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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. CV 08-5349 PA (PJWx) Date November 3, 2008

Title Sprinkles Cupcakes, Inc. v. Famous Cupcakes, Inc.

Present: The Honorable PERCY ANDERSON, UNITED STATES DISTRICT JUDGE

Paul Songco

Not Reported

N/A

Deputy Clerk

Court Reporter

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

None

None

Proceedings: IN CHAMBERS – COURT ORDER

On September 25, 2008, the Court Clerk entered default against defendant Famous Cupcakes, Inc. (“Defendant”). The Clerk’s entry of default was based, in part, on the proof of service submitted by plaintiff Sprinkles Cupcakes, Inc. (“Plaintiff”). The proof of service indicates that a person named Rachelle Reze was served with the summons and complaint at an address in Sacramento, California. (See Docket No. 6.) However, the California Secretary of State’s website shows that Defendant is located in North Hollywood, California. Defendant’s agent for service of process, Desiree Adl, is located in Tarzana, California. At the hearing on Plaintiff’s motion for default judgment, Plaintiff was unable to explain why it served neither Defendant’s agent for service of process, nor Defendant itself at its business address. Plaintiff was also unable to explain what, if any, connection exists between Defendant and Rachelle Reze, who was served at the Sacramento address. Accordingly, no later than November 12, 2008, Plaintiff is ordered to show cause in writing why the default entered by the Clerk should not be vacated for failure to properly serve Defendant.

IT IS SO ORDERED.

Initials of Preparer _____ : _____
