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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

EXECUTIVE LENS LLC,

Plaintiff,

vs.

ROBERT ALAN REED and JOHN DOE  
dba "Frauditor Roundup"  
www.youtube.com@FrauditorRoundup,

Defendants.

Case No. 25-cv-07150-SVK

**JOINT CASE MANAGEMENT  
STATEMENT & [PROPOSED]  
ORDER**

**Date: December 9, 2025**

**Time: 9:30 a.m.**

**Place: Videoconference**

**Judge: Hon. Susan van Keulen**

1 Pursuant to the Standing Order for All Judges of the Northern District of California,  
2 this Court’s August 26, 2025 (ECF No. 4) Order, Federal Rule of Civil Procedure 16 and  
3 Civil L.R. 16-9, the parties to the above-entitled action jointly submit this Joint Case  
4 Management Statement & Proposed Order.

5 **I. JURISDICTION & SERVICE**

6 The parties agree that this Court has subject-matter jurisdiction under 28 U.S.C. §§  
7 1331 and 1338(a) because the action arises under the Copyright Act, 17 U.S.C. § 101 et  
8 seq., and the Digital Millennium Copyright Act (“DMCA”), 17 U.S.C. § 512.

9 The parties further agree that venue is proper in this District pursuant to 28 U.S.C.  
10 §§ 1391(b) and 1400(a), as a substantial portion of the events giving rise to the claims  
11 occurred here and the relevant conduct was directed toward this District through the use of  
12 YouTube’s U.S.-based servers and DMCA processes.

13 Defendant has consented to personal jurisdiction in this District by filing an Answer  
14 (ECF No. 10) without first filing a Rule 12(b)(2) motion. Under Fed. R. Civ. P. 12(h)(1),  
15 any objection to personal jurisdiction has therefore been waived. In any event, Defendant  
16 purposefully directed his conduct toward this District by submitting counter-notifications  
17 to YouTube, a company headquartered in San Bruno, California, with knowledge that the  
18 DMCA dispute would be processed and acted upon here.

19 **II. FACTS**

20 **A. Plaintiff’s Statement of Facts**

21 Plaintiff Executive Lens LLC is the owner, by written assignment, of the exclusive  
22 rights in and to the videos originally created and published by Christopher J. Cordova on  
23 the YouTube channel “Denver Metro Audits” (@DenverMetroAudits). On or about July  
24 13, 2025, Cordova submitted two DMCA takedown notices to YouTube pursuant to 17  
25 U.S.C. § 512(c), identifying videos uploaded by the channel known as “Frauditor Roundup”  
26 that incorporated extensive portions of Plaintiff’s copyrighted works. Following removal  
27 of those infringing videos, Cordova executed a written assignment transferring all rights,  
28 title, and interest in the works, including enforcement rights, to Executive Lens. On or

1 about August 13, 2025, Defendant Robert Alan Reed, a personal-injury attorney with no  
2 known background in copyright law, submitted two counter-notifications under 17 U.S.C.  
3 § 512(g)(3) on behalf of the operator of the Frauditor Roundup channel, seeking to have  
4 the removed videos reinstated. The counter-notices concerned (1) *Episode 10 Failed*  
5 *constitutional activist DMA now failing at journalism* and (2) *Episode 98 DMA ignorance*  
6 *shuts down Public Defenders Office!* (collectively, the “Infringing Videos”). In each  
7 counter-notice, Reed claimed under penalty of perjury that “the entirety of the content is  
8 de facto fair use,” that “Frauditor Roundup is the owner and creator of the content  
9 uploaded,” and that “the clips used were provided for educational purposes and for  
10 commentary and criticism.” Those representations were legally baseless and factually  
11 false: each video contained lengthy, uninterrupted segments of Plaintiff’s footage, eight  
12 minutes and forty-one seconds in one, and twenty-two minutes and fifty seconds in the  
13 other, with little or no commentary or transformation.

14 Attorney Reed’s sworn counter-notices employed identical boilerplate language he  
15 has used in other cases, including *Liberty Troll LLC v. Reed*, 25-cv-06878-SVK (N.D. Cal.),  
16 to reinstate infringing material on “reaction” or “anti-auditor” channels without conducting  
17 any individualized analysis of the statutory fair-use factors. Such automated, conclusory  
18 filings demonstrate a reckless disregard for the truth of the representations required under  
19 17 U.S.C. § 512(g) and exemplify misuse of the DMCA counter-notice process to  
20 manipulate YouTube’s copyright-enforcement system.

21 Although Reed has identified a purported name for the operator of the Frauditor  
22 Roundup channel, Plaintiff has been unable to verify that information. Based on publicly  
23 available YouTube comments and community posts, Plaintiff has reason to believe that  
24 Reed may not know the true identity of the channel owner. Accordingly, the true operator  
25 remains unidentified and is sued herein as John Doe d/b/a Frauditor Roundup.

26 Through this action, Plaintiff seeks to hold Reed and the John Doe defendant  
27 accountable for knowingly and materially misrepresenting the legal basis for the Counter-  
28

1 Notice and to obtain a declaration that the Roundup videos infringe Executive Lens'  
2 copyrighted works.

3 **B. Defendants' Statement of Facts**

4 Defendant Robert Alan Reed was retained by YouTube user "Frauditor Roundup"  
5 (Ruben Martinez, address and phone number provided to Plaintiff in September, 2025, and  
6 included in the proof of service on Reed's answer to Plaintiff's complaint) for the sole  
7 purpose of serving as agent for service of process. Reed was not retained – in any capacity  
8 – as an attorney.

9 Reed provided a service for YouTube channels that had notoriously been the victim  
10 of false DMCA claims filed against them. These false claims would generally be made to  
11 get personal information, having no intention to pursue justice, but instead seeking to  
12 harass, harm, and most importantly, squelch YouTube user's fair use rights to criticize  
13 and/or mock other material uploaded publicly to the platform. Defendant Reed is a  
14 "YouTuber" and has experienced this first hand, which led him to provide the service to  
15 other "YouTubers" for a nominal fee.

16 The substantial majority of those who retained Reed as agent for service of process  
17 would file their counter on their own, using Reed's law office address. In the instant case,  
18 Reed was asked to submit the claims on Defendant "Frauditor Roundup's" behalf. Reed's  
19 submissions were rejected by YouTube. YouTube did eventually accept the counter claims  
20 when filed directly by Defendant "Frauditor Roundup," himself.

21 When retaining Reed as "agent for service" of process, "Frauditor Roundup"  
22 provided his personal information (to be provided to any DMCA filer who, in fact, did file  
23 a copyright lawsuit as it was in this case), agreed to all of the requirements of 17 U.S.C. §  
24 512(g)(3), and agreed that he had reviewed the fair use requirements and was of his own  
25 "good faith" belief that his use of the material at issue was compliant with the elements of  
26 fair use. In reliance of these assertions, made under penalty of perjury by "Frauditor  
27 Roundup" on Defendant Reed's platform, Defendant Reed had the good faith belief that  
28 the assertions were true.

1 Defendant Reed contends that the representations made by him as asserted in the  
2 DMCA counter were in “good faith,” and because YouTube rejected the submissions made  
3 directly by Defendant Reed, the assertions were not material to YouTube’s decision to  
4 reinstate the videos at issue. Reed had no personal relationship with Defendant “Frauditor  
5 Roundup,” nor did he have any involvement in the creation of the videos at issue.

6 Lastly, of note, Reed has closed his law practice, including the service provided to  
7 “YouTubers” at issue in this case. Reed further contends that any issues of declaratory  
8 relief for the use of such a service to protect a YouTuber’s identity would best be  
9 addressed in a lawsuit against Google.

10 **III. LEGAL ISSUES**

- 11 1. Whether the Frauditor Roundup channel’s use of Plaintiff’s copyrighted video  
12 content constitutes fair use under 17 U.S.C. § 107.
- 13 2. Whether Defendants’ DMCA counter-notifications contained material  
14 misrepresentations in violation of 17 U.S.C. § 512(f).
- 15 3. Whether Reed’s operation of a counter-mill was a violation of 17 U.S.C. §§ 512(f)  
16 and (g).
- 17 4. Whether Plaintiff is entitled to damages, injunctive relief, or attorneys’ fees under  
18 the Copyright Act or the DMCA.
- 19 5. Whether Google (as proprietor of YouTube) is the appropriate party for Plaintiff’s  
20 seeking of declaratory and/or injunctive relief under the Code.

21 **IV. MOTIONS**

22 No motions are currently pending.

23 **V. AMENDMENT OF PLEADINGS**

24 Plaintiff intends to amend the complaint to add the operator of the Frauditor  
25 Roundup YouTube channel as a defendant after third-party discovery on Google LLC.  
26 Plaintiff reserves the right to seek leave to amend after discovery reveals the scope of  
27 Reed’s counter-notice mill.

1 **VI. EVIDENCE PRESERVATION**

2 The parties certify that they have reviewed the ESI Guidelines, and confirm that they  
3 have met and conferred pursuant to Fed. R. Civ. P. 26(f) regarding reasonable and  
4 proportionate steps taken to preserve evidence relevant to the issues reasonably evident in  
5 this action.

6 The parties do not anticipate any issues concerning evidence preservation at this time  
7 but will promptly raise any disputes with the Court if they arise.

8 **VII. DISCLOSURES**

9 Plaintiff and Defendants will have served their Rule 26(a) Initial Disclosures as of  
10 the date of this Joint Case Management Statement, December 2, 2025.

11 **VIII. DISCOVERY**

12 No discovery has been conducted to date. The parties have discussed the scope of  
13 anticipated discovery and agree that discovery should proceed in accordance with the  
14 Federal Rules of Civil Procedure and this Court's local rules.

15 Given the limited volume of electronically stored information (ESI) anticipated, the  
16 parties do not presently expect to require e-discovery vendors, formal search protocols, or  
17 specialized review platforms. The parties will cooperate in good faith to exchange relevant  
18 materials in native or reasonably usable format and will meet and confer regarding a  
19 stipulated E-Discovery Order if the need arises.

20 No discovery disputes have been identified at this time.

21 **IX. CLASS ACTION**

22 This is not a class action.

23 **X. RELATED CASES**

24 There are no related cases.

25 **XI. RELIEF**

26 **A. Plaintiff's Position**

27 Plaintiff seeks relief under 17 U.S.C. § 512(f) for Defendants' knowing and material  
28 misrepresentations in DMCA counter-notifications submitted to YouTube on or about

1 August 13, 2025. Specifically, Plaintiff requests (1) actual damages caused by the  
2 misrepresentations, including expenses and attorney’s fees incurred to prevent  
3 reinstatement of infringing videos; and (2) a declaratory judgment under 28 U.S.C. § 2201  
4 confirming that Defendant’s use of Plaintiff’s copyrighted works does not constitute fair  
5 use under 17 U.S.C. § 107; and (3) injunctive relief restraining Defendant from further use,  
6 publication, or republication of Plaintiff’s copyrighted videos at issue.

7 **B. Defendants’ Position:**

8 Defendant Reed prays for judgment, as follows: (1) that Plaintiff’s complaint be  
9 dismissed in its entirety; (2) that Defendant Ruben Martinez aka “Frauditor Roundup’s”  
10 use of Plaintiff’s YouTube videos constituted fair use and that any alleged  
11 “misrepresentations” asserted in the counter DMCA filings were, in fact, not  
12 misrepresentations at all, but were true and correct; (3) that Reed’s assertions made in the  
13 counter DMCA filings were in good faith and, in fact, were not material in YouTube’s  
14 decision to reinstate the video at issue; and, (4) that Plaintiff suffered no damages and/or  
15 failed to mitigate damages as a result of the video reinstatement.

16 **WXII. SETTLEMENT AND ADR**

17 Pursuant to ADR Local Rule 3-5, the parties have reviewed the ADR Handbook,  
18 discussed it with their counsel, and come to the following conclusions: the parties are open  
19 to early mediation. Defendant Reed specifically requests an Early Neutral Evaluation.

20 **XIII. CONSENT TO MAGISTRATE JUDGE FOR ALL PURPOSES**

21 The parties consented to the Magistrate Judge for all purposes

22 **XIV. OTHER REFERENCES**

23 The parties do not believe that this case is suitable for reference to binding  
24 arbitration, special master, or the Judicial Panel on Multidistrict Litigation.

25 **XV. NARROWING OF ISSUES**

26 The parties do not believe that it is possible to narrow the issues at this time. Potential  
27 narrowing after discovery on ownership and counter-notice authenticity.

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1 **XVI. EXPEDITED TRIAL PROCEDURE**

2 The parties do not believe that his case is appropriate to be handled under the  
3 Expedited Trial Procedure of General Order 64.

4 **XVII. SCHEDULING**

5 <b>Event</b>	<b>Proposed Deadline</b>
6 Completion of Fact Discovery	July 31, 2026
7 Expert Disclosures	August 31, 2026
8 Completion of Expert Discovery	September 30, 2026
9 Deadline for Dispositive Motions	October 31, 2026
10 Pretrial Conference	February 2027
11 Bench Trial (Estimated 1 day)	March 2027

12 **XVIII. TRIAL**

13 The parties consent to a bench trial (estimated 1 day).

14 **XIX. DISCLOSURE OF NON-PARTY INTERESTED ENTITIES OR**  
15 **PERSONS**

16 Plaintiff has filed the required certification; no non-party interested entities other  
17 than Google LLC (YouTube) may be implicated.

18 **XX. PROFESSIONAL CONDUCT**

19 Counsel have reviewed the Guidelines for Professional Conduct and will comply.

20 **XXI. OTHER**

21 By signing this Joint Case Management Statement and [Proposed] Order, the counsel  
22 for each party listed below concur in its filing.  
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1 Dated: December 2, 2025

s/ Randall S. Newman  
Randall S. Newman, Esq. (190547)  
99 Wall Street, Suite 3727  
New York, NY 10005  
(212) 797-3735  
rsn@randallnewman.net

6 *Attorney for Plaintiff,*  
7 *Executive Lens LLC*

8 Dated: December 2, 2025

9 s/ Robert Reed  
10 Robert Reed, Esq. (180972)  
11 16530 Ventura Blvd., Suite 312  
12 Encino, CA 91436  
13 (818) 438-3677  
14 robertreed@gmail.com

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**CASE MANAGEMENT ORDER**

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2 The above JOINT CASE MANAGEMENT STATEMENT & PROPOSED ORDER is  
3 approved as the Case Management Order for this case and all parties shall comply with its  
4 provisions. [In addition, the Court makes the further orders stated below:]  
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7 IT IS SO ORDERED.

8 Dated:

9 SUSAN VAN KEULEN, UNITED STATES  
10 MAGISTRATE JUDGE  
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