

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  
NORTHERN DISTRICT OF CALIFORNIA

SERGEI SARYTCHEV,  
Plaintiff,

v.

VIXTOR KOROLEV, et al.,  
Defendants.

Case No. [12-cv-02284-NJV](#)

**ORDER RE UPCOMING HEARING**  
Re: Dkt. No. 58

Defendants have moved to set aside the default entered against them. Doc. No. 58. The motion is set for hearing on April 9, 2013. Doc. No. 59. In opposition to the motion, plaintiff Sarytchev makes a number of points (Doc. No. 60), two of which are of particular interest to the court:

1. Defendants have not offered specific facts establishing the existence of a meritorious defense.
2. In the event the court grants Defendants' motion and sets aside the default, the court should require Defendants to pay Plaintiff's attorneys' fees and costs.

Defendants have not responded to these arguments; indeed, they have not filed reply papers in support of their motion.

Defendants should be prepared to address both points at the upcoming hearing.

**IT IS SO ORDERED.**

Dated: April 1, 2013

  
\_\_\_\_\_  
Nandor J. Vadas  
United States Magistrate Judge