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

KAPU GEMS, et al.,
Plaintiffs,
v.
DIAMOND IMPORTS, INC., et al.,
Defendants.

Case No. [15-cv-03531-MMC](#)

**ORDER DENYING PLAINTIFFS'
MOTION FOR SUMMARY JUDGMENT**


Re: Dkt. No. 107

Before the Court is plaintiffs Kapu Gems and Kapu Gems, Ltd.'s "Motion for Summary Judgment," filed November 4, 2016. Defendants Diamond Imports, Inc. and Yair Yachdav have filed opposition, to which plaintiffs have replied. The matter came on regularly for hearing on January 13, 2017. Anthony Paduano of Paduano & Weintraub LLP appeared on behalf of plaintiffs. Ronald D. Foreman of Foreman & Brasso appeared on behalf of defendants.

For the reasons stated on the record at the hearing, in particular, the underlying factual dispute as to the nature of the contractual relationship between the parties and the absence in the record of facts from which an undisputed amount owed otherwise can be calculated, the motion is hereby DENIED.

IT IS SO ORDERED.

Dated: January 13, 2017


MAXINE M. CHESNEY
United States District Judge