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28UNITED STATES DISTRICT COURT
For the Northern District of California

UNITED STATES DISTRICT COURT

Northern District of California

San Francisco Division

STANLEY BLACK & DECKER, INC., and
THE BLACK & DECKER CORPORATION,

No. C 12-04516 SC (LB)

Plaintiffs,

v.

ORDERD&L ELITE INVESTMENTS, LLC, a
California limited liability company d/b/a G
BAY INTERNATIONAL; BILLY DENG, an
individual; WEISHEN LUO, an individual;
and JOHN DOES 1-10, inclusive,Defendants.
_____ /

The court held a hearing on January 16, 2014 and set the following briefing schedule on Black & Decker's Motion for Default Judgment and Terminating Sanctions. *See* ECF No. 136.

Opposition Due : January 28, 2014

Optional Reply Due: February 4, 2014

Hearing: February 20, 2014 at 9:30 a.m.

As discussed in court, Mr. Harrison must file the email string sent to the court. The most recent email on that string is Mr. Deng's email of January 16, 2014 at 9:54 a.m. The string includes Mr. Deng's cancellation of the deposition by email dated January 10, 2014 at 7:43 a.m.

Defendants are warned that their continued failure to appear for their depositions or participate in the discovery in this case may be grounds for monetary or other appropriate sanctions, including

1 terminating sanctions and a default judgment against them. *See* 11/21/13 Order, ECF No. 126
2 (warning of sanctions); 12/9/13 Order, ECF No. 130 (same).

3 Defendants' counsel must inform Defendants of the sanctions already requested by Plaintiffs and
4 the possibility of other sanctions including the following: (a) the attorney's fees asked for in the
5 joint letter brief; (b) the possibility of other monetary sanctions for refusal to cooperate with
6 discovery; (c) an adverse inference drawn against them at trial for their failure to respond to the
7 court's orders and for destruction of Mr. Deng's computer; and (d) ultimately, a case-dispositive
8 sanction that would result in a judgment in favor of Plaintiffs and against Defendants. Defendants'
9 counsel must provide a copy of this order to Defendants by January 27, 2014 and must provide a
10 declaration about what he has done to notify them as part of any opposition or statement of non-
11 opposition to the motion for default judgment and discovery sanctions.

12 The court also notes that Mr. Hornstein or Mr. Harrison still represent Mr. Deng and the other
13 defendants until the district judge relieves them of that obligation. That being said, any defendants
14 may appear at the hearing now set for February 20, 2014 at 9:30 a.m.

15 **IT IS SO ORDERED.**

16 Dated: January 16, 2014



LAUREL BEELER
United States Magistrate Judge

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