

_____ /

METRO INTERACTIVE, LLC,

Plaintiff,

v.

CASE NO. 4:12cv43-RH/WCS

DOES 1-56,

Defendants.

_____ /

EVASIVE ANGLES ENTERTAINMENT,

Plaintiff,

v.

CASE NO. 1:11cv241-RH/GRJ

DOES 1-97,

Defendants.

_____ /

ELEGANT ANGEL, INC.,

Plaintiff,

v.

CASE NO. 1:11cv243-RH/GRJ

DOES 1-87,

Defendants.

_____ /

ELEGANT ANGEL, INC.,

Plaintiff,

v.

CASE NO.: 1:11cv245-RH/GRJ

DOES 1-115,

Defendants.

_____ /

ELEGANT ANGEL, INC.,

Plaintiff,

v.

CASE NO. 1:11cv246-RH/GRJ

DOES 1-85,

Defendants.

ELEGANT ANGEL, INC.,

Plaintiff,

v.

CASE NO. 1:11cv247-RH/GRJ

DOES 1-77,

Defendants.

MEDIA PRODUCTS, INC.,

Plaintiff,

v.

CASE NO. 1:11cv248-RH/GRJ

DOES 1-175,

Defendants.

DIGITAL SIN, INC.,

Plaintiff,

v.

CASE NO. 1:11cv280-RH/GRJ

DOES 1-150,

Defendants.

DIGITAL SIN, INC.,

Plaintiff,

v.

CASE NO. 1:11cv281-RH/GRJ

DOES 1-131,

Defendants.

EXQUISITE MULTIMEDIA, INC.,

Plaintiff,

v.

CASE NO. 1:12cv2-RH/GRJ

DOES 1-178,

Defendants.

MEDIA PRODUCTS, INC.,

Plaintiff,

v.

CASE NO. 1:12cv3-RH/GRJ

DOES 1-43,

Defendants.

_____ /

NEXT PHASE DISTRIBUTION, INC.,

Plaintiff,

v.

CASE NO. 1:12cv4-RH/GRJ

DOES 1-93,

Defendants.

_____ /

PATRICK COLLINS, INC.,

Plaintiff,

v.

CASE NO. 1:12cv18-RH/GRJ

DOES 1-159,

Defendants.

_____ /

THIRD DEGREE FILMS, INC.,

Plaintiff,

v.

CASE NO. 1:12cv19-RH/GRJ

DOES 1-195,

Defendants.

_____ /

MEDIA PRODUCTS, INC.,

Plaintiff,

v.

CASE NO. 1:12cv20-RH/GRJ

DOES 1-168,

Defendants.

_____ /

SBO PICTURES, INC.,

Plaintiff,

v.

CASE NO. 1:12cv21-RH/GRJ

DOES 1-98,

Defendants.

_____ /

**ORDER CONSOLIDATING THE CASES FOR CASE-
MANAGEMENT PURPOSES ONLY, REQUIRING THE
PLAINTIFFS' ATTORNEY TO SHOW CAUSE WHY
THE CASES SHOULD NOT BE DISMISSED,
AND STAYING ALL OTHER PROCEEDINGS**

These 27 cases involve related issues. This order consolidates the cases for case-management purposes only. The order stays the cases pending a ruling on the plaintiffs' attorney's authority to practice law in Florida. The issue came to the court's attention through a notice filed by three defendants in one of the cases. A copy of the notice is attached to this order.

This court's rules allow an attorney to become a member of the court's bar without being a member of the Florida Bar, so long as the attorney is a member in good standing of the bar of another state. The rule is intended to allow membership in our bar by an out-of-state attorney who is a member of the bar in the attorney's home state. An attorney who resides in Florida but who is not a member of the Florida Bar cannot properly appear in this court. This has been this court's consistent interpretation of the local rule, and it also is a corollary of the Florida state-law prohibition on the unauthorized practice of law in the state.

The notice alleges that the plaintiffs' attorney is proceeding in violation of these requirements. This order sets out a procedure for proper resolution of this issue.

IT IS ORDERED:

1. These cases are consolidated for case-management purposes only and will be maintained on a common docket under Consolidated Case No. 4:11cv570.

2. A paper—other than a complaint (or counterclaim or third-party complaint), answer, judgment, notice of appeal, or motion to amend or amended version of any of them—that is applicable to any case must be filed in the common docket and must not be filed separately in any other case. A paper—other than a complaint (or counterclaim or third-party complaint), answer, judgment, notice of appeal, or amended version of any of them—that is filed in the common docket will be deemed filed in every case.

3. Any of these must be filed only in the individual case to which it applies: a complaint, counterclaim, third-party complaint, answer, judgment, notice of appeal, or motion to amend or amended version of any of them.

4. All proceedings and all deadlines that have not passed are stayed pending a determination of whether these cases should be dismissed—or other appropriate action taken—based on the notice suggesting that the plaintiffs' attorney Terik Hashmi resides but is not licensed to practice law in Florida.

5. Mr. Hashmi must show cause by March 9, 2012, why these cases should not be dismissed on the ground that he has no authority to practice law in Florida or in this court.

6. Until this issue is resolved by a further order of this court, Mr. Hashmi must not attempt to settle any of these cases, must not accept any payment in settlement of any of these cases, and must not take any other action in any of these cases. This paragraph of this order binds Mr. Hashmi and his officers, agents, servants, employees, and attorneys—and others in active concert or participation with any of them—who receive actual notice of this order by personal service or otherwise. This order does not, however, prevent Mr. Hashmi from attempting to arrange representation of a plaintiff by another attorney, so long as Mr. Hashmi does not demand or accept an unlawful fee for doing so.

SO ORDERED on February 16, 2012.

s/Robert L. Hinkle
United States District Judge

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA

THIRD DEGREE FILMS, INC., a
foreign corporation,

CASE NO. 4:11-cv-00570

Plaintiff,

v.

JOHN DOES 1-259,

Defendants.

**NOTICE REGARDING UNAUTHORIZED PRACTICE OF LAW AND/OR MOTION
TO STRIKE PLEADINGS AND DISMISS SUIT**

The undersigned counsel, as officers of the Court and as counsel to John Does 88, 103, and 126 in this suit, file this notice to bring to the Court's attention certain facts regarding Plaintiff's counsel that impact these proceedings and asks that the Court provide whatever relief that the Court finds appropriate given the circumstances. Specifically, the undersigned firm has become aware that Plaintiff's counsel in this suit, Terik Hashmi, is not licensed to practice law in the State of Florida, and is in fact subject to, and in violation of, a "Cease and Desist Affidavit" (the "Affidavit"), attached hereto as **Exhibit A**.¹

Oposing counsel has represented that he is admitted to file documents in the Northern District of Florida, and indeed the rules governing this District allow filers to obtain CM/ECF passwords in order to make filings within the district. However, membership in the Florida Bar remains mandatory for any attorney who actually practices in this State on an ongoing basis. See Rule 10-2.1(a) of the Rules Regulating the Florida Bar; Rule 4-5.5(a) and (b) of the Rules

¹ While the spelling of Mr. Hashmi's first name has apparently changed since the execution of the Affidavit, a comparison Mr. Hashmi's signature included on the Affidavit and that included on the subpoenas issued in this suit incontrovertibly shows that Mr. Hashmi is indeed the same individual that executed the Affidavit. See an example of the subpoenas, attached as **Exhibit B** hereto.

Regulating the Florida Bar; *The Florida Bar v. Catarcio*, 709 So. 2d 96, 99-101 (Fla. 1998); *Morrison v. West*, 30 So. 3d 561, 565-566 (Fla. 4th DCA 2010); *The Florida Bar v. We the People Forms and Service Center of Sarasota, Inc.*, 880 So. 2d 1280, 1283-1284 (Fla. 2004); *see also* Fla. Stat. § 454.23 (making it a Third Degree Felony to practice law without a license in Florida). Opposing counsel has located his only listed office within this State (in Miami Beach) and, upon information and belief, has carried out all activities related to this suit – including all of the filings in this case and contacting and demanding settlement from certain potential defendants – from offices within this State. The undersigned has conducted internet research regarding Mr. Hashmi and has not been able to locate any other locations from which Mr. Hashmi claims to practice law.

Further, an investigator with the Florida Bar has informed the undersigned firm that opposing counsel executed the Affidavit, in which opposing counsel specifically swore not to practice law within the State of Florida. The Florida Bar investigator represented to the undersigned that opposing counsel is still subject to the terms of this affidavit and is apparently in violation of those terms. The undersigned counsel checked the Florida Bar's attorney listing, and Mr. Hashmi is not listed as a member. Additionally, the Florida Bar investigator informed the undersigned that opposing counsel is now under an additional Florida Bar inquiry related to his activities within Florida.

Pursuant to the terms of the Affidavit, dated August 5, 2010, Mr. Hashmi swore not to: (1) provide any legal advice in Florida (other than in limited immigration matters); (2) hold himself out as being an attorney and/or able to render legal advice or services; (3) render legal advice or legal services or otherwise engage in the practice of law; (4) represent to the public that "he or any person he either employs or who act in concert with him are capable of advising and handling matters requiring legal skills" (emphasis added); (5) advertise in any manner in Florida

that legal services can be provided; or (6) collect fees for legal services. Exh. A at ¶3-4. Upon information and belief, through the prosecution of this suit and numerous others like it, Mr. Hashmi is violating multiple provisions of the Affidavit. Indeed, Mr. Hashmi, in addition to executing all of the filings for his client related to this suit, executed the verification in the Complaint swearing that he personally conducted the legal investigations surrounding these allegations.

The undersigned weighed heavily the burden of disclosing the allegations contained herein and determined to file this notice only after consultation with the Florida Bar's Attorney Ethics Hotline, the investigator for the Florida Bar, and other members of the Bar in good standing. After receiving all of the information included above, the undersigned, as officers of the court, determined that this issue must be brought to the Court's attention so that the Court can fashion the remedy that it deems just and proper. *See Chambers v. NASCO, Inc.*, 111 S.Ct. 2123, 2132 (1991); *Byrne v. Nezhat*, 261 F.3d 1075, 1106 (11th Cir. 2001); *Scelta v. Delicatessen Support Services, Inc.*, 146 F. Supp.2d 1255, 1271 (M.D. Fla. 2001).

WHEREFORE, the undersigned firm requests that this Court take whatever actions it deems appropriate under the circumstances, including, but not limited to striking the Plaintiffs' pleadings and dismissing this suit.

Respectfully submitted,

LALCHANDANI SIMON PL

By: /s/ Daniel J. Simon
Danny Simon
Florida Bar No.: 0016244
danny@lslawpl.com
Kubs Lalchandani
Florida Bar No.: 0063966
kubs@lslawpl.com
990 Biscayne Blvd., Office 503

Miami, Florida 33132
Tel: (305) 999-5291
Fax: (305) 671-9282
Attorneys for John Does 88, 103, and 126

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing document was served on all of those parties receiving electronic notification via the Court's CM/ECF electronic filing as of February 13, 2012.

By: /s/ Daniel J. Simon
Danny Simon, Esq.

CEASE AND DESIST AFFIDAVIT

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

BEFORE ME, the undersigned authority, duly authorized to administer oaths, personally appeared, TERYK HASHMI, who after first being duly sworn, upon oath, deposes and says as follows:

1. I am not a member of The Florida Bar and am not licensed to practice law in the State of Florida.
2. I understand that it constitutes a contempt of the Supreme Court of Florida as well as a third degree felony under the Florida Statutes, for an unlicensed individual to engage in the practice of law and/or hold himself out as authorized to so practice, in Florida.
3. I further understand that an attorney licensed in a state other than Florida cannot forward letters to third parties, appearing to be from an attorney, cannot provide legal advice, or otherwise practice law in Florida unless the matter concerns an immigration matter which I am authorized to handle based on my membership in the Bar of the State of Ohio.
4. I further understand that it constitutes the unlicensed practice of law for an unlicensed individual/business entity in the State of Florida to:
 - (a) hold himself out as being an attorney and/or able to render legal advice or services;
 - (b) render legal advice or legal services or otherwise engage in the practice of law;
 - (c) offer legal services to others;
 - (d) represent to the public, either personally or by use of advertisement, that he or any persons he either employs or who act in concert with him are capable of advising and handling matters requiring legal skills.
 - (e) advertise in any manner in Florida that legal services can be provided.
 - (f) collect fees for legal services.
5. I further understand that any letterhead used by me as an attorney in my immigration practice must state, "Not Admitted in Florida" or "Member of Ohio Bar Only, or Practice Limited to Immigration Matters."
6. I certify that I have read and will abide by the following decisions of the Supreme Court of Florida: The Florida Bar v. Snapp, 472 So. 2d 459 (Fla. 1985), The Florida Bar v. Kaiser, 397 So. 2d 1132 (Fla. 1981), The Florida Bar v. York, 689 So. 2d 1037 (Fla. 1996).
7. I further agree that I will not engage henceforth in any of the aforementioned

activities which constitute the unlicensed practice of law unless and until I am admitted to practice in this state by the Supreme Court of Florida.

FURTHER AFFIANT SAYETH NAUGHT.

Teryk Hashmi
TERYK HASHMI

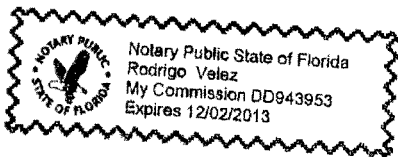
The foregoing instrument was acknowledged before me this 5th day of August, 2010, by TERYK HASHMI, who is personally known to me or who has produced Florida Driver License No. H250-800-67-467-0 as identification and who did take an oath.

Rodrigo Velez
NOTARY PUBLIC (Signature)

Rodrigo Velez
Name of Notary Public
(Type, Print or Stamp)

Notary Public, State of Florida
Commission No. DD943953

My Commission Expires:



AO 88B (Rev. 06/09) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT
for the
Northern District of Georgia

Third Degree Films, Inc.
Plaintiff
v.
DOES 1-259
Defendant
Civil Action No. 11-CV-00570
(If the action is pending in another district, state where:
Northern District of Florida)

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: Custodian of Records, COX COMMUNICATIONS (hereinafter "ISP")
1400 Lake Hearn Drive, Atlanta, GA 30319-1464

Production: YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material:

Documents sufficient to identify the names, addresses, telephone numbers, and email addresses of ISP's subscribers assigned the IP addresses identified on Attachment A on the corresponding dates at the corresponding times. You are to comply with this subpoena pursuant to the terms set forth in the Order attached hereto as Attachment B.

Place: Transnational Law Group, LLC c/o BRS
3700 Mansell Road, Suite 220
Atlanta, GA 30022
Date and Time: December 29, 2011 at 9:00 a.m.

Inspection of Premises: YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:
Date and Time:

The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: November 29, 2011

CLERK OF COURT

OR

[Handwritten signature]

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing (name of party)

Third Degree Films, Inc., who issues or requests this subpoena, are: Terik Hashmi, Transnational Law Group, LLC, 429 Lenox Avenue, Suite 5C13, Miami Beach, FL 33139, Email: terik.hashmi.esq@transnationallawgroup.com, Telephone: 888-731-8955

Patty Wilson

From: flnd_flncmecf@flnd.uscourts.gov
Sent: Friday, February 17, 2012 10:37 AM
To: flnd_clerk@flnd.uscourts.gov
Subject: Activity in Case 4:11-cv-00583-RH-WCS DIGITAL SIN INC v. DOES 1-208 Order Staying Case

This is an automatic e-mail message generated by the CM/ECF system. Please **DO NOT RESPOND** to this e-mail because the mail box is unattended.

*****NOTE TO PUBLIC ACCESS USERS***** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

U.S. District Court

Northern District of Florida

Notice of Electronic Filing

The following transaction was entered on 2/17/2012 at 9:36 AM CST and filed on 2/16/2012

Case Name: DIGITAL SIN INC v. DOES 1-208

Case Number: 4:11-cv-00583-RH-WCS

Filer:

Document Number: 49

Docket Text:

ORDER CONSOLIDATING THE CASES FOR CASE-MANAGEMENT PURPOSES ONLY, REQUIRING THE PLAINTIFFS' ATTORNEY TO SHOW CAUSE WHY THE CASES SHOULD NOT BE DISMISSED, AND STAYING ALL OTHER PROCEEDINGS. These cases are consolidated for case-management purposes only and will be maintained on a common docket under Consolidated Case No. 4:11cv570. (Show Cause Response by Mr. Hashmi due by 3/9/2012. in 4:11cv570-RH/WCS only). Signed by JUDGE ROBERT L HINKLE on 2/16/12. (Attachments: # (1) Attachment) (pll)

4:11-cv-00583-RH-WCS Notice has been electronically mailed to:

JEROME WAYNE HOFFMAN jerome.hoffman@hkllaw.com, connie.boatright@hkllaw.com

ROBERT BRUCE GEORGE rgeorge@lilesdav.com, pwilson@lilesdav.com

DAVID PETER REINER, II dpr@reinerslaw.com

TODD CLIFFORD BRISTER tbrister@knology.net

TERIK HASHMI terik.hashmi.esq@transnationallawgroup.com, terik.hashmi@internationallawgroup.com

DANIEL JORDAN SIMON danny@lslawpl.com

STACEY LYNN TURMEL s.turmel@maxeyiplaw.com, lpg@maxeyiplaw.com

4:11-cv-00583-RH-WCS Notice will be mailed via USPS and will NOT be electronically mailed to:

ANTHONY PARARA
1572 BISCAYNE BAY DR
JACKSONVILLE, FL 32218

LORRELL BENOIT
8060 COLOMY CIR N #205
TAMARAC, FL 33321

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1047052653 [Date=2/17/2012] [FileNumber=3328501-0]
][2c0d9a69b6adbb6c0526f67cef93b2428abad5d06a3ac856a594b0c24361cb1eb0a
7afaf6d758e5866cc84664e6a040983e1846b92e0cf2f56d6420702528b22]]

Document description: Attachment

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1047052653 [Date=2/17/2012] [FileNumber=3328501-1]
][3cb24374cf3b4c44937c58c24f7eb50153f64b97aa1085b615bbfee03154a4b9909
d863051d60b64866b2206871785ae9a1706a32b4c1636f1d051d002a6450e]]