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 ROCKET LAWYER INCORPORATED

11
 12 **UNITED STATES DISTRICT COURT**
 13 **CENTRAL DISTRICT OF CALIFORNIA**
 14 **WESTERN DIVISION**

15
 16 LEGALZOOM.COM, INC., a Delaware
 corporation,
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 Plaintiff,
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 v.
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 20 ROCKET LAWYER
 INCORPORATED, a Delaware
 corporation,
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 Defendant.

Case No. 2:12-cv-09942-GAF-AGR
**NOTICE OF NON-COMPLIANCE
 WITH LOCAL RULE 7-3**
 Date: September 30, 2013
 Time: 9:30 a.m.
 Judge: Judge Gary A. Feess
 Courtroom: 740
 255 East Temple Street
 Los Angeles, CA 90012
 Action Filed: November 20, 2012

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1 On August 23, 2013, plaintiff and cross-defendant LegalZoom.com Inc.
2 (“LegalZoom”) filed a motion for summary judgment (ECF No. 28, the “Motion”)
3 in the above captioned action against defendant and cross-claimant Rocket Lawyer
4 Incorporated (“Rocket Lawyer”). However, prior to filing this Motion, LegalZoom
5 failed to follow the relevant procedural rules governing motion practice in this
6 Court. Specifically, LegalZoom made no attempt to meet and confer with Rocket
7 Lawyer about the substance of the Motion as required by Local Rule 7-3, which
8 provides that “counsel contemplating the filing of any motion shall first contact
9 opposing counsel to discuss thoroughly, preferably in person, the substance of the
10 contemplated motion and any potential resolution.” C.D. Cal. R. 7-3. Because no
11 meet and confer took place, LegalZoom’s Motion does not include the requisite
12 statement attesting that the Motion was made following a meet and confer with
13 counsel. *See id.*

14 Local Rule 7-3 requires that a conference between counsel “take place at least
15 seven (7) days prior to the filing of the motion.” “The purpose of Local Rule 7-3 is
16 to help the parties ‘reach a resolution which eliminates the necessity for a
17 hearing’” *Nat’l Org. of Assist. For Homeowners v. America’s Servs. Co.*, Case
18 No. 8:11-cv-00622 –JST-VBK, ECF No. 23, Order Striking Motions (C.D. Cal.
19 May 18, 2011) (Tucker, J. presiding) (hereto attached as Exhibit A). Local Rule 7-3
20 exempts the filings listed in Local Rule 16-12 from the meet and confer
21 requirements. But LegalZoom’s Motion does not fall within any of these
22 exceptions. *See* C.D. Cal. L.R. 16-2.

23 Had LegalZoom met and conferred with Rocket Lawyer about its Motion,
24 LegalZoom would have learned of significant weaknesses in its arguments.
25 LegalZoom would have also learned that lead trial counsel for Rocket Lawyer,
26 Mr. Forrest A. Hainline III, is unavailable on September 30, 2013, the current
27 hearing date for the Motion, because he will be in arbitration on another matter.
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1 Because LegalZoom did not meet and confer and did not make any attempt to
2 meet and confer about the Motion, the Court may (and should) in its discretion
3 strike the Motion for non-compliance with Local Rule 7-3. *See id.* (striking motion
4 to dismiss for failure to comply with Local Rule 7-3 even though defendant tried to
5 contact plaintiff to meet and confer); *see also Daniels v. BAC Home Loans Servicing*
6 *LP*, Case No. 2:10-cv-09812-PA-MAN, ECF No. 22 (C.D. Cal. Mar 23, 2011)
7 (Anderson, J. presiding) (hereto attached as Exhibit B) (denying motion and
8 admonishing plaintiff’s counsel stating “Rather than complying with Local Rule 7-
9 3’s meet and confer requirements, Plaintiffs’ counsel instead filed this unnecessary
10 and procedurally defective Motion”).

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Dated: August 27, 2012

Respectfully submitted,

By: /s/ Forrest A. Hainline III
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PROOF OF SERVICE

I, the undersigned, certify and declare that I am over the age of 18 years, employed in the County of Los Angeles, State of California, and not a party to the above-entitled cause. On **August 27, 2013**, I electronically filed the following document(s) using the CM/ECF system:

NOTICE OF NON-COMPLIANCE WITH LOCAL RULE 7-3

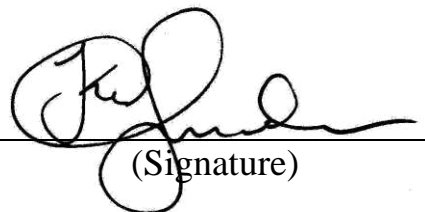
I certify that all participants in the case are registered CM/ECF users and will be served by the CM/ECF system.

I declare under penalty of perjury that I am employed in the office of a member of the bar of this Court at whose direction this service was made and that the foregoing is true and correct.

Executed on **August 27, 2013**, at Los Angeles, California.

Kemi Oyemade

(Type or print name)



(Signature)