

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CNC SOFTWARE, LLC,
Plaintiff,
v.
GLOBAL ENGINEERING LIMITED
LIABILITY COMPANY, et al.,
Defendants.

Case No. [22-cv-02488-TSH](#)

**ORDER DENYING EX PARTE
APPLICATION TO AUTHORIZE
SERVICE BY EMAIL AND GRANTING
APPLICATION TO EXTEND TIME
FOR SERVICE**

Re: Dkt. No. 13

I. INTRODUCTION

Plaintiff CNC Software, LLC seeks leave to serve Defendant Robert Avila by email and to extend the time to complete service. ECF No. 13. No opposition has been received. The Court finds this matter suitable for disposition without oral argument under Civil Local Rule 7-1(b). Having considered CNC’s position and the relevant legal authority, the Court **DENIES** CNC’s motion for service by email and **GRANTS** its request for an extension of time to complete service for the following reasons.

II. BACKGROUND

CNC filed this copyright infringement case on April 22, 2022, against Defendants Global Engineering, LLC, Robert Avila (Manager of Global Engineering), and Edwin Escobar (President of Global Engineering). Compl. ¶¶ 2, 4-5, ECF No. 1. Global Engineering is located at 3233 De La Cruz Boulevard, Suite C, Santa Clara, California 95054. *Id.* ¶ 2. According to CNC, Avila is the registered agent for numerous companies, including 5-Stars Engineering Associates, which was dissolved on December 30, 2019. *Id.* ¶ 3. CNC alleges that 5-Star now operates as Global Engineering. *Id.* CNC also alleges that Avila uses 1111 Morse Avenue, Suite 77, Sunnyvale, CA 94089 as an address for service of process. *Id.* ¶¶ 3-4; Trice Decl. ¶ 4, ECF No. 13-1.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXTENDS the deadline to September 9, 2022. Given this extension, the Court **CONTINUES** the case management conference, currently scheduled for August 4, to October 27, 2022 at 10:00 a.m. by Zoom video conference. The webinar link and instructions are located at <https://cand.uscourts.gov/judges/hixson-thomas-s-tsh/>. The parties shall file a joint case management statement by October 20, 2022.

IT IS SO ORDERED.

Dated: August 2, 2022


THOMAS S. HIXSON
United States Magistrate Judge