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UNITED STATES DISTRICT COURT
Northern District of California

JOE HAND PROMOTIONS, INC.,

No. C 11-6334 CW (MEJ)

Plaintiff,

**AMENDED ORDER RE: PLAINTIFF'S
MOTION FOR DEFAULT
JUDGMENT¹**

v.

MIULER REYES,

Re: Docket No. 14

Defendant.

On April 10, 2012, the Court scheduled this matter for a hearing on May 24, 2012 regarding Plaintiff's Motion for Default Judgment. The Court subsequently vacated the hearing after Plaintiff failed to file proposed findings of fact and conclusions of law. However, Defendant Miuler Reyes appeared in court on May 24, 2012, unaware that the hearing had been vacated. As default has been entered against Defendant Reyes, he is hereby advised that, prior to making any appearance in this case, he must file a motion before the presiding judge, the Honorable Claudia Wilken, to set aside default pursuant to Federal Rule Civil Procedure 55(c). Rule 55(c) provides that a court may set aside default for "good cause shown." In preparing his motion, Defendant should be mindful that courts consider three factors as part of this "good cause" analysis: (1) whether Defendant engaged in culpable conduct that led to the default; (2) whether Defendant have a meritorious defense; or (3)

¹Due to inadvertent error, the Court in its original May 24 Order (Dkt. No. 22) advised that "Plaintiff" could seek assistance from the Legal Help Center. This amended order reflects the correct designation of "Defendant." No other changes have been made.

1 whether reopening the default judgment would prejudice Plaintiff. *United States v. Signed Pers.*
2 *Check No. 730 of Yubran S. Mesle*, 615 F.3d 1085, 1091 (9th Cir. 2010) (citation omitted).

3 The undersigned advises Defendant that he may wish to seek assistance from the Legal Help
4 Center, located on the 15th Floor of the Federal Building, 450 Golden Gate Avenue, San Francisco,
5 California, in Room 2796, where Defendant may sign up for a free appointment with an attorney who
6 may be able to provide basic legal help, but not legal representation. The telephone number for
7 scheduling an appointment with the Legal Help Center is (415) 782-9000, extension 8657.

8 **IT IS SO ORDERED.**

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10 Dated: June 26, 2012

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12 _____
13 Maria-Elena James
14 Chief United States Magistrate Judge
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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

JOE HAND PROMOTIONS INC et al,

Plaintiff,

v.

REYES et al,

Defendant.

Case Number: CV11-06334 CW

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on June 26, 2012, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Miuler Reyes
196 Atlantic Ave
Pittsburg CA 94565

Dated: June 26, 2012

Richard W. Wieking, Clerk
By: Rose Maher, Deputy Clerk