Gemvision Corporation, LLC v. Zeidler et al Doc. 37

UNITED STATES DISTRICT COURT
For the Northern District of California

UNITED STATES DISTRICT COURT

Northern District of California

GEMVISION CORPORATION, LLC,

Plaintiff,

v.

LARRY ZEIDLER,

Defendant.

_____/

No. C 10-05581 PJH (MEJ)

ORDER VACATING HEARING RE MOTION FOR DEFAULT JUDGMENT

ORDER DIRECTING DEFENDANT TO FILE MOTION TO SET ASIDE DEFAULT

The above-captioned case was referred to Magistrate Judge Maria-Elena James to prepare a report and recommendation on Plaintiff's pending Motion for Default Judgment. (Dkt. #27.) However, Defendant Larry Zeidler has now filed an opposition to Plaintiff's motion, as well as what appears to be a motion to dismiss Plaintiff's complaint. (Dkt. #36.) As default has been entered against Defendant Zeidler, he may not appear in this matter unless good cause is established to set aside default pursuant to Federal Rule of Civil Procedure 55(c). Accordingly, the Court VACATES the August 11, 2011 hearing on Plaintiff's motion for default judgment. Defendant Zeidler shall file a motion to set aside default pursuant to Rule 55(c). Said motion shall be noticed for a hearing pursuant to Civil Local Rule 7 before the presiding judge, the Honorable Phyllis J. Hamilton.

IT IS SO ORDERED.

Dated: July 15, 2011

Maria-Elena James
Chief United States Magistrate Judge

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