

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

RAYMOND E BUTLER, II,

Case No. 1:25-cv-04443
Hon. Georgia N. Alexakis

Plaintiff,

v.

ELI JACKFINN EDDI a/k/a ELY EDDI, ILANA FINN EDDI, DORINE
MAGENCE, MANUEL MAGENCE, JEFFREY K. GUTMAN,
NACHSHON DRAIMAN, WILLIAM KANTER, JOEL S. ROTHMAN,
MOSHE SOLOVEICHNIK, ALAN GREEN, JERRY CHERNEY, SHMUEL
FUERST, HAROLD KATZ, SAMUEL MASLATON, DANIEL BERGMAN,
IRVING BIRNBAUM, ARON STANTON, CHAIM RAJCHENBACH, RIVKA
RAJCHENBACH, AVRUM RAJCHENBACH, MENACHEM SHABAT, AHUVA
SHABAT, RONALD SHABAT, ERIC ROTHNER, COLMAN GINSPARG,
JAMES MAINZER, MARSHALL K. BROWN, JEFFREY FINN, MEIR "AARON"
COHEN, GARRY CHANKIN, NANCY ROSEN, MARK ANTEBI, BARRY
ANTEBI, DAVID R. RAANAN, and ELLIOT E. ANTEBEL.

Defendants.

**FORMER COUNSEL RACINE M. MILLER'S RESPONSE IN OPPOSITION TO
DEFENDANTS' MOTION FOR SANCTIONS [271]**

I. INTRODUCTION

Defendants Chaim Rajchenbach and Menachem Shabat seek sanctions against former counsel Racine M. Miller under Federal Rule of Civil Procedure 11, 28 U.S.C. § 1927, and the Court's inherent authority, principally because Miller signed ECF No. 167, a verified emergency motion filed on July 30, 2025. Miller does not ask this Court to reconsider the denial of that motion or the Seventh Circuit's later affirmance of the denial of the stay, asset-freeze, and fiduciary relief. The question here is different: whether Miller's own conduct, judged under the circumstances existing when the challenged papers were presented, satisfies the distinct standards for sanctions. It does not.

There is also a threshold Rule 11 defect. Movants formally served a proposed sanctions motion on August 22, 2025. ECF No. 167, however, was heard and denied only

five days later, before expiration of Rule 11(c)(2)'s twenty-one-day safe harbor. The Seventh Circuit permits "substantial compliance" with the warning-shot requirement in circumstances where other circuits require strict compliance. *Northern Illinois Telecom, Inc. v. PNC Bank, N.A.*, 850 F.3d 880, 882, 887–88 (7th Cir. 2017). But that doctrine does not eliminate the cure period. *Northern Illinois Telecom* expressly holds that even substantial compliance requires an opportunity to withdraw or correct within twenty-one days. *Id.* at 888. Here, judicial disposition occurred after five days, and Movants' accompanying letter itself required withdrawal "before the hearing on August 27." ECF No. 272-3.

The present motion also relies on proceedings and filings occurring after Miller's representation ended, including later appellate and district-court matters involving Butler and Katherine London, to support what ECF No. 271 calls an "unbroken pattern" warranting dismissal. Whatever relevance those later matters may have to the persons who participated in them, they do not establish Miller's inquiry, knowledge, intent, or purpose in July 2025. And the pre-July record was not a succession of rulings that further advocacy was sanctionable: the state summary-judgment motion central to Defendants' stay theory had been denied, the protective order had been narrowed in part, and Judge Maloney had denied an earlier request for more than \$20,000 in sanctions while expressly recognizing "at least some good faith basis for Plaintiff's appeal of the stay." ECF No. 114 at PageID.1243.

Miller also attempted to narrow this dispute before briefing. Her July 27, 2026 letter asked Movants to identify the specific conduct asserted against her, the sanctions authority invoked, the fees allegedly caused by her conduct, the safe-harbor basis, and the grounds for attributing later events to her. Ex. 1. Movants declined to engage those

questions before briefing. Counsel responded that he was “not going to try to address the pages of legal and factual arguments” in the letter and would address them in reply. Ex. 2. He further stated that the firm “should pay” the fees incurred responding to ECF No. 167 and attending the injunction hearing. *Id.* The motion should be denied as to Miller.

II. RELEVANT BACKGROUND

A. The pre-July 2025 record was mixed, not an adjudication that further advocacy was frivolous.

Rajchenbach and Shabat originally sought the federal stay because, in their view, an adverse ruling on the then-pending Cook County summary-judgment motion could collaterally estop Butler’s federal claims. ECF No. 37 at PageID.202–03. The Cook County court later denied that motion. ECF No. 97 at PageID.1092–93. Whatever role particular counsel played in obtaining that state-court ruling, the ruling itself formed part of the objective litigation landscape facing Miller.

The protective-order proceedings likewise produced a narrower result than Movants had requested. ECF No. 88 sought restrictions extending to family members, attorneys, employees, and business associates, including a 500-foot exclusion zone. Magistrate Judge Vermaat instead ordered that Butler not directly contact Rajchenbach, Shabat, or witnesses except through Miller. ECF No. 101 at PageID.1111. Judge Maloney later upheld the protective order but, emphasizing that restrictions implicating speech should be narrowly drawn, made “two small changes” permitting Butler to contact law enforcement and family members about matters unrelated to the litigation. ECF No. 113 at PageID.1237. Judge Alexakis later modified the order to permit London to make the same communications Miller could make. ECF No. 163.

There were adverse rulings as well. Judge Maloney referred to ECF No. 102 as frivolous because that separate emergency filing did not brief likelihood of success with

supporting authority. ECF No. 104 at PageID.1125. But when Movants thereafter sought more than \$20,000 under § 1927 and inherent authority based on the broader stay and protective-order litigation, Judge Maloney denied sanctions and added that “there is at least some good faith basis for Plaintiff’s appeal of the stay.” ECF No. 114 at PageID.1243. That history does not prove ECF No. 167 was correct. It does show why the earlier record cannot simply be repackaged as an uninterrupted judicial determination that Miller’s advocacy was baseless.

B. ECF No. 167 presented an evidentiary record that the Court ultimately found insufficient for extraordinary relief.

On July 30, 2025, Butler, through Miller and London, filed the Verified Ex Parte Emergency Motion to Vacate Stay, Vacate Protective Order, Freeze Trust Assets, and Appoint Neutral Fiduciary to Preserve Trust Res. ECF No. 167. It asserted that recently compared CMS ownership records reflected changes in ownership-name fields across numerous skilled nursing facilities and argued that those changes supported an inference of undisclosed transfers involving trusts identified in the pleadings. The filing attached comparative CMS records, public and court records, the Harris declaration, CIBC materials, and state-court records. ECF Nos. 167-1 through 167-8.

The motion disclosed the assumptions underlying its approximately \$544 million estimate, including the assumed average facility value and ownership percentage used in the calculation. ECF No. 167 at 13 n.5. Butler separately verified that the factual allegations were true and correct to the best of his knowledge, information, and belief. *Id.* at 35. The Harris declaration was adverse to important aspects of Butler’s theory and was ultimately credited by the Court, but it was submitted with Butler’s own motion rather than withheld. ECF No. 167-4.

Movants' own memorandum confirms the nature of the CMS dispute. They do not contend that the CMS records attached to ECF No. 167 were fabricated or nonexistent. They offer a competing interpretation of those records, relying on historical association dates, continuity in the CMS data, and the Harris declaration to argue that the records did not establish a transfer to a different owner. ECF No. 272 at 10–11. That interpretation ultimately prevailed. But a disagreement over the significance of authentic records is materially different from presenting factual contentions without evidentiary support.

The Court declined ex parte treatment, granted the requested page-limit expansion, ordered expedited adversarial briefing, and set a hearing. ECF No. 169. On August 27 the Court denied ECF No. 167, kept the stay and protective order in place, and separately granted CIBC's motion to enforce the protective order based on Butler's July 21 communication. ECF No. 208. The Seventh Circuit later affirmed the denial of the stay, freeze, and fiduciary relief; dismissed the protective-order appeal for lack of jurisdiction; and separately held Butler's later mandamus request and proposed supplement frivolous. ECF Nos. 278–79. Neither disposition contains an individualized finding that Miller fabricated CMS records, knowingly made a false factual statement, or filed ECF No. 167 in bad faith.

C. Miller sought withdrawal promptly, and the later proceedings were not her filings.

By September 2, 2025, Butler had terminated Miller's representation, and Miller moved to withdraw that day. ECF No. 216. The Court ultimately granted withdrawal on May 21, 2026, while retaining jurisdiction over sanctions concerning pre-withdrawal conduct. ECF No. 265. The docket identifies London as the filer of the August 27 notice of appeal and September 2 amended notice of appeal. ECF Nos. 209, 214. The later Seventh Circuit disciplinary proceeding cited by Movants concerned London's conduct.

Butler later proceeded pro se. Apart from the May 5, 2026 status report filed while Miller's withdrawal motion remained pending, the later matters now invoked by Movants were not Miller's filings.

III. APPLICABLE LEGAL STANDARDS

Rule 11(b) requires a reasonable inquiry under the circumstances and asks whether the paper was presented for an improper purpose, whether its legal contentions were warranted by existing law or a nonfrivolous argument for changing it, and whether factual contentions had or were likely to obtain evidentiary support. Fed. R. Civ. P. 11(b). Reasonableness is objective and measured when the paper is presented. *CUNA Mutual Insurance Society v. Office & Professional Employees International Union, Local 39*, 443 F.3d 556, 560 (7th Cir. 2006). The "focus of the rule is conduct and not result; losing a legal challenge or motion, by itself, is not a reason for sanctions." *Mazurek v. Metalcraft of Mayville, Inc.*, 110 F.4th 938, 942 (7th Cir. 2024).

A party-initiated Rule 11 motion must describe the specific conduct alleged to violate Rule 11(b), be served before filing, and afford twenty-one days to withdraw or appropriately correct. Fed. R. Civ. P. 11(c)(2). The Seventh Circuit is the lone circuit to recognize that substantial compliance may sometimes satisfy the warning-shot requirement, but *Northern Illinois Telecom* reaffirmed that even under that doctrine the target must receive the twenty-one-day opportunity to withdraw or correct. 850 F.3d at 887–88. In *Nisenbaum v. Milwaukee County*, 333 F.3d 804, 808 (7th Cir. 2003), the technical defect excused was use of a detailed letter rather than a formal motion; the target still received more than twenty-one days to remedy the asserted problem.

The current Rule 11 makes sanctions discretionary, not mandatory. Fed. R. Civ. P. 11(c)(1). Movants' contrary "shall" formulation relies on *Mars Steel Corp. v. Continental*

Bank N.A., 880 F.2d 928 (7th Cir. 1989), which construed the pre-1993 version of Rule 11. The 1993 amendments made sanctions discretionary and added the safe harbor. *Northern Illinois Telecom*, 850 F.3d at 884–85. Any sanction must be limited to what suffices for deterrence; fees awarded on motion must directly result from the violation. Fed. R. Civ. P. 11(c)(4).

Section 1927 applies to an attorney who “multiplies the proceedings in any case unreasonably and vexatiously” and permits only the excess costs, expenses, and fees reasonably incurred because of that conduct. 28 U.S.C. § 1927. The culpability inquiry concerns the attorney’s own conduct. It does not allow direct sanctions against a law firm as an entity. *Claiborne v. Wisdom*, 414 F.3d 715, 722–24 (7th Cir. 2005).

Inherent-authority sanctions require bad faith or willful abuse of the judicial process and must be exercised with restraint. *Chambers v. NASCO, Inc.*, 501 U.S. 32, 44–46 (1991); *Fuery v. City of Chicago*, 900 F.3d 450, 463 (7th Cir. 2018). Compensatory fees under inherent authority are limited to fees that would not have been incurred but for the misconduct found. *Goodyear Tire & Rubber Co. v. Haeger*, 581 U.S. 101, 108–10 (2017). Across all three sanctions mechanisms, generalized attribution is not enough. *Vega v. Chicago Board of Education*, 109 F.4th 948, 954–56 (7th Cir. 2024), vacated sanctions against attorneys swept into the collective term “Plaintiffs’ counsel” where they lacked notice of the specific conduct attributed to them.

IV. DEFENDANTS DID NOT COMPLY WITH RULE 11(c)(2).

A. ECF No. 167 was adjudicated before expiration of Rule 11(c)(2)’s twenty-one-day safe harbor.

Movants served a formal proposed Rule 11 motion on August 22, 2025. Five days later, on August 27, the Court heard and denied ECF No. 167. Rule 11(c)(2)’s safe harbor

is not merely a waiting period before the sanctions motion may be filed. It affords the target an opportunity to withdraw or appropriately correct the challenged matter and thereby avoid party-initiated sanctions. *Northern Illinois Telecom* at 882, 887–88.

The substantial-compliance doctrine does not change that requirement. *Northern Illinois Telecom* acknowledged that *Nisenbaum* remains controlling but stated the minimum in unmistakable terms: “Substantial compliance requires the opportunity to withdraw or correct the challenged pleading within 21 days without imposition of sanctions.” 850 F.3d at 888. *Nisenbaum* excused a technical failure to serve a formal motion because a detailed letter identified the sanctions grounds and allowed more than twenty-one days to remedy the asserted problem. 333 F.3d at 808. Here, Movants served the formal motion; the problem is that judicial disposition arrived before the twenty-one-day corrective opportunity ran.

Divane v. Krull Electric Co., 200 F.3d 1020, 1026–27 (7th Cir. 1999), reinforces this. *Divane* agreed that the safe harbor is not an “empty formality” and sustained sanctions because, unlike here, the sanctions motion had been served more than twenty-one days before both submission to the court and final judgment. Here, sixteen days of the prescribed period remained when ECF No. 167 was adjudicated.

Movants’ August 22 cover letter confirms the problem. It demanded withdrawal “before the hearing on August 27” and stated that sanctions would follow if the motion remained pending. ECF No. 272-3. Northern District decisions applying *Northern Illinois Telecom* reject similarly abbreviated demands even where the sanctions motion is filed much later. See *Jay’s Import & Export, LLC v. Patel*, No. 22 C 1730, 2023 WL 4825627, at 4 (N.D. Ill. July 27, 2023); *Mallette v. Waste Management of Illinois, Inc.*, No. 24 C 5736,

2025 WL 815421, at 4–5 (N.D. Ill. Mar. 13, 2025). Nothing in the docketed orders reflects that the Court prescribed a different safe-harbor period under Rule 11(c)(2).

B. The later filing of ECF No. 271 did not restore the lost safe harbor.

Movants emphasize that they intended to wait until September 15 to file and ultimately waited much longer because of appellate proceedings. ECF No. 271 at 2. That addresses when Movants planned to file; it does not supply the corrective opportunity Rule 11 protects. The relevant question is whether Miller received twenty-one days during which withdrawal or correction could avoid party-initiated sanctions. She did not. ECF No. 167 was adjudicated on the fifth day after service. Once the Court ruled, withdrawal of that motion could no longer perform the safe harbor’s intended corrective function. *Divane*, 200 F.3d at 1026–27; *Jay’s Import*, 2023 WL 4825627, at *4.

The same timing problem applies to ECF No. 203, filed August 20 and challenged in the August 22 sanctions papers. The notice again demanded correction before August 27 rather than providing twenty-one days.

C. The August 2025 notice cannot support Rule 11 sanctions based on later grounds and events.

Rule 11(c)(2) also requires notice of the specific conduct alleged to violate Rule 11(b). Courts in this District therefore decline to consider materially new sanctions grounds that were not included in the safe-harbor submission. See *Knapp v. Evgeros, Inc.*, No. 15 C 754, 2017 WL 3668165, at *2 (N.D. Ill. Aug. 24, 2017); *Kurowski v. Kraft*, No. 21 C 4363, Dkt. 94 at 5–6 (N.D. Ill. Nov. 21, 2022).

ECF No. 271 now relies on later appeals, disqualification proceedings, later Butler filings, and London’s subsequent disciplinary proceeding to support an alleged “unbroken pattern” and an express request for dismissal with prejudice. Those events did not exist on August 22, 2025 and could not have been withdrawn or corrected during

that safe-harbor period. Although the served memorandum mentioned dismissal in a footnote as a theoretically available sanction, it could not provide safe-harbor notice for later conduct that had not yet occurred.

V. THE RECORD DOES NOT ESTABLISH A RULE 11 VIOLATION BY MILLER.

A. The adverse preliminary-relief ruling does not itself establish sanctionable advocacy.

Movants repeatedly reason backward from the August 27 ruling and later appellate decision. Rule 11 asks whether counsel's presentation was objectively reasonable when made. *Mazurek* is instructive. Even where the underlying plaintiffs ultimately had insufficient evidence, the Seventh Circuit emphasized that "losing a legal challenge or motion, by itself, is not a reason for sanctions." 110 F.4th at 942. The merits ruling and a sanctions determination are different inquiries.

Miller does not contend that an objectively reasonable filing ends the analysis forever. Rule 11 and § 1927 also require counsel to reevaluate a position as the record develops. *Fletcher v. Doig*, 145 F.4th 756, 765–67 (7th Cir. 2025). The inquiry therefore remains time-specific: what basis existed when Miller filed or later advocated the challenged contention? Here, the Court concluded that Butler failed to carry the burden necessary for extraordinary preliminary relief, and the Seventh Circuit affirmed the denial of several requested remedies. Those rulings control the requested relief. They do not, without more, establish that Miller lacked an objectively reasonable basis to present ECF No. 167 on July 30.

B. ECF No. 167 had an identifiable factual and legal basis, although the Court rejected the inferences drawn from it.

The CMS records existed and reflected changes in owner-name information across numerous facility entries. The parties disagreed about what those changes meant. Movants ultimately supplied the interpretation the Court found more persuasive, but

their own sanctions memorandum rests on an interpretation of the same CMS records rather than a contention that the records were fabricated. ECF No. 272 at 10–11. The motion also disclosed the calculation underlying the approximately \$544 million estimate rather than presenting that number as an independent appraisal. ECF No. 167 at 13 n.5.

Butler’s verification does not relieve counsel of independent inquiry, but it is relevant to whether counsel had a factual source for allegations concerning trust history and family relationships. The filing combined that verification with public records and other documents. It also attached the Harris declaration, which undermined material aspects of Butler’s position and which the Court later credited. ECF No. 167-4. Presenting contrary evidence to the Court is difficult to reconcile with a theory that Miller was concealing known facts or manufacturing a one-sided record.

The legal theory was likewise not devoid of authority. ECF No. 167 cited Seventh Circuit and other authority concerning preservation of assets where equitable relief is sought, constructive trusts, and receivership. The Court ultimately concluded that the prerequisites for preliminary relief were not met. Rule 11 does not require every cited theory to prevail; it requires a nonfrivolous legal basis when presented.

C. The procedural history did not make the July 2025 application objectively frivolous.

Movants emphasize multiple earlier applications concerning the stay. But ECF No. 167 asserted a different factual development, namely newly analyzed CMS records, and requested additional forms of relief, including an asset freeze and neutral fiduciary. The earlier record also included the Cook County denial of the summary-judgment motion Defendants had identified as potentially dispositive, partial narrowing of the protective order, and Judge Maloney’s denial of Movants’ earlier sanctions request with

an express recognition of some good-faith basis for challenging the stay. ECF No. 114 at PageID.1243.

Nor had Judge Alexakis treated every future request concerning the stay or protective order as categorically forbidden. At the June 9 status hearing, the Court denied leave to rebrief the stay “at this time” and “without prejudice to renewal pending additional factual developments that may arise in Illinois court.” ECF No. 164 at PageID.117–18. The Court separately permitted limited briefing concerning modification of the protective order, while making clear that any such request would be evaluated as reconsideration and against Judge Maloney’s prior factual findings. *Id.* at PageID.122–23. That did not authorize ECF No. 167, and the July motion went beyond the limited protective-order briefing permitted. It does show, however, that the procedural landscape turned on changed circumstances and reconsideration standards, not a blanket determination that every renewed request would necessarily be frivolous.

D. Later developments cannot establish what Miller knew on July 30.

A concrete example is Movants’ reliance on an August 13, 2025 state-court order to criticize ECF No. 167’s July 30 description of delay in Cook County. ECF No. 272 at 8. That later order cannot prove that Miller knowingly misstated the state-court posture on July 30. It could, of course, bear on whether continued advocacy remained reasonable by the August 27 hearing. See *Fletcher*, 145 F.4th at 765–67. But a Rule 11 theory directed to that continued advocacy still must satisfy Rule 11(c)(2), and Movants served their proposed motion only five days before the hearing. The timing distinction therefore matters both to culpability and to procedure.

E. ECF No. 203 does not establish the violations or relief Movants assert against Miller.

Miller signed ECF No. 203, and portions of the reply employed unnecessarily intemperate rhetoric. That circumstance should be considered separately from whether

the factual contentions underlying ECF No. 167 had evidentiary support and whether Miller conducted a reasonable inquiry before presenting them.

To the extent Movants contend that a particular factual or legal contention in ECF No. 203 violated Rule 11(b), that contention must be identified and evaluated under the Rule. The tone of portions of the reply does not establish that the CMS records were fabricated, that ECF No. 167 lacked an evidentiary basis, or that the fees incurred responding to the emergency motion directly resulted from sanctionable conduct. ECF No. 203 is also subject to the same Rule 11(c)(2) timing issue: it was filed August 20, the sanctions papers were served August 22, and the underlying matter was adjudicated August 27.

VI. SECTION 1927 DOES NOT SUPPORT SANCTIONS AGAINST MILLER OR THE FIRM.

Movants' § 1927 presentation repeatedly refers to "Plaintiff's counsel" and aggregates different lawyers and time periods. Section 1927, however, imposes personal liability for an attorney's own unreasonable and vexatious multiplication. The docket identifies the default motions at ECF Nos. 189, 193, and 194 as London's filings, the post-August notices of appeal as London's filings, and later pro se submissions as Butler's. Miller's own filings may be scrutinized, but later filings by others cannot simply be relabeled as conduct by "Plaintiff's counsel." See *Vega*, 109 F.4th at 954–56.

Causation presents an independent problem. Section 1927 reaches only "excess" fees incurred because of sanctionable multiplication. Movants' memorandum broadly seeks fees for "prosecuting this action," ECF No. 272 at 14, while Callahan's July 28 email states that he intends to argue that Miller's firm should pay the fees incurred responding to ECF No. 167 and attending the injunction hearing. Ex. 2. Those are ordinary litigation

expenses unless the act of filing and litigating ECF No. 167 itself satisfies § 1927's culpability standard. For the reasons above, the record does not establish that it did.

Finally, § 1927 does not authorize direct sanctions against The Michigan Law Firm. *Claiborne*, 414 F.3d at 722–24. Rule 11 separately makes a law firm jointly responsible, absent exceptional circumstances, for a Rule 11 violation committed by a partner, associate, or employee. Fed. R. Civ. P. 11(c)(1). Miller does not contend that derivative firm responsibility is categorically unavailable. But it depends on an underlying Rule 11 violation, and the Rule 11 request here remains subject to the safe-harbor and merits defenses above. Section 1927 cannot reach the firm, and Movants identify no separate firm conduct supporting inherent-authority sanctions. Nor should a materially enlarged firm-specific sanctions theory be developed for the first time in reply after Miller specifically requested individualization before briefing. Exs. 1–2; see *Vega*, 109 F.4th at 954–56.

VII. THE RECORD DOES NOT SUPPORT INHERENT-AUTHORITY SANCTIONS AGAINST MILLER.

Inherent authority requires a finding of bad faith or willful abuse by the person sanctioned. *Chambers*, 501 U.S. at 44–46; *Fuery*, 900 F.3d at 463. Movants identify no individualized finding that Miller knowingly offered fabricated CMS records, intentionally deceived the Court, personally violated the protective order, or presented ECF No. 167 for a purpose other than obtaining the relief requested. Their argument instead asks the Court to infer Miller's bad faith from a collective history containing acts by multiple people over an extended period.

Even if particular bad-faith conduct by Miller were identified, a compensatory inherent-authority award would be limited to fees that would not have been incurred but

for that conduct. *Goodyear*, 581 U.S. at 108–10. A generalized award for the cost of the litigation, or for proceedings conducted by others after Miller ceased participating, would not satisfy that causal limitation.

VIII. THE RELIEF REQUESTED IS NOT SUPPORTED AS TO MILLER.

The requested prospective filing restriction has no demonstrated application to Miller, who no longer represents Butler and has no authority to file for him. Movants identify no ongoing Miller filing conduct that requires prospective deterrence. See Fed. R. Civ. P. 11(c)(4).

Dismissal with prejudice is likewise disconnected from Miller. ECF No. 271 supports that relief through an alleged post-August “unbroken pattern,” much of which concerns proceedings in which Miller did not participate. Movants do not tie case-terminating relief to conduct properly attributable to her.

Monetary relief must satisfy the causation rule of the authority invoked: Rule 11 permits fees directly resulting from the violation; § 1927 reaches excess fees caused by sanctionable multiplication; and inherent authority requires but-for causation. Those standards do not create generalized fee shifting.

IX. MILLER REQUESTS THE REASONABLE EXPENSES AVAILABLE UNDER RULE 11(c)(2).

Miller respectfully requests the reasonable expenses recoverable under Rule 11(c)(2), including fees or other amounts to the extent recoverable.

X. CONCLUSION

WHEREFORE, Miller respectfully requests that the Court deny ECF No. 271 as to her, deny sanctions against The Michigan Law Firm, PC, and award the expenses available under Rule 11(c)(2) to the extent warranted, and grant such other relief as the Court deems appropriate.

Respectfully submitted,

THE MICHIGAN LAW FIRM, PC

/s/ RACINE M. MILLER

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Dated: August 10, 2026

CERTIFICATE OF SERVICE

The undersigned certifies that on 8/10/26 the foregoing instrument was served upon all parties to the above cause to each of the attorneys of record herein at their respective addresses disclosed on the pleadings.

By	Overnight Courier	Fax	_____	E-mailed
	_____ Hand Delivered	U.S. Mail	_____	<u>x</u> E-filed
	_____ Certified Mail	Scanned	_____	_____ Other

Signature: /s/Josh Freedman