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28UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOE HAND PROMOTIONS, INC.,

No. C-11-1408 EMC

Plaintiff,

v.

**ORDER RE SUPPLEMENTAL  
BRIEFING AND/OR EVIDENCE**DANA MARIE JONES, *et al.*,Defendants.  

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Plaintiff Joe Hand Promotions, Inc. has filed suit against Defendants Dana Marie Jones and Our 2 Boys, Inc., asserting various claims related to Defendants' alleged unlawful exhibition of a television program for which Plaintiff had exclusive distribution rights. Currently pending before the Court is Plaintiff's motion for default judgment which is set for hearing on November 28, 2011. The Court has reviewed Plaintiff's papers and, based on that review, is in need of supplemental briefing and/or evidence from Plaintiff.

More specifically, the Court notes that Plaintiff's investigator, Jeff Kaplan, submitted an affidavit in which he states that he observed, at Defendants' establishment, the broadcast of UFC 111, in which Jim Miller and Kurt Pellegrino were fighting. However, Plaintiff's president, Joe Hand, states in another affidavit that *Mr. Belo* (not Mr. Kaplan) observed an undercard bout between *Frank Mir and Shane Carwin* (not between Jim Miller and Kurt Pellegrino). *See* Hand Decl. ¶ 7. Moreover, the UFC 111 results page appended to Mr. Hand's declaration (which does not appear to be authenticated) reflects no bout between Mr. Miller and Mr. Pellegrino, as testified to by Mr.

1 Kaplan. Rather, it appears that there was a bout between Mr. Miller and Mark Bocek and a separate  
2 bout between Mr. Pellegrino and Fabricio Camoss.

3 Accordingly, the Court hereby orders Plaintiff to provide supplemental briefing to address  
4 the problems noted above. The Court also orders Plaintiff to properly authenticate the UFC 111  
5 results. Finally, the Court orders Plaintiff to clarify whether it is seeking a default judgment on the §  
6 553 claim in addition to the § 605 and conversion claims or whether it is seeking a default judgment  
7 on only the § 605 and conversion claims.

8 The supplemental briefing shall be filed and served within a week of the date of this order.  
9 A proof of service shall be promptly filed.

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IT IS SO ORDERED.

Dated: November 7, 2011

  
EDWARD M. CHEN  
United States District Judge