

O

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

NANO-SECOND TECHNOLOGY CO.,)	CV 10-9176 RSWL (MANx)
LTD., a Taiwanese)	
Corporation)	
	ORDER Re: Defendant
Plaintiff,)	Dynaflex International's
	Ex Parte Application to
v.)	Strike Plaintiff Nano-
	Second's Supplemental
	Declaration and for
	Sanctions [50]
DYNAFLEX INTERNATIONAL,)	
a California Corporation)	
Defendant.)	
_____)	

Before the Court is Defendant Dynaflex International's ("Defendant") Ex Parte Application to Strike Plaintiff Nano-Second's ("Plaintiff") Supplemental Declaration and for Sanctions [50]. Defendant requests that the Court strike a Supplemental Declaration that Plaintiff submitted four days before the Court's September 14, 2011 hearing on Plaintiff's Motion for Preliminary Injunction. This Supplemental Declaration, however, was not pertinent to the Court's analysis on Plaintiff's Motion for Preliminary Injunction. Accordingly Defendant's Ex Parte

1 Application to Strike Plaintiff Nano-Second's
2 ("Plaintiff") Supplemental Declaration is **DENIED AS**
3 **MOOT.**

4 Furthermore, the Court **DENIES** Defendant's request
5 for sanctions as the Court does not find that Plaintiff
6 acted in bad faith in filing the Supplemental
7 Declaration four days before the hearing.

8
9
10 DATED: October 25, 2011

11 **IT IS SO ORDERED.**

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
RONALD S.W. LEW

HONORABLE RONALD S.W. LEW
Senior, U.S. District Court Judge