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8 **United States District Court**
9 **Central District of California**

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11 OLGA CURTIS,

12 Plaintiff,

13 v.

14 SHINSACHI PHARMACEUTICAL INC.;

15 SEUNGWOO SHIN; DOES 1–10,

16 inclusive,

17 Defendants.

Case № 2:14-cv-00591-ODW(SSx)

ORDER TO SHOW CAUSE RE.

GOVERNING LAW

18 On June 30, 2014, Plaintiff Olga Curtis moved for entry of default judgment
19 against Defendants ShinSachi Pharmaceutical Inc. and Seungwoo Shin. (ECF
20 No. 24.) She argues that she is entitled to judgment on various common-law claims,
21 including trade libel, intentional interference with contract, and intentional
22 interference with prospective economic advantage. In asserting these claims, she
23 applies California law but provides no reason why California and not Idaho law
24 applies. Curtis alleges that she resides and has her principal place of business in
25 Idaho, which may establish that Idaho has an interest in having its law applied to this
26 action.

27 The Court also notes that it does not appear that Idaho recognizes a tort called
28 “trade libel,” though California does. This conflict must be resolved before the Court

1 can adjudicate Curtis's claim under that name. But both California and Idaho seem to
2 apply identical elements for intentional-interference claims.

3 The Court therefore **ORDERS** Curtis to **SHOW CAUSE** in writing by
4 **Monday, September 8, 2014**, why the Court should apply California law to this
5 action. No hearing will be held; Curtis shall respond in writing. Curtis should address
6 issues such as California's governmental-interest approach for conflict of laws,
7 whether Idaho recognizes a trade-libel tort, and whether there are any inconsistencies
8 between the intentional-interference claims under California and Idaho law. Failure to
9 timely respond will result in dismissal for lack of prosecution.

10 **IT IS SO ORDERED.**

11
12 August 28, 2014

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16 **OTIS D. WRIGHT, II**
17 **UNITED STATES DISTRICT JUDGE**