

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ARMSTRONG MARINE, INC.,  
Plaintiff,  
v.  
PROPSF, LLC, et al.,  
Defendants.

Case No. [17-cv-03898-VC](#)

**ORDER RE HEARING ON MOTION  
TO VACATE ARREST OF VESSEL**

Re: Dkt. No. 66

In light of the current record, it appears there may not have been probable cause to issue the arrest warrant for the vessel. Therefore, the Court will hold an evidentiary hearing, at which the key documents will be introduced into evidence and the key witnesses will testify as to whether the parties' agreement was modified and whether the defendants were in default. See *Del Mar Seafoods Inc. v. Cohen*, No. C 07-02952-WHA, 2007 WL 2385114, at \*3 (N.D. Cal. Aug. 17, 2007); see also *Salazar v. Atlantic Sun*, 881 F.2d 73, 79-80 (3d Cir. 1989).

The hearing scheduled for February 1, 2018 is vacated. A case management conference will take place on February 8, 2018 at 10:00 am to discuss the date of the evidentiary hearing and what evidence will be presented. A joint case management statement is due 3 days before the case management conference. The statement need not follow the format prescribed by the local rules; the parties need only discuss the evidentiary hearing.

**IT IS SO ORDERED.**

Dated: January 30, 2018

  
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VINCE CHHABRIA  
United States District Judge