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6 UNITED STATES DISTRICT COURT  
7 DISTRICT OF NEVADA  
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9 MARC J. RANDAZZA, an individual,  
10 JENNIFER RANDAZZA, an individual, and  
NATALIA RANDAZZA, an individual,

11 Plaintiffs,

12 v.

13 CRYSTAL COX, an individual, et al.

14 Defendants.  
15

Case No.: 2:12-cv-2040-JAD-PAL

**Order Granting in Part Motion for  
Reconsideration [Doc. 116]**

16 This case arises out of the alleged targeting of Plaintiffs Marc Randazza, his wife Jennifer,  
17 and their young daughter Natalia, by Defendant Crystal Cox, a self-proclaimed “investigative  
18 blogger.” Cox and Defendant Eliot Bernstein allegedly registered thirty-two internet domain names  
19 that incorporate Plaintiffs’ first names, last names, or both. Cox allegedly used the domain names  
20 and offered to rehabilitate Plaintiffs’ reputation that was harmed through Cox’s own defamatory  
21 actions. The Court struck Cox’s “Amended Countercomplaint” (Doc. 62), which alleged claims  
22 against Plaintiff Mark Randazza and dozens of additional third parties. In granting the Plaintiffs’  
23 motion to strike this purported counterclaim, the Court reasoned that it was “replete with irrelevant  
24 material, inappropriate commentary, baseless speculation, and derogatory statements none of which  
25 relate to Plaintiffs’ Complaint” in violation of Rule 8. Doc. 89 at 3. The Court further held that the  
26 document had to be stricken “because it is an impermissible third-party complaint” that violated  
27 Rule 14(a). *Id.* Cox was instructed to file her claims as a separate and distinct lawsuit in an  
28

1 unrelated case.

2 Cox now moves this Court to reconsider that decision, arguing, *inter alia*, that the Court  
3 improperly swept within that decision true counterclaims asserted against Plaintiff Marc Randazza.<sup>1</sup>  
4 Doc. 116. Reconsideration is available under Rule 60(b) upon a showing of (1) mistake,  
5 inadvertence, surprise, or excusable neglect; (2) newly discovered evidence; (3) fraud; (4) a void  
6 judgment; (5) a satisfied or discharged judgment; or (6) any other reason justifying relief. Fed . R.  
7 Civ. P. 60(b). Federal Rule of Civil Procedure 13 allows compulsory counterclaims arising from the  
8 same transaction or occurrence of the opposing party's claim, and permissive counterclaims against  
9 an opposing party. To the extent that Cox was attempting to assert counterclaims against Plaintiff  
10 Marc Randazza (as she claims in the instant motion), she may bring those compulsory or permissive  
11 counterclaims only.<sup>2</sup> The Court cautions Cox that her counterclaim must comply with all rules of  
12 this Court or it may be dismissed. *See, e.g., Ghazali v. Moran*, 46 F.3d 52, 54 (9th Cir. 1995)  
13 ("Although we construe pleadings liberally in their favor, pro se litigants are bound by the rules of  
14 procedure."). Additionally, the Court refers her to the discussion in Judge Navarro's previous order  
15 striking the "countercomplaint" and further cautions Defendant Cox that the failure to cure any  
16 deficiencies and violations in that order will be additional grounds for striking or dismissing the  
17 newly pled counterclaim.

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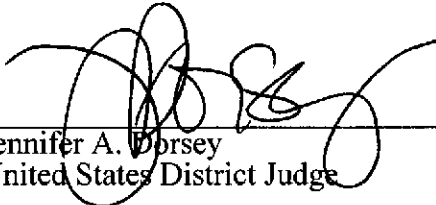
23  
24 <sup>1</sup> By this motion, Cox also moves the Court to allow her to assert her "counterclaims" against  
25 Randazza Legal Group, Ronald Green, and Judge Gloria Navarro. Doc. 116. As these persons and  
26 entities are not plaintiffs, no counterclaim is permitted against them and the motion to reconsider Judge  
Navarro's decision striking these counterclaims is hereby denied. The remainder of Cox's motion is  
primarily nonsensical and is denied in all other respects as frivolous.

27 <sup>2</sup> The Court reserves any determination of the merits of any such claim.  
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1 Accordingly, and with good cause appearing,

2 It is hereby ORDERED that Defendant's Motion for Reconsideration [#116] is **GRANTED**  
3 **in part in that she shall be permitted to file a proper counterclaim against Plaintiff Marc**  
4 **Randazza.** The motion is denied in all other respects. **Defendant Cox must file any proper**  
5 **counterclaim allowed by this Order no later than February 28, 2014. Failure to submit her**  
6 **counterclaim by this deadline will result in dismissal of any potential claims with prejudice.**

7 DATED February 14, 2014

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10 Jennifer A. Dorsey  
11 United States District Judge  
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