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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Hydentra HLP Int. Limited, et al.,

No. CV-16-01494-PHX-DGC

10 Plaintiffs,

ORDER

11 v.

12 Sagan Limited, MXN Limited, Netmedia
13 Services Incorporated, and David Koonar,

14 Defendants.

15 Defendants Sagan Limited, MXN Limited (“Cyberweb”), Netmedia Services, Inc.,
16 and David Koonar move for an evidentiary hearing to determine whether the Court has
17 personal jurisdiction. Doc. 69. The Court will deny the motion.

18 Defendants contend that because the parties have stipulated that all jurisdiction-
19 related discovery is complete, the interests of judicial economy would be served by holding
20 an evidentiary hearing. Doc. 69 at 5. Plaintiffs argue that such a hearing would not be
21 prudent because the remaining jurisdictional facts are intertwined with the merits of their
22 claims. Doc. 70 at 3, 6. Defendants do not respond to or otherwise dispute this argument.
23 Where jurisdictional facts are intertwined with the merits of a case, it is preferable that a
24 jurisdictional determination be made at trial, “where a plaintiff may present his case in a
25 coherent, orderly fashion and without the risk of prejudicing his case on the merits.” *See*
26 *Data Disc, Inc. v. Sys. Tech. Assocs., Inc.*, 557 F.2d 1280, 1285 n.2 (9th Cir. 1977); *Best*

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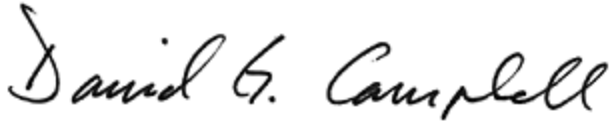
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1 *Western Int'l Inc. v. Paradise Hosp. Inc.*, No. CV-14-00337-PHX-DGC, 2014 WL
2 4209246, at *5 (D. Ariz. Aug. 26, 2014).¹

3 **IT IS ORDERED:**

- 4 1. Defendants' motion for evidentiary hearing (Doc. 69) is **denied**.
5 2. On or before February 28, 2020, the parties shall file a joint memorandum
6 setting forth a proposed discovery and motion schedule for completing this
7 case.

8 Dated this 10th day of February, 2020.

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12 David G. Campbell
13 Senior United States District Judge
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27 ¹ The Ninth Circuit has determined that the Court has personal jurisdiction over
28 Sagan, and that personal jurisdiction is proper as to all owners or operators of Porn.com.
See Doc. 67-1 at 2 n.1, 5. Defendants concede Cyberweb is an owner of Porn.com. Doc. 35
at 4-5. At trial, the Court must additionally determine whether Netmedia and Koonar are
owners or operators of the website.