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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CIVIL MINUTES – GENERAL

Case No.	CV 15-08157-BRO (Ex)	Date	October 29, 2015
Title	SATA GMBH & CO. KG V. WENZHOU NEW CENTURY INTERNATIONAL, LTD. ET AL.		

Present: The Honorable **BEVERLY REID O’CONNELL, United States District Judge**

Renee A. Fisher

Not Present

N/A

Deputy Clerk

Court Reporter

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

Proceedings: (IN CHAMBERS)

**ORDER TO SHOW CAUSE RE: HEARING
ON TEMPORARY RESTRAINING ORDER**

On October 26, 2015, the Court held a hearing regarding Plaintiff SATA GmbH & Co. KG’s Temporary Restraining Order against Defendants Wenzhou New Century International, Ltd. (“Wenzhou”), A&F Auto Paint & Supply, Inc. (“A&F”), Abdulahad Hanna, and Does 1-10 (collectively, “Defendants”). (*See* Dkt. No. 12 (granting Plaintiff’s Ex Parte Application for Temporary Restraining Order, Seizure Order, and Order to Show Cause for Preliminary Injunction and for Expedited Discovery); *see also* Dkt. No. 14.) Only counsel for Plaintiff was present before the Court. At the hearing, Plaintiff’s counsel represented to the Court that Plaintiff personally served Hanna, as well as two of Hanna’s sons, Doe 1 and Doe 2¹ (collectively, the “Hanna Defendants”). Although not confirmed by the solicitor at the time of the hearing, Plaintiff’s counsel also believed Plaintiff had personally served Defendant Wenzhou in Hong Kong.

Plaintiff’s counsel stated to the Court that attorney Arthur Barends represents the Hanna Defendants. Plaintiff’s counsel represented to the Court that Barends contacted Plaintiff’s counsel, indicating that the Hanna Defendants: (1) would accept service of the Summons and Complaint; (2) consent to the Court’s entry of the Preliminary Injunction;

¹ Plaintiff’s counsel maintained that one of Hanna’s sons “runs” A&F’s business and that the other is an accountant at A&F. As suggested at the October 26 hearing, Plaintiff may also serve a third individual as a Doe Defendant, namely Hanna’s son-in-law who drives the white van that investigators reported had been distributing the counterfeit products.

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and, (3) agree to stipulate² to certain search terms for Plaintiff’s forensic evaluation of the Hanna Defendants’ files.

The Court hereby **ORDERS** Plaintiff to: (1) **immediately** serve the Hanna Defendants with a copy of this Order to Show Cause; and, (2) to file, **by Monday, November 2, 2015**, a proof of service confirming that Plaintiff effected service upon Defendant Wenzhou.

The Court **ORDERS** the Hanna Defendants to file a declaration **on or before Monday, November 2, 2015**, signed under penalty of perjury, consenting to the terms of the Preliminary Injunction and waiving their right to a hearing on the matter.

Finally, at the October 26, 2015 hearing, Plaintiff’s counsel asked that the Court allow Plaintiff additional time for leave to amend the complaint. The Court accordingly **GRANTS** Plaintiff leave to amend its complaint; Plaintiff may file a first amended complaint **within 60 days** of this Order. *See* Fed. R. Civ. P. 15(a)(2) (“[A] party may amend its pleading only with . . . the court’s leave. The court should freely give leave when justice so requires.”).

IT IS SO ORDERED.

Initials of Preparer

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² Plaintiff and the Hanna Defendants must separately file a proposed stipulation and order to this Court regarding this issue.