Doc. 25 Re/Max LLC. v. Le let al

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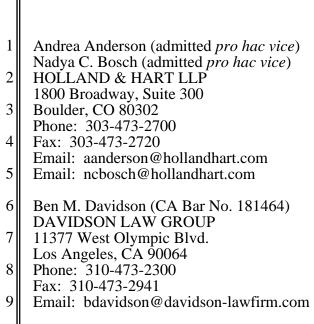
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Defendants.





The initial case management conference is continued to 11/8/13 @ 2:30 p.m.

Attorneys for Plaintiff RE/MAX, LLC

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

RE/MAX, LLC, Case No. 3:13-cv-02625-SI a Delaware limited liability company, Plaintiff, MIN LE, an individual, et al.,

RE/MAX'S MOTION TO VACATE AND **CONTINUE INITIAL CASE** MANAGEMENT CONFERENCE

Plaintiff RE/MAX, LLC ("RE/MAX"), by and through its undersigned counsel, respectfully moves the Court to vacate and continue the Initial Case Management Conference, (the "Conference") currently set for September 6, 2013 [Dkt. 13].

Upon application by RE/MAX, the Clerk of the Court entered default against both Defendants in this matter on August 14, 2013 for their failure to plead or otherwise defend the action [Dkt. 22]. As of the date of this filing, Defendants have failed to answer or otherwise respond to the Summons and Complaint. RE/MAX is currently finalizing, and intends to file shortly, a motion for default judgment against both Defendants, which, if granted, would finally resolve this matter.

1	As such, RE/MAX respectfully requests that the Court vacate and continue the
2	Conference until such time as the Court has made a determination on RE/MAX's motion for
3	default judgment.
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5	DATED this 3rd day of September, 2013.
6	Respectfully submitted by,
7	
8	s/Nadya Bosch
9	Andrea Anderson (admitted <i>pro hac vice</i>) Nadya C. Bosch (admitted <i>pro hac vice</i>)
10	HOLLAND & HÀRT LLP
11	Ben M. Davidson (CA Bar No. 181464) DAVIDSON LAW GROUP
12	Attorneys for Plaintiff
13	RE/MAX, LLC
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CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of September, 2013, I caused to be served a true and correct copy of the foregoing by depositing same in the United States mail, first class postage fully prepaid to the persons and addresses listed below:

AMAX REALTY AND LENDING, INC. MIN LE 3087 Oldwood Court San Jose, CA 95148

AMAX REALTY AND LENDING, INC. MIN LE 2268 Quimby Road East San Jose, CA 95122

s/Rachel Held

An Employee of Holland & Hart LLP