UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA

	CIVIL MINUTES - GENE	RAL	'O'
Case No.	2:16-cv-08172-CAS(AFMx)	Date	May 15, 2017
Title	UL LLC v. THE SPACE CHARIOT INC. I	ET AL.	

Present: The Honorable	CHRISTINA A. S	NYDER			
Catherine Jeang	Ν	Not Present			
Deputy Clerk	Court Re	eporter / Recorder	Tape No.		
Attorneys Present fo	r Plaintiffs:	Attorneys Present for Defendants:			
Not Present		Not Present			
Proceedings: (IN CHAMBERS) - PLAINTIFF UL'S REQUEST FOR CLARIFICATION (Dkt. 85, filed May 23, 2017)					

On November 3, 2016, plaintiff UL LLC filed this action against defendants The Space Chariot, Inc., Kevin Walker, Donabelle Escarez Mortel (aka Donabella Mortel), and John Does 1–10. Dkt. 1. The gravamen of UL's complaint is that Space Chariot, Walker, and Mortel ("defendants") are using UL marks on various websites to falsely represent that Space Chariot's goods—namely, hoverboards—have been certified by UL.

On November 17, 2016, the Court granted UL's motion for a temporary restraining order and ordered defendants to show cause why a preliminary injunction should not be issued. Dkt. 25 ("TRO"). On December 9, 2016, the Court issued a preliminary injunction to which the parties had stipulated. Dkt. 33 ("Preliminary Injunction").

On April 10, 2017, the Court granted UL's motion for civil contempt and sanctions on the grounds that defendants violated portions of the TRO and the Preliminary Injunction. Dkt. 74. Among other things, the Court ordered defendants to account for dissipated assets and directed UL to file a request for attorneys' fees and costs on or before April 24, 2017. <u>Id.</u> at 7.

On April 19, 2017, Walker and Mortel filed a notice that they filed bankruptcy petitions. Dkt. 79.

On April 20, 2017, the Court (a) stayed this action as to Walker and Mortel, pursuant to their petitions to the Bankruptcy Court; (b) granted UL's motion for partial summary judgment as to its first and second claims for relief; and (c) denied Space Chariot's motion for leave to file a third-party complaint. Dkt. 81. The Court ordered UL to file a proposed judgment as to Space Chariot forthwith. <u>Id.</u> at 22.

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On May 12, 2017, UL filed a status report and a request for clarification. Dkt. 85. UL requests clarification as to whether it should submit a proposed judgment or await resolution of its relief-from-stay motions now pending before the Bankruptcy Court. <u>Id.</u> at 3.

Consistent with the Court's April 20, 2017 order, UL shall file a proposed judgment against Space Chariot forthwith because it appears that Space Chariot is not subject to the automatic stay. Similarly, and consistent with the Court's April 10, 2017 order, UL may seek to recover attorneys' fees and costs from Space Chariot. Finally, Space Chariot remains obligated to comply with the April 10, 2017 order.

In the event that the Bankruptcy Court grants UL relief from the automatic stay, UL may proceed as appropriate against Walker and Mortel.

IT IS SO ORDERED.

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