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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

APL CO. Pte., LTD., and AMERICAN  
PRESIDENT LINES, LTD.,

Plaintiffs,

v.

CRUZ INTERNATIONAL, INC.,

Defendant.

No. CV 11-04851 YGR (DMR)

**ORDER FOR SUPPLEMENTAL  
BRIEFING**

Having reviewed Plaintiffs’ Motion for Default Judgment, the court hereby orders Plaintiffs to submit supplemental evidence and information in support of the Motion as follows, **by no later than January 31, 2012:**

- (1) A more detailed explanation as to why this Court is a proper venue for this claim pursuant to ¶ 4(a) of the Service Contract between the parties. [Docket No. 17.]
- (2) A more detailed accounting of the amounts of time spent by counsel and support staff on particular tasks, sufficient to support Plaintiffs’ requested award of reasonable attorneys’ fees for litigating this action.
- (3) Time records to support Plaintiffs’ request for additional attorneys’ fees, such that the court may determine whether the time spent was “excessive, redundant, or otherwise

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unnecessary.” *Hensley v. Eckerhart*, 461 U.S. 424, 434, (1983); *see also* Civ. L.R. 54-5.

The court notes that although the factual contentions of the operative complaint must be accepted as true when determining the liability of a defaulting defendant, this rule does not apply to statements regarding damages. *Geddes v. United Fin. Group*, 559 F.2d 557, 560 (9th Cir. 1977). A plaintiff must establish damages in default proceedings.

Immediately upon receipt of this Order, Plaintiffs shall serve a copy on Defendant and shall e-file a proof of service on the same day that service is effected. At the same time Plaintiffs’ supplemental information as ordered herein is submitted to the court, Plaintiffs shall serve Defendant with a copy and file a proof of service with the court. Service by Plaintiffs may be made by mail.

IT IS SO ORDERED.

Dated: January 24, 2012



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DONNA M. RYU  
United States Magistrate Judge