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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

JACINTO ROMERO, an individual; and
RAMIRO CERDA, an individual d/b/a Yo No
Fui Clothing,

Plaintiffs,

v.

ALESSIA GIACOBINO, and individual; and
DOES 1-10, inclusive,

Defendants.

Case No. 1:13-cv-02046-AWI-SKO

**ORDER RESCHEDULING HEARING TO
DETERMINE DAMAGES**

(Doc. 20)

Plaintiffs Jacinto Romero and Ramiro Cerda (“Plaintiffs”) filed a Complaint on December 16, 2013, for trademark infringement, unfair competition, and false designation of origin. (Doc. 1.) Defendant Alessia Giacobino was served on March 26, 2014, with an answer to the complaint due April 16, 2014. (Doc. 5.) The clerk entered default against Defendant on August 29, 2014, and Plaintiffs filed their Motion for Default Judgment on November 13, 2014. (Docs. 11, 15.)

Plaintiffs requested a hearing pursuant to Fed. R. Civ. Proc. 55(b)(2), which was set for January 14, 2015. (Doc. 16; 17.) As Defendant resides in Italy, Plaintiffs were unable to serve him with notice of the hearing and Plaintiffs requested the hearing be rescheduled to allow them sufficient time to effect service. (Doc. 18.) The hearing was vacated and reset to June 17, 2015, a

1 five-month extension of time. (Doc. 19.)

2 Plaintiffs have still not effected service upon the Defendant. (Doc. 20, 1.) Plaintiffs have
3 “initiated service and the documents are currently being translated” but Plaintiffs’ “service of
4 process provider has informed [P]laintiffs they will require additional time to fulfill international
5 regulations.” (Doc. 20, 1.) Plaintiffs request a rescheduling of the hearing to determine damages,
6 to allow for proper foreign service of notice of the hearing and the documentation supporting their
7 request for damages. (Doc. 20, 1.)

8 IT IS HEREBY ORDERED that:

- 9 1. The hearing to determine damages set for June 17, 2015, is VACATED, and the
10 hearing is RESET to August 12, 2015, at 9:30 a.m. in Courtroom 7;
- 11 2. Plaintiffs shall FILE proofs of service of the Court’s order and notice of the reset
12 hearing on Defendant by no later than May 27, 2015.

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14 IT IS SO ORDERED.

15 Dated: March 31, 2015

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

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