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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

CYMA (U.S.A.) LTD. and CYMA S.A.,)
Plaintiff,)
vs.)
LUMONDI, INC., and MONDAINE)
WATCH, LTD.)
Defendants.)

Case No. 09-cv-02802 (MHP)

[PROPOSED] ORDER TO SHOW CAUSE

Date: January 10, 2011
Time: 2:00 P.M.
Ctrm: 15
Judge: Hon. Marilyn H. Patel

_____)
LUMONDI, INC., and MONDAINE)
WATCH, LTD.)
Counter-Claimants,)
vs.)
CYMA (U.S.A.) LTD., CYMA, S.A. and)
ROES 1-10)
Counterdefendants.)
_____)

1 On November 9, 2010, Cotchett Pitre & McCarthy (“CPM”) filed a Motion to Withdraw
2 as Counsel for Plaintiffs and Counterdefendants Cyma (U.S.A.) Ltd. (“Cyma USA”) and Cyma,
3 S.A. (“Cyma Swiss”) due to the failure of Cyma USA and Cyma Swiss to cooperate with CPM.

4 Notice of the Motion to Withdraw as Counsel was served on all parties and was served on
5 Cyma USA and Cyma Swiss. The hearing was rescheduled to January 10, 2011 and notice of
6 this rescheduling was served on all parties and was served on Cyma USA and Cyma Swiss. The
7 Court took the Motion to Withdraw under submission.

8 Having considered the papers and evidence submitted, and for good cause shown, the
9 Court HEREBY ORDERS:

10 Due to the failure of Cyma USA and Cyma Swiss to cooperate with their counsel of
11 record, their failure to appear at the January 10, 2011 hearing on CPM’s Motion to Withdraw,
12 and their failure to appear at court-ordered hearings and conferences, this Court issues this Order
13 to Show Cause.

14 The Order to Show Cause Hearing is scheduled before this Court: Northern District of
15 California, Courtroom 15, 450 Golden Gate Ave., San Francisco, CA 94102, on **February 28,**
16 **2011 at 2:00 P.M. Pacific Time.**

17 Cyma USA and Cyma Swiss are ordered to appear at the hearing to show cause why:

- 18 (1) Their claims against Defendants and Counter-Claimants Lumondi, Inc.
19 (“Lumondi”) and Mondaine Watch Ltd. (“Mondaine”) should not be dismissed;
20 (2) A default judgment should not be entered against Cyma U.S.A. and Cyma Swiss
21 in favor of Lumondi and Mondaine on their counter-claims; and
22 (3) Such other relief as requested in any further motions which are filed, including
23 any motions for sanctions, should not be granted.

24 **IT IS SO ORDERED.**

25
26 Dated: 1/21/2011

