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UNITED STATES DISTRICT COURT
Northern District of California

BAY AREA PAINTERS AND TAPERS
PENSION TRUST FUND, et al.,

Plaintiff,

v.

INTERIOR PARTITIONS INC, et al.,

Defendants.

No. C 10-0851 JSW (MEJ)

NOTICE OF REFERRAL

The above-captioned case was referred to Magistrate Judge Maria-Elena James to prepare a report and recommendation on Plaintiff's pending Motion for Default Judgment. (Dkt. #25.) Accordingly, the Court shall conduct a hearing on November 4, 2010 at 10:00 a.m. in Courtroom B, 15th Floor, 450 Golden Gate Avenue, San Francisco, California. Pursuant to Civil Local Rule 7, any opposition to Plaintiff's motion shall be filed by October 14, 2010, and Plaintiff shall file any reply by October 21, 2010.

If no opposition is filed, Plaintiff shall file detailed proposed findings of fact and conclusions of law by October 21, 2010. The proposed findings shall address the following: (1) the basis for the Court's subject matter jurisdiction; (2) the basis for the Court's personal jurisdiction, which, if seeking default judgment against any out-of-state defendants, shall include a minimum contacts analysis under *Schwarzenegger v. Fred Martin Motor Co.*, 374 F.3d 797, 802 (9th Cir. 2004); and (3) an analysis of each individual factor in *Eitel v. McCool*, 782 F.2d 1470, 1471-72 (9th Cir. 1986). Further, if Plaintiff seeks attorney's fees and costs, the proposed findings shall include the following: (1) evidence supporting the request for hours worked, including identification of the subject matter of each person's time expenditures; and (2) evidence that the requested rates are in line with those

UNITED STATES DISTRICT COURT
For the Northern District of California

1 prevailing in the community for similar services of lawyers of reasonably comparable skill and
2 reputation. Plaintiff shall ensure that a copy of the proposed findings is emailed to
3 mejpo@cand.uscourts.gov. The Court prefers that proposed findings be emailed in WordPerfect
4 format; however, Microsoft Word format is also acceptable.

5 In addition, the parties shall lodge with chambers a printed copy of any electronically-filed
6 documents by noon of the next court day following the day the papers are filed electronically. These
7 printed copies shall be marked "Chambers Copy" and shall be submitted to the Clerk's Office, in an
8 envelope clearly marked with "Magistrate Judge James," the case number and "E-Filing Chambers
9 Copy." **ALL CHAMBERS COPIES MUST INCLUDE ON EACH PAGE THE RUNNING
10 HEADER CREATED BY THE ECF SYSTEM. ELECTRONICALLY FILED DOCUMENTS
11 MUST BE CITED IN ALL OTHER DOCUMENTS AS FOLLOWS: DKT#__ AT __.**

12 Plaintiff shall serve this order upon all other parties in this action. Please contact the
13 courtroom deputy, Brenda Tolbert, at (415) 522-4708 with any questions.

14 **IT IS SO ORDERED.**

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16 Dated: September 23, 2010



17 Maria-Elena James
18 Chief United States Magistrate Judge
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