



1 January 1, 2009. Doc #216. To the extent this submission is  
2 intended to show cause why Subramanian should not be held in  
3 contempt, its tardiness is inexcusable. If Subramanian operated  
4 under the impression that he could wait until the outcome of his  
5 pending Ninth Circuit appeal to comply with the court's order, see  
6 Doc #216 at 2, he did so without regard to the court's explanation  
7 that the pending appeal "does not affect the court's authority  
8 immediately to award attorneys' fees." Doc #193 at 2. Subramanian  
9 also objects to the fee award in his request, Doc #216; however,  
10 these objections should have been raised before the court issued  
11 its November 20 order and are therefore untimely.

12 Accordingly, the court finds Subramanian in contempt of  
13 its November 20, 2008 order (Doc #193). Subramanian is ORDERED to  
14 pay \$16,640 in attorneys' fees to QAD immediately along with \$5,000  
15 as a contempt penalty for a total of \$21,640. Additionally,  
16 Subramanian is ordered to pay an additional \$5,000 if he is still  
17 in contempt on February 15, 2009.

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IT IS SO ORDERED.



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VAUGHN R WALKER  
United States District Chief Judge