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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

J&J SPORTS PRODUCTIONS, INC.,	)	Case No. 1:12-cv-1508-AWI-BAM
	)	
Plaintiff,	)	ORDER CONSTRUING DEFENDANT’S
	)	LETTER AS A MOTION TO SET ASIDE
v.	)	DEFAULT AND ORDERING PLAINTIFF
	)	TO FILE A RESPONSE
RUBEN GARCIA ARANDA d/b/a EL	)	
CACHANILLA POOL HOUSE,	)	(Doc. 16)
	)	
Defendant.	)	
	)	
	)	

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On March 26, 2013, J&J Sports Production, Inc. (“Plaintiff”) filed a complaint alleging that Defendant Ruben Garcia Aranda (“Defendant”) unlawfully intercepted and exhibited the closed-circuit program “*Star Power: Floyd Mayweather, Jr. v. Victor Ortiz, WBO Welterweight Championship Fight Program*” at his commercial establishment, El Cachanilla Pool House (“El Cachanilla”), located at 1501 Tulare Street in Fresno, California. The Summons and Complaint were served on Defendant by personal service on November 25, 2012. (Doc. 7). Defendant did not answer the complaint, and the Clerk of the Court entered default against Defendant on January 16, 2013.

On March 26, 2013, Plaintiff filed a motion for default judgment requesting that the Court enter a judgment against Plaintiff for damages in the amount of \$112,200.00. (Doc. 11-4).<sup>1</sup> On May

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<sup>1</sup> On May 13, 2013, the Court issued Findings and Recommendations, granting Plaintiff’s motion for default judgment in part, and recommending that the Court issue Plaintiff an award of \$3,200.

1 7, 2013, Defendant appeared in person and filed a letter with the Court stating that “he never showed  
2 the Mayweather v. Ortiz fight” at his establishment.” (Doc. 16). The Court construes this document  
3 as a motion by pro se defendant to set aside the Clerk’s entry of default and answer to the Complaint.  
4 Plaintiff will be allowed an opportunity to respond to Defendant’s letter. *See Franchise Holding II,*  
5 *LLC v. Huntington Rests. Group, Inc.*, 375 F.3d 922, 926 (9th Cir. 2004). Plaintiff’s opposition to  
6 Defendant’s motion is due on or before **June 7, 2013**.

7 Plaintiff is ordered to serve a copy of its response on Defendant Ruben Garcia Aranda at  
8 2522 S. 10th Street Fresno, CA 93725.

9 IT IS SO ORDERED.

10 Dated: **May 20, 2013**

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE