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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CHOICE HOTELS INTERNATIONAL,
INC.,

No. 13-80275 WHA

Plaintiff,

v.

PENTA DENVER, LLC
and TARUN S. PATEL,

**ORDER RE SERVICE OF TARUN
S. PATEL**

Defendants.

In November 2011, Choice Hotels International, Inc. obtained an arbitration award. The “*ex-parte* award of arbitrator” stated that “Respondents, notwithstanding due notice, did not appear.” Respondents were Penta Hospitality, LLC, Mukesh J. Mowji, Tarun S. Patel, and Anil R. Patel.

In March 2012, Choice Hotels filed a petition to confirm the arbitration award in Maryland. *Choice Hotels International, Inc. v. Penta Hospitality, LLC, et al.*, No. 8:12-cv-00734-JFM (D. Md. Mar. 8, 2012) (Judge J. Frederick Motz). Choice Hotels then dismissed without prejudice defendants Mukesh Mowji and Anil Patel (Dkt. Nos. 5, 8).

On July 17, 2012, the Clerk entered default against Penta Hospitality, LLC and Tarun Patel. On July 23, 2012, default judgment was entered (Dkt. Nos. 9, 10).

1 In November 2013, Choice Hotels registered the default judgment here. *Choice Hotels*
2 *International, Inc. v. Penta Hospitality, LLC, et al.*, No. 3:13-mc-80275-WHA
3 (N.D. Cal. Nov. 29, 2013).

4 In April 2014, Choice Hotels filed a motion for assignment order seeking (Dkt. No. 2):

5 an order assigning to Plaintiff / Judgment Creditor Choice Hotels
6 International Inc. the interest, if any, of Defendant / Judgment
7 Debtor Tarun S. Patel in his rights to payment of money due or to
8 become due, whether styled accounts receivable, general
9 intangibles, accounts, deposit accounts, royalties, fees,
10 commissions, or otherwise, from his business activities involving
11 Pracrea Inc. [Entity No. C3358553], 1735 North 1st Street, Suite
12 312, San Jose, California, 951121, to the extent necessary to
13 satisfy the judgment entered in this action in full, which as of
14 May 29, 2014, is \$112,982.47.


15 No opposition or response was filed. On June 16, Magistrate Judge Laurel Beeler issued a report
16 recommending that Choice Hotels' motion be granted (Dkt. No. 7). No objection was filed.

17 By **JULY 11**, Choice Hotels shall make a good-faith effort to personally serve Tarun S.
18 Patel and the agent of service of process for Pracrea Inc. with this order and docket numbers 2
19 and 7. This order should be the first document on top. Within two calendar days of service (or a
20 good-faith service attempt), Choice Hotels shall file appropriate declarations detailing the
21 service attempt. Plaintiff shall also candidly state any other motions expected to be filed.

22 Tarun S. Patel and Pracrea Inc. have until **JULY 25** to file a written response with the
23 Court. Defendants should also be aware of *Choice Hotels International, Inc. v. Penta Denver,*
24 *LLC, et al.*, No. 3:13-mc-80249-WHA (N.D. Cal. Nov. 7, 2013) (Dkt. Nos. 13, 28).

25 **IT IS SO ORDERED.**

26 Dated: July 1, 2014.

27 
28 WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE