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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PH(X) GLASS, LLC, et al.,)	
)	
Plaintiffs,)	No. C 08-2533 PJH (BZ)
)	
v.)	AMENDED ORDER SCHEDULING
)	DEFAULT JUDGMENT HEARING
ROLAND CLARKE, et al.,)	
)	
Defendants.)	
_____)	

It is **HEREBY ORDERED** that a hearing on plaintiffs' application for default judgment is scheduled for **Wednesday, January 21, 2009 at 10:00 a.m.** in Courtroom G, 15th Floor, 450 Golden Gate Avenue, San Francisco, California, 94102.

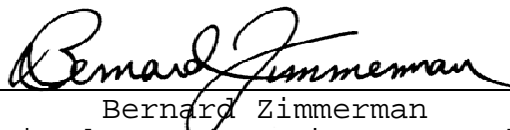
Claims for attorneys' fees should be supported by billing records. Compliance with 50 App. U.S.C. § 501 et seq. of the Servicemembers' Civil Relief Act may not be satisfied on information and belief. See 50 App. U.S.C. § 521(b)(1); United States v. Simmons, 508 F.Supp. 552 (E.D. Tenn. 1980)(interpreting 50 App. U.S.C. § 520(1), predecessor to 50 App. U.S.C. § 521(b)(1)). The public website <https://www.dmdc.osd.mil/scra/owa/home> will provide the

1 current active military status of an individual and has
2 instructions on obtaining certificates of service or non-
3 service under the Servicemembers' Civil Relief Act.

4 Plaintiff should be prepared to prove their damages by
5 competent testimony or other admissible evidence. If
6 plaintiff intends to prove damages by affidavits or
7 declarations, the affiant or declarant should have personal
8 knowledge of all matters to which she testifies. For all
9 evidence, proper foundations must be established. For an
10 explanation of the evidentiary requirements for proving
11 damages in a default case, the parties are encouraged to
12 consult Chapter Six of Civil Procedure Before Trial by William
13 W. Schwarzer, A. Wallace Tashima, and James M. Wagstaffe.

14 Defendants should attend the hearing if they contest the
15 validity or amount of plaintiffs' claim. Seven days before
16 the hearing, on **Wednesday, January 14, 2009**, plaintiffs shall
17 file a declaration setting forth in detail all steps taken to
18 serve defendant with notice of this hearing.

19 Dated: December 1, 2008

20 

21 Bernard Zimmerman
United States Magistrate Judge

22 G:\BZALL\REFS\PH(X) GLASS v. CLARKE\AMENDED ORDER SCHEDULING DEFAULT JUDGMENT
23 HEARING.wpd
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