

**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. April Perry

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. ANTEBI.

Defendants.

**PLAINTIFF’S OPPOSITION TO DEFENDANT ILANA EDDI’S
RULE 11 MOTION FOR SANCTIONS**

Plaintiff Raymond E. Butler II, appearing *pro se*, submits this Opposition to Defendant Ilana Eddi’s (“Movant”) Rule 11 Motion for Sanctions (the “Sanctions Motion”). For the reasons set forth below, the Sanctions Motion should be denied in its entirety.

INTRODUCTION

The Sanctions Motion is itself frivolous, untimely, **retaliatory**, and brought in **bad faith**. It seeks to punish Plaintiff for his former counsel’s filing of a Motion to Disqualify Attorney Robin Maher Due to Conflicts of Interest (Dkt. 226, filed Sept. 10, 2025) and the related Motion for Sanctions Against Attorney Robin Maher (Dkt. 233, filed Oct. 31, 2025) — motions that raised legitimate, good-faith concerns about defense counsel’s conflicts of interest in this trust litigation.

Movant waited *nearly nine months* after the first challenged motion and *over seven months* after the second to file this Sanctions Motion. The underlying motions were filed by Plaintiff’s then-counsel, Ms. London (who was later sanctioned by the Seventh Circuit and suspended from practice in this District for *alleged* “analogous” conduct). Plaintiff himself did not sign or file them. This Sanctions Motion is a transparent attempt to retaliate against Plaintiff for continuing to challenge perceived misconduct by defense counsel (now *pro se*) and to deter him from pursuing accountability, including potential claims against those involved in alleged conflicts and related misconduct.

Rule 11 sanctions are discretionary and should be imposed only in exceptional circumstances. This is not such a case. The Sanctions Motion fails procedurally and substantively and should be denied.

ARGUMENT

I. Movant Failed to Comply with Rule 11's Safe Harbor Requirement (Even Under the Seventh Circuit's Lenient Standard)

Rule 11(c)(2) requires that a sanctions motion “must be served under Rule 5, but it must not be filed or be presented to the court if the challenged paper... is withdrawn or appropriately corrected within 21 days after service...” The purpose is to give the opposing party a meaningful “safe harbor” opportunity to withdraw the challenged filing without facing sanctions.

On May 14, 2026, Movant's counsel sent a *letter* (not the actual sanctions motion) to Plaintiff's then-counsel demanding withdrawal of the challenged motions “before the May 21 hearing” and reserving the right to seek Rule 11 sanctions. Plaintiff declined on May 17. The Sanctions Motion was then filed on **May 26, 2026** — only 12 days after the letter and after giving Plaintiff essentially **7 days** to withdraw before the hearing.

This does not satisfy the safe harbor, even under the Seventh Circuit’s “substantial compliance” approach (see **Nisenbaum v. Milwaukee County**, 333 F.3d 804, 808 (7th Cir. 2003); **Matrix IV, Inc. v. Am. Nat’l Bank & Tr. Co. of Chi.**, 649 F.3d 539, 552–53 (7th Cir. 2011)). Those cases involved letters that explicitly provided **more than 21 days** to withdraw or correct. Here, Movant provided far less than 21 days and filed the motion almost immediately after the short ultimatum expired.

A mere warning letter demanding action in days (not weeks) does not trigger a proper safe harbor. The challenged motions were still being actively pursued on May 21 (Plaintiff, now *pro se*, indicated his intent to proceed). Movant could have served a proper sanctions motion then and waited the required period. Instead, they rushed to file. The Sanctions Motion should be denied on this procedural ground alone.

II. The Sanctions Motion Is Untimely Due to Unreasonable Delay

The Advisory Committee Notes to Rule 11 expressly state that “Ordinarily the motion should be served promptly after the inappropriate paper is filed, and, if delayed too long, may be viewed as untimely.”

Here, the challenged motions were filed in September and October 2025. The Sanctions Motion was filed on May 26, 2026 — nearly nine months later for the first motion. This is not “prompt.” During much of this period the case was stayed, but that does not excuse Movant’s failure to act diligently once the issues arose. Courts routinely deny Rule 11 motions brought after significant delay, especially when the movant had ample opportunity to raise the issue earlier.

This delay alone warrants denial.

III. The Challenged Motions Were Not Frivolous or Brought in Bad Faith

Sanctions under Rule 11 require that the challenged paper be objectively frivolous — not merely unsuccessful. Losing a motion, even one denied after hearing, does not automatically make it sanctionable.

The Motion to Disqualify was based on alleged conflicts of interest by Ms. Maher. Plaintiff and his then-counsel had a good-faith, reasonable basis to raise these issues, particularly in complex trust litigation involving substantial

assets. The fact that an identical motion was denied in state court does not render the federal version objectively groundless; different courts, different records, and additional facts can support different outcomes. Plaintiff reasonably believed (and continues to believe) the disqualification motion had/has merit.

The tone of the motion, reflects zealous advocacy in a high-stakes dispute, not bad faith. Courts are reluctant to sanction parties for pursuing disqualification where there is an arguable basis, as such motions serve an important role in protecting the integrity of proceedings.

IV. It Is Inappropriate to Sanction Plaintiff for Filings Made by His Former Counsel (Who Was Later Sanctioned and Suspended for Purportedly Similar Conduct)

The challenged motions were signed and filed by Plaintiff's former counsel, Ms. London — **not by Plaintiff himself**. On November 7, 2025, the Seventh Circuit sanctioned Ms. London for filing "scurrilous and unfounded accusations" in similar disqualification motions against judges. On April 17, 2026, she was suspended from practice in the Northern District of Illinois. Plaintiff was granted leave to proceed *pro se* on May 21, 2026.

While a client can sometimes be held responsible for counsel's conduct, imposition of sanctions on the client is discretionary and should consider relative culpability. Here, it would be manifestly unjust to sanction Plaintiff for conduct by counsel who was independently disciplined by the Seventh Circuit and this Court for alleged analogous behavior. Plaintiff should not be penalized for his former lawyer's actions, (and neither should she) especially now that he is representing himself and simply seeks to continue pursuing what he believes are valid challenges to defense counsel's conflicts.

V. The Sanctions Motion Is Retaliatory and Brought for an
Improper Purpose — to Hide Alleged Misconduct and Chill
Legitimate Advocacy

This Sanctions Motion is not a good-faith effort to enforce Rule 11. It is **retaliatory**. It was filed shortly after Plaintiff (through counsel and then *pro se*) refused to withdraw his challenges to Ms. Maher's representation and after Plaintiff sent emails threatening to pursue accountability (including potential RICO claims) if Ms. Maher did not withdraw due to the alleged conflicts.

Movant seeks not only monetary sanctions but also sweeping filing bars and a bar on Plaintiff asserting claims against the lawyers in this case. This is a transparent attempt to:

- Punish Plaintiff for raising legitimate questions about defense counsel's conflicts and conduct;
- Deter Plaintiff from continuing his *pro se* pursuit of the disqualification motion; and
- Insulate Ms. Maher and her firm from accountability for the very misconduct alleged in the underlying motions.

Using Rule 11 as a sword to silence challenges to attorney conflicts or alleged misconduct is an abuse of the rule. Courts should not permit Rule 11 to become a tool for protecting lawyers from scrutiny. The motion itself violates the spirit (if not the letter) of Rule 11 by being presented for an improper purpose — harassment and retaliation.

VI. Additional Defenses and Considerations

- **Emails and threats are not covered by Rule 11.** Rule 11 applies only to signed papers presented to the court. Private emails between parties or counsel

fall outside its scope. Any issues with Plaintiff's communications are better addressed (if at all) through other mechanisms, not Rule 11.

- **Inherent authority sanctions** require a finding of bad faith. Plaintiff's conduct reflects aggressive but good-faith advocacy in a contentious trust dispute, not the "vexatious" or "oppressive" conduct required.

- **Requested sanctions are excessive and punitive.** Even if any violation existed (which it does not), the broad monetary award, filing bar, and prohibition on suing lawyers are disproportionate and would effectively deny Plaintiff access to the courts.

- **Pro se status.** Plaintiff is now proceeding *pro se*. Courts afford *pro se* litigants more leeway, especially when they are simply continuing arguments previously advanced by counsel.

CONCLUSION

For the foregoing reasons, Defendant Ilana Eddi's Rule 11 Motion for Sanctions should be **DENIED** in its entirety. Plaintiff respectfully requests such other and further relief as the Court deems just and proper, including an order directing Movant to show cause why she should not be sanctioned for filing this retaliatory and procedurally defective motion.

Dutifully submitted,

/s/ Raymond Earl Butler II

Raymond E. Butler II

Plaintiff, Pro Se

14320 Shirley Rd.

Baraga, MI. 49908

773-997-0328

RaymondEButler@protonmail.com

CERTIFICATE OF SERVICE

Pursuant to Federal Rule of Civil Procedure 5 and Local Rule 5.5, I hereby certify that on July 17th, 2026, I electronically filed the foregoing **PLAINTIFF'S OPPOSITION TO DEFENDANT ILANA EDDI'S RULE 11 MOTION FOR SANCTIONS** with the Clerk of the Court using the CM/ECF system, which will automatically send electronic notification of such filing to all attorneys of record who are registered CM/ECF users.

/s/ Raymond Earl Butler II

Raymond E. Butler II
Pro Se Plaintiff
14320 Shirley Rd.
Baraga, MI. 49908
773-997-0328
RaymondEButler@protonmail.com