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5 Attorney for Defendant JONATHAN HUNEALT
6 A/K/A “FRAUDITOR TROLL” (14693663 CANADA INC.)

7 **UNITED STATES DISTRICT COURT**
8 **NORTHERN DISTRICT OF CALIFORNIA**
9 **SAN FRANCISCO DIVISION**

10
11 CHRISTOPHER J CORDOVA

12
13 Plaintiff,

14 vs.

15 JONATHAN HUNEALT A/K/A
16 “FRAUDITOR TROLL”, and
14693663 CANADA INC. NNEKA
OHIRI

17
18 Defendants.

No. 5:25-cv-04685-VKD

Honorable Judge: Virginia K.
DeMarchi

**DEFENDANTS’ NOTICE OF
MOTION AND MOTION TO
DISMISS PLAINTIFF’S
COMPLAINT UNDER FEDERAL
RULE OF CIVIL PROCEDURE
12(b)(6).**

HEARING

Date: December 30, 2025
Time: 10:00
Place: 280 South 1st Street,
Courtroom: 2 (5th Floor), San Jose, CA
95113.

*[Filed concurrently with proposed
order, and declaration of Jonathan
Huneault]*

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24
25 **NOTICE OF MOTION TO DISMISS PLAINTIFF’S COMPLAINT UNDER**

26 **FEDERAL RULE OF CIVIL PROCEDURE 12(b)(6)**

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2
3 PLEASE TAKE NOTICE that on December 30, 2025, at 10:00 a.m., or as soon
4 thereafter as the matter may be heard, in Courtroom 2 (5th Floor) of the United
5 States District Court for the Northern District of California, located at 280 South 1st
6 Street, San Jose, California 95113, Defendants Jonathan Huneault, also known as
7 “Frauditor Troll,” and 14693663 CANADA INC. will and hereby do move this
8 Court for an order dismissing the three causes of action filed by Plaintiff
9 Christopher J. Cordova in their First Amended Complaint (“FAC”) pursuant to
10 Federal Rule of Civil Procedure 12(b)(6).
11
12

13 This motion is made on the grounds that the Complaint fails to state a claim
14 upon which relief can be granted as to three causes of action, (a) causes of action for
15 bad faith counternotice (17 U.S.C. 512(f)); (b) for alleged illegal circumvention of
16 technological control measures (17 USC 1201 et seq.), and for (c) Declaratory
17 Relief 917 U.S.C 512(g) and 28 U.,S.C. 2201);
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20 Defendants parody of Plaintiff’s work is protected as fair use, and even if not,
21 it would be such a *close call* making “bad faith” not plausible or realistic.
22 Moreover, the third cause of action for “declaratory relief” is duplicative of
23 Plaintiff’s causes or action, including their copyright infringement action. This is
24 being alleged for the sole purposes of trying to recover attorney fees for copyright
25 infringement, which is not currently available due to the timing of the copyright
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1 registration, and the circumvention claim (the fourth cause of action), lacks a factual
2 basis, and is in fact false, and Plaintiff lacks standing to bring this claim on behalf of
3 YouTube who would be the only party with standing to pursue such a claim, in in
4 fact it were true, which it is not.
5

6 Defendant therefore seeks dismissal of the second, third, and fourth causes of
7 action (with prejudice since amendment would be futile).
8

9 This motion is based upon this Notice of Motion and Motion, the
10 accompanying Memorandum of Points and Authorities, the Declaration of Jonathan
11 Huneault and attached exhibits, the pleadings and papers on file in this action, and
12 such further argument and evidence as may be presented at the hearing.
13

14 Pursuant to Civil Local Rule 7-3, Defendant's stipulated to this filing.
15

16 Respectfully Submitted

17 DATED this 15th day of December 2025

18 **THE LAW OFFICES OF STEVEN**
19 **VONDRAN, P.C.**

20
21 By /s/ SteveVondran
22 Steven C. Vondran, Esq.
23 Attorney for Defendants
24 620 Newport Center Drive, Suite 1100
25 Newport Beach, California 92660
26 steve@vondranlegal.com
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PROOF OF SERVICE

I declare as follows:

I am employed with The Law Offices of Steven C. Vondran P.C., whose address is *620 Newport Center Drive, Suite 1100, Newport Beach, CA 92660*. I am over the age of eighteen years and am not a party to this action.

On December 15, 2025, I served the foregoing document described as follows:

NOTICE OF MOTION AND MOTION TO DISMISS PLAINTIFF’S COMPLAINT UNDER FEDERAL RULE OF CIVIL PROCEDURE 12(B)(6). PROPOSED ORDER. DECLARATION OF DEFENDANT.

on the interested parties in this action by:

U.S. MAIL: I placed a copy in a separate envelope, with postage fully prepaid, for each address named below or on the attached service list for collection and mailing on the below indicated day following the ordinary business practices at The Law Offices of Steven C. Vondran. I certify I am familiar with the ordinary business practices of my place of employment with regard to collection for mailing with the United States Postal Service. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit or mailing affidavit.

OVERNIGHT MAIL: I sent a copy of the attached document via overnight mail to the address set forth below.

HAND DELIVERY: I placed a copy in a separate envelope addressed to each addressee as indicated below and delivered it to _____ for personal service.

FACSIMILE: I sent a copy via facsimile transmission to the fax number(s) indicated below. The facsimile machine I used complied with California Rules of Court, Rule 2003 and no error was reported by the machine. Pursuant to California Rules of Court, Rule 2006(d), I caused the machine to print a transmission record of the transmission, a copy of which is attached to this declaration.

EMAIL: I sent a copy of the above referenced document by email to the following:

1 **SERVICE LIST**

2 RANDALL S. NEWMAN (SBN 190547)
3 Attorney at Law
4 99 Wall St., Suite 3727
5 New York, NY 10005
6 212.797.3735
7 rsn@randallnewman.net

8 xx **ELECTRONIC FILING:** I filed the above-described document(s) electronically through
9 the Court’s ECF filing system to all registered users.

10 I declare under penalty of perjury under the laws of the State of California that the above is
11 true and correct. Executed on December 15, 2025, Flagstaff, Arizona

12 /s/ Lisa Vondran
13 Lisa Vondran, legal assistant

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