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United States District Court
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DESIGN DATA CORPORATION,
Plaintiff,
v.
UNIGATE ENTERPRISE, INC., et al.,
Defendants.

Case No. [12-cv-04131-WHO](#)

**ORDER LIFTING STAY AND
GRANTING MOTION TO STRIKE THE
ANSWER OF DEFENDANT UNIGATE
INVESTMENT, INC**

Re: Dkt. Nos. 46, 49

On September 12, 2013, the Court entered an Order Denying Motion to Strike, Partially Staying Case and Setting Case Management Conference because the corporate status of defendants Unigate Enterprise, Inc. and Unigate Investment, Inc. had been suspended. Docket No. 49. At the Case Management Conference on October 1, 2013, defendants reported that Unigate Enterprise, Inc.'s corporate status has been restored and that, because Unigate Investment, Inc. has not conducted any business for over a decade and the cost of reinstatement is too high, Unigate Investment, Inc. would not pay the necessary amount to be reinstated.

Accordingly, the stay is lifted in all respects. In addition, the Court GRANTS plaintiff's motion to strike the answer of defendant Unigate Investment, Inc. Since Unigate Investment, Inc.'s corporate status was suspended at the time the answer was filed, and since a suspended corporation cannot defend an action in court, and since it has no intent to reinstate its corporate status, there is no basis for keeping the stay in effect or for not striking its answer.

IT IS SO ORDERED.

Dated: October 1, 2013



WILLIAM H. ORRICK
United States District Judge