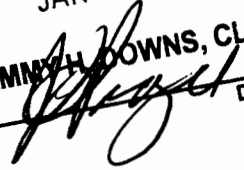


**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
JAN 15 2025  
TAMMY H. DOWNS, CLERK  
By:  DEP. CLERK

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS

LAURA LYNN HAMMETT, an  
individual,

Plaintiff,

vs.

PORTFOLIO RECOVERY  
ASSOCIATES, LLC, a Limited  
Liability Company; DOES 1-99

Defendants

Case No.: 4:21-CV-00189-BSM

BRIEF IN SUPPORT OF PLAINTIFF'S MOTION TO STRIKE COMMENTS  
FROM ORDER OF RECUSAL (R. Doc. 310)

Judge Lee P. Rudofsky's stated that he communicated about the case by reading Plaintiff's blog, "A Higher Law"<sup>1</sup>, without notice and an opportunity for objection. Then, ignoring evidence of Portfolio Recovery Associate's malice and deceit, Judge Rudofsky recused himself with the excuse that his recusal is based on what he read, not that he read it. His characterization and stated opinions about the ex parte communications should be stricken from the record and not have been considered in any other decisions.

Judge Rudofsky's conduct violates Canon 3(A)(4) of the Code of Conduct for United States Judges. (*In the Matter Concerning Alan Friedenthal*, California Commission on Judicial Performance, (persuasive, not precedential), Hammett's Declaration ¶ 5 and Exhibit 1-C)

The Order recusing Judge Rudofsky from the captioned case, R. Doc. 310, was filed January 8, 2025 and served by email on January 9, 2025 at 10:25 a.m. to the pro se plaintiff who was denied access to electronic filing.

In part:

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<sup>1</sup> [www.court-corruption.com](http://www.court-corruption.com) As of this writing, Judge Brian S. Miller ordered Hammett to take down the blog temporarily, until she can "prove that she is no longer in violation of the protective order." Clicking on the link provided by Portfolio Recovery Associates on R. Doc. 306 at 1 which purportedly demonstrated violation of the protective order returns an error message. It has since January 6, 2025 at about 6:05 p.m. Hammett was not in violation since then.

“In order to properly evaluate this portion of the dispute—i.e., to determine whether the requested take-down would be constitutional and justifiable—it was necessary for me to understand the full nature and content of Plaintiff’s website (blog). In undertaking this endeavor, I came across a very significant number of [opinion that should be stricken] pieces that Plaintiff has written about me.” (Order, R. Doc. 310 at 1) Judge Rudofsky followed this with his opinion of the content of the writings and gave his opinion of how they compared to “pieces that the parties had brought to my attention previously.”

Judge Rudofsky’s opinions are irrelevant, prejudicial and inflammatory. They illustrate the Judge’s extrajudicial bias against Hammett and favoritism toward Portfolio Recovery Associates, LLC. It is irrelevant to the motion to “take down” the blog whether or not the exposé of judicial conduct insults or merely embarrasses this and other Courts. The entire blog is protected speech. Judge Rudofsky gave no example of speech that was not protected by the First Amendment of the United States Constitution and the Constitution of the State of Arkansas.

It was an error for Judge Rudofsky to act as if he had jurisdiction over the issue of whether the documents in question were still under seal.

As detailed in Hammett’s response to the motion to sanction her, Hammett had the reasonable belief that the documents complained of were unsealed at the Supreme Court of the United States. The clerical error leading to that belief was

not corrected, despite five voice mails, two lengthy discussions, and one letter asking for a certified copy of the motion to unseal that was dated wrong and mislabeled. (A true and correct copy of the motion to unseal was filed as R. Doc. 304, Exhibit “A” at electronic page 7) (Hammett’s Declaration ¶ 6-8)

Judge Rudofsky failed to promptly notify the pro se plaintiff of the subject matter of the ex parte communication and allow Hammett an opportunity to respond. (Hammett’s Declaration ¶ 11)

There is no exception in the Code of Conduct for communications “to determine whether the requested take-down would be constitutional and justifiable”.

Hammett argued that the District Court lost jurisdiction of the issue of confidentiality of the documents when a motion to unseal the documents was docketed at the Supreme Court of the United States (24M44, Docketed November 8, 2024.) (See Response, R. Doc. 303 and 304, especially Exhibit “A” at R. Doc. 304 at electronic page 7) Judge Rudofsky need not have considered the matter any further.

Judge Rudofsky was ambiguous as to when he undertook his endeavor; whether before or after PRA filed the January 6, 2025 reply. Exhibit 4 showed that PRA knew from December 21, 2024 that the blog host was willing and able to break the links that PRA found offensive. The documents could have been removed without

disturbing any other part of A Higher Law two weeks before the reply to the “emergency” motion was filed. (Hammett’s Declaration Ex. 1 ¶ 13-16 and 1-A at 3)

Judge Rudofsky was ambiguous as to which “pieces” he analyzed. It is logical that he would see the most recent pieces, including the post of January 7, 2025, filed here as Exhibit 1-A and 1-B of Hammett’s Declaration.

This writing is more milquetoast than insulting. The pieces filed by PRA in the case before appeal were the most offensive pieces they could find and many discussed other judges and litigants that were not PRA. Judge Rudofsky allowed those pieces to remain in evidence to support the effort to dismiss Hammett’s case without allowing a jury trial.

Judge Rudofsky failed to mention PRA’s fraud on which he based his order that caused Hammett to work through Christmas week. This alone is justification for the recusal of Judge Rudofsky. Judge Rudofsky showed not the slightest concern about PRA’s fraud. But seeing that he was called a “Pro Big Business Billionaire – Anti-individual judge” was purportedly insulting enough to cause recusal.

Dated January 15, 2025

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Plaintiff Pro Se

**CERTIFICATE OF SERVICE**

I hereby certify that on July 17, 2024, a true and exact copy of the foregoing was filed with the Clerk of the Court for entry on the electronic filing system which will cause service upon all counsel of record via email.

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