

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

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MEI-FANG LISA ZHANG, et al.

Plaintiffs,

No. C 07-04946 JSW

v.

**NOTICE OF TENTATIVE
RULING AND QUESTIONS FOR
HEARING**

WEI-MAN RAYMOND TSE, et al.

Defendants.

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD, PLEASE TAKE
NOTICE OF THE FOLLOWING QUESTIONS FOR THE HEARING SCHEDULED ON
JULY 20, 2012, AT 9:00 A.M.:

The Court has reviewed the parties' papers and, thus, does not wish to hear the parties reargue matters addressed in those pleadings. If the parties intend to rely on authorities not cited in their briefs, they are ORDERED to notify the Court and opposing counsel of these authorities reasonably in advance of the hearing and to make copies available at the hearing. If the parties submit such additional authorities, they are ORDERED to submit the citations to the authorities only, with reference to pin cites and without argument or additional briefing. *Cf.* N.D. Civil Local Rule 7-3(d). The parties will be given the opportunity at oral argument to explain their reliance on such authority. The Court suggests that associates or of counsel attorneys who are

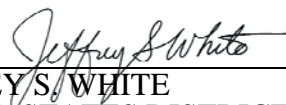
1 working on this case be permitted to address some or all of the Court's questions contained
2 herein.

3 The parties each shall have twenty (20) minutes to address the following questions:

- 4 1. How do Plaintiffs distinguish *McNamara v. Sher*, 2012 WL 760531, at *4 (S.D. Cal.
5 Mar. 8, 2012), *McNamara v. Lee*, 2011 WL 4635618, at *1-2 (S.D. Cal. Oct. 5, 2011),
6 and *Sananikone v. United States*, 2009 WL 796544, at *1 (E.D. Cal. Feb. 25, 2009)?
- 7 2. Do Plaintiffs have any authority to support their argument that a district court need not
8 make the findings required by section 415.50(a) of the California Code of Civil
9 Procedure to order service by publication?
- 10 3. Does Defendant have any additional authority, and in particular any authority that a
11 district court may dismiss for insufficient service of process or set aside judgment based
12 on a failure to comply with section 415.50(a) of the California Code of Civil Procedure,
13 to support his argument that the Court should vacate the judgment?

14 **IT IS SO ORDERED.**

15 Dated: July 18, 2012



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

16
17
18
19
20
21
22
23
24
25
26
27
28