



1 The court previously cautioned Allstate that failure to file a substitution of counsel may result in  
2 an order to show cause or a notice of the potential for default proceedings upon the lifting of the  
3 stay. Prior Order at 5.

4 While the patent infringement claims by Advanced Steel Recovery against X-Body and  
5 Jewell have not been resolved yet, the court finds entry of default against Allstate is warranted in  
6 this case for the following reasons. Allstate has not complied with court orders. It has not filed a  
7 substitution of counsel and has been an unrepresented corporate entity for over three years.  
8 Allstate has not provided the court with its most current address. *See* E.D. Cal. L.R. 183(b) (“A  
9 party appearing in propria persona shall keep the Court and opposing parties advised as to his or  
10 her current address.”). Failure to comply with the Local Rules may be grounds for judgment by  
11 default or any other appropriate sanctions. *See id.* 183(a).

12 Accordingly, the court **partially lifts the stay as to Allstate and directs the Clerk of**  
13 **Court to enter a default against Allstate.** The court recognizes Allstate is a customer of  
14 X-Body, and Allstate’s liability, if any, may depend in part on the resolution of the infringement  
15 claims by Advanced Steel Recovery against X-Body. *See* Stip., ECF No. 10. Thus, Allstate, if it  
16 obtains counsel, may move to set aside the entry of default and reinstate the stay. Any such  
17 motion **shall be filed within fourteen (14) days** of the clerk’s entry of default. If Allstate does  
18 not so move, Advanced Steel Recovery shall move for default judgment against Allstate **30 days**  
19 thereafter in front of the assigned magistrate judge. The order to show cause (ECF No. 176) is  
20 **discharged.** The Clerk of Court is also directed to remove James Lin as a defendant from the  
21 public docket as Lin is not a party in this case.

22 IT IS SO ORDERED.

23 DATED: March 9, 2023.

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CHIEF UNITED STATES DISTRICT JUDGE