

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

J & J SPORTS PRODUCTIONS, INC.,
Plaintiff,
v.
HUMBERTO LEON SANCHEZ, JR.,
Defendant.

No. 2:11-cv-2440 GEB AC

ORDER

Pending before the court is plaintiff’s motion for default judgment against defendant Humberto Leon Sanchez, Jr. The Court has determined that this matter shall be submitted on the papers and accordingly the date for hearing shall be vacated. E.D. Local Rule 230. Upon review of the motion and the supporting documents, and good cause appearing, THE COURT FINDS AS FOLLOWS:

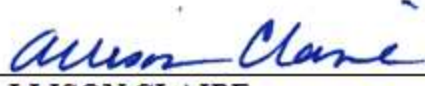
On September 15, 2011, plaintiff initiated this suit and is proceeding on a first amended complaint against defendant Sanchez, individually and d/b/a Discoteca Sanchez (“the establishment”). Plaintiff’s operative pleading identifies the address of the establishment as 1 South Wilson Way, Stockton, California 95205. See First. Am. Compl. at 9. However, plaintiff’s application for default judgment and the supporting declaration from plaintiff’s investigator identifies the address of the establishment as 678 North Wilson, Stockton, California 95205. See Pl.’s Not. of Appl. and Appl. Def. J., ECF No. 43 at 2; Affiant Decl., ECF No. 43-3 at 2. As these are clearly distinct addresses and it is unclear whether plaintiff’s investigator

1 actually visited the establishment identified in the first amended complaint, plaintiff's motion will
2 be denied without prejudice to its renewal.

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. The July 2, 2014 hearing on plaintiff's motion for default judgment is vacated; and
- 5 2. Plaintiff's motion for default judgment (ECF No. 43) is denied without prejudice to its
6 renewal with supporting documents consistent with the allegations in the pleading.

7 DATED: June 27, 2014

8 
9 ALLISON CLAIRE
10 UNITED STATES MAGISTRATE JUDGE

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28