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CIRCUIT EXECUTIVE

CONFIDENTIAL

Before the Judicial Council of the  
Eleventh Judicial Circuit

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Judicial Complaint No. 11-25-90032 and 11-25-90033

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**ORDER**

Before: ROSENBAUM, NEWSOM, and BRANCH, Circuit Judges; WALKER and BEAVERSTOCK, Chief District Judges.

Pursuant to 11th Cir. JCDR 18.3, this Judicial Council Review Panel has considered the materials described in JCDR 18(c)(2), including petitioner's complaint, the order of Chief United States Circuit Judge William H. Pryor Jr., and the petition for review filed by petitioner. No judge on this panel has requested that this matter be placed on the agenda of a meeting of the Judicial Council.

The Judicial Council Review Panel hereby AFFIRMS the disposition of this matter by Chief Judge Pryor. The petition for review is DENIED.

Done this 2nd day of June, 2025.

FOR THE JUDICIAL COUNCIL:

/s/ Robin S. Rosenbaum

United States Circuit Judge

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David J. Smith  
Clerk

CONFIDENTIAL

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**ORDER**

An individual has filed a Complaint against a United States district judge and a United States magistrate judge under the Judicial Conduct and Disability Act of 1980, 28 U.S.C. §§ 351–364, and the Rules for Judicial-Conduct and Judicial-Disability Proceedings of the Judicial Conference of the United States.

**Background**

The record establishes that the Subject District Judge was assigned to preside over a products-liability action involving numerous plaintiffs, and the Subject Magistrate Judge was later assigned to the case as the presiding magistrate judge. After various proceedings, the Subject District Judge issued a case-management order that applied to all individuals who had elected not to participate in a settlement agreement reached between the plaintiffs' leadership counsel and the defendants. The order required those individuals to produce specified information, and it set deadlines to

meet certain requirements. There continues to be activity in the case.

The record also establishes that Complainant filed a counseled civil complaint against the defendants in the above-described case. The Subject District Judge later entered an order directing Complainant, who had elected not to participate in the settlement, to appear in person for a hearing. After the hearing, the Subject District Judge entered an order addressing case-management requirements for Complainant and another individual and requiring Complainant to file an amended complaint that could not add new allegations or causes of action. Complainant filed an amended complaint, and the defendants filed a motion to dismiss.

The Subject District Judge then entered an order directing that mediation be held and an order appointing the Subject Magistrate Judge to conduct the mediation in person. Several days before the mediation, the Subject District Judge entered an order granting the defendants' motion to dismiss in part. The Subject District Judge ruled that Complainant added new claims in his amended complaint in contravention of the court's order and dismissed other claims with prejudice. A settlement conference was then held before the Subject Magistrate Judge, which resulted in an impasse.

Complainant then filed a motion to lift the stay implemented by an order in the first above-described case and a motion for reconsideration of the order granting in part the defendants' motion to dismiss. The Subject District Judge denied the motion to lift the stay and later denied the motion for reconsideration. The

Subject District Judge also entered an order determining that additional mediation with the Subject Magistrate Judge was appropriate. At the second settlement conference, the parties reached a binding settlement agreement concerning all remaining claims, and the Subject District Judge dismissed the case.

### **Complaint**

Complainant alleges the Subject Judges conspired together and with other court officers to coerce the plaintiffs into agreeing to settle the cases against the defendants, deprived the plaintiffs of their constitutional rights, allowed the plaintiffs' attorneys to steal money from the plaintiffs, and allowed predatory fee arrangements. He asserts that the Subject Judges acted with an improper motive and that all of their decisions or procedural rulings were "motivated by the desire for the Court to obtain a 100% settlement rate ... no matter the cost." Complainant alleges the Subject Judges acted prejudicially and were biased against him in his individual case and were "deliberately obstructing and delaying the possibility" of remanding cases for trial in order to benefit the defendants. Complainant contends that, due to the amount of people directly affected, the Subject Judges' actions have the potential to cause a substantial and widespread lowering of public confidence in the courts among reasonable people.

Complainant states that the settlement agreement includes language that restricts plaintiffs' attorneys' ability to practice law, directs attorneys to act unethically and against the best interests of their clients, and is "illusory and unethical." Complainant also

states that the settlement agreement contains confidential exhibits that were not presented to the plaintiffs, thus preventing the plaintiffs from giving informed consent. Complainant alleges the Subject District Judge's case-management order in the first above-described case was "meant to create economic and psychological duress," allowed the Subject Judges "to coerce unwilling Plaintiffs into an unfavorable settlement agreement," set out "wildly unrealistic requirements," imposed an unjustified stay to the detriment of the plaintiffs and the benefit of the defendants, and created an "illusory process that ... is meant to deter continued litigation and prevent any cases from ever making it to trial." Complainant then lists "[s]ome of the problems" with the order, including that it required the production of "voluminous and duplicative" material. Complainant quotes one of the lead attorneys involved in the litigation, and he contends that she openly stated that attorneys are recommending that plaintiffs settle partially because of the burden of the order.

Complainant next alleges that he was required to attend an in-person conference as "a way to force Plaintiffs to spend money to attend a conference that could have and should have happened over Zoom." He states he was then brought into a settlement conference before the Subject Magistrate Judge that he "was not aware was going to happen," that three attorneys appeared as his legal representatives without his consent, and that the attorneys were given his medical records without his consent. Complainant states that, afterward, the Subject District Judge issued a prejudicial order directing him to amend his pleadings with the improper intent to

give the defendants an opportunity to weaken his case to force him to settle. Complainant states that the Subject District Judge unjustifiably dismissed his claims, violated his due process rights by not giving him notice and an opportunity to be heard before sanctions were imposed, unjustifiably ordered his pleadings stricken, and prevented him from adding claims in violation of the Federal Rules of Civil Procedures.

Complainant states he agreed to settle under duress. He contends that the Subject District Judge immediately dismissed his case “because it mooted the appeal against her” and that she knew “what she has done would most likely not survive appellate review.” Complainant then takes issue with the “breakdown of how the funds are being distributed in these settlements,” stating the plaintiffs “are getting less service at a higher cost,” they were being forced to pay certain amounts that should be paid by their attorneys, and their attorneys were being unjustly enriched. Finally, he takes issue with the actions of individuals other than the Subject Judges, and he attached documents to his Complaint.

### **Discussion**

Judicial-Conduct Rule 4(b)(1) provides in part that “[c]ognizable misconduct does not include an allegation that calls into question the correctness of a judge’s ruling, including a failure to recuse.” The Commentary on Rule 4 explains the rationale for this rule as follows:

Rule 4(b)(1) tracks the Act, 28 U.S.C. § 352(b)(1)(A)(ii), in excluding from the definition of misconduct

allegations “[d]irectly related to the merits of a decision or procedural ruling.” This exclusion preserves the independence of judges in the exercise of judicial authority by ensuring that the complaint procedure is not used to collaterally call into question the substance of a judge’s decision or procedural ruling. Any allegation that calls into question the correctness of an official decision or procedural ruling of a judge — without more — is merits-related.

The Complaint fails to present a basis for a finding of misconduct. To the extent Complainant’s allegations concern the substance of the Subject Judges’ official actions, findings, rulings, and orders in the above-described cases, the allegations are directly related to the merits of the Subject Judges’ decisions or procedural rulings. Judicial-Conduct Rule 11(c)(1)(B). Complainant’s remaining claims are based on allegations lacking sufficient evidence to raise an inference that the Subject Judges acted with an illicit or improper motive, were biased or otherwise not impartial, threatened or coerced parties, or otherwise engaged in misconduct. Judicial-Conduct Rule 11(c)(1)(D). For these reasons, this Complaint is **DISMISSED**.

/s/ William H. Pryor Jr.  
Chief Judge