

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

FENIX CAPITAL FUNDING, LLC,

Plaintiff,

vs.

**DREAMTEAM DEVELOPMENT LLC,
DBA: DREAMTEAM DEVELOPMENT/
DREAM TEAM WEB DESIGN/
THE FENTANYL TEST/WIMKIN
SOCIAL MEDIA, WIMKIN,
TRUTH SOCIAL MEDIA,
AND JASON SHEPPARD,**Defendants.

Case No. LACL164198**ORDER**

Before the court are Motions to Vacate Judgment and to Quash Garnishment filed by the above-named defendants. The court held a hearing via Zoom on February 20, 2026, at which the Plaintiff, Fenix Capital Funding, LLC (“Fenix”), appeared through attorney Noelle Murray.¹ Jason Sheppard (“Mr. Sheppard”) appeared for Defendants, *pro se*. After hearing the arguments of counsel, and having reviewed the court file, including the motions, resistance, and filed briefs and attachments, the court rules as follows.

I. UNAUTHORIZED PRACTICE OF LAW

Mr. Sheppard can represent himself. He cannot represent any of the other named defendants without a lawyer. Laymen are excluded from performing those acts which constitute the practice of law. *Yulin Li ex rel. Lee v. Rizzio*, 801 N.W.2d 351, 360 (Iowa Ct App. 2011). The act of representing another in court constitutes the practice of law. This is true even if that representation is by an otherwise legal representative. *Id.* at 361. “The authority to represent

¹ Noelle Murray has since withdrawn as counsel for Fenix, and attorney Nicholas J. Helderbrand has entered his appearance.

another party . . . does not equal the authority to practice law on their behalf.” *Id.* at 361 (*quoting Chisholm v. Rueckhaus*, 948 P.2d 707, 709 (N.M. App. 1997)).

It is clear that Mr. Sheppard has performed the unauthorized practice of law in bringing forth claims herein on behalf of the other defendants. The next question is what then happens to those claims? Legal proceedings in which a party is represented by a person not entitled to practice law are a legal nullity. 7 C.J.S. *Attorney & Client* § 48. *See also Goodwin v. Hobza*, 762 N.W.2d 623, 628 (Neb. App. 2009); (“Proceedings in a suit by a person not entitled to practice law are a nullity, and the suit may be dismissed.”). A nullity is something that is legally void. *Black's Law Dictionary* (11th ed. 2019). Iowa follows a line of authority from other jurisdictions declaring void claims that are brought in court by a non-lawyer on behalf of another. *Rizzio*, 801 N.W.2d at 363. The effect of voiding claims brought by Mr. Sheppard on behalf of the other defendants is that the actions taken in this case by Mr. Sheppard on behalf of the other defendants never happened. *See id.* at 364 (“Because the judgment on Gordon's personal injury claim is void, ‘there [is] no valid judgment from which to appeal’ and, consequently, we have no action to review with respect to this claim”) (*quoting Wederath v. Brant*, 287 N.W.2d 591, 595 (Iowa 1980)). Because they do not exist, the court is required to deny all of Mr. Sheppard’s claims filed on behalf of the other defendants. Mr. Sheppard may continue to represent his own personal interests in this matter, and the court is aware that he is a personal guarantor on the Confession of Judgment at issue herein.

II. CHOICE OF LAW/CONFLICT OF LAW

Reference was made in the briefing and argument to a forum selection clause in the Confession of Judgment at issue herein. No briefing or argument addressed which state’s laws the court should apply in deciding the validity or enforceability of the Confession of Judgment. The limited information before the court is that the transactions that included the Confession of

Judgment were between a New York financial company and a Pennsylvania resident. It does not appear that the State of Iowa has any involvement herein other than being the forum selected in the Confession of Judgment. It also appears to the court that there is conflict between the laws of the State of Iowa and those of New York and Pennsylvania as to whether and under what circumstances and/or procedures Confessions of Judgment are enforceable. The court wants the parties to address these issues through supplementation of briefing and the record herein.

ORDER

For the reasons set forth above,

IT IS THEREFORE ORDERED that all pleadings and other filings on behalf of all defendants herein other than Mr. Sheppard, personally, are void, and any motions on behalf of such defendants are therefore denied.

IT IS FURTHER ORDERED that the court holds any rulings on pending motions filed on behalf of Mr. Sheppard, personally, in abeyance pending the opportunity for Fenix and Mr. Sheppard to supplement their briefing and the record herein. Fenix and Mr. Sheppard shall, **no later than April 10, 2026**, file any supplemental briefing and record on the issues of 1) choice of law, 2) conflict of law, 3) which State's law the court should apply in deciding the validity or enforceability of the Confession of Judgment at issue herein, and 4) the application of that law to such Confession of Judgment. After April 10, 2026, the court will consider the matter submitted for ruling.

IT IS FURTHER ORDERED that all other requests to provide supplemental briefing or record, other than as set forth above, are denied.



State of Iowa Courts

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AL
OTHER ORDER

Type:

So Ordered

Joseph Seidlin, District Court Judge
Fifth Judicial District of Iowa

Electronically signed on 2026-03-19 09:12:26