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United States District Court
For the Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BOARD OF TRUSTEES OF THE LABORERS
HEALTH AND WELFARE TRUST FUND
FOR NORTHERN CALIFORNIA,

Plaintiff(s),

v.

VECTOR GENERAL ENGINEERING
CONTRACTORS INC,

Defendant(s).

No. C-12-02633 DMR

**ORDER TO SUBMIT SUPPLEMENTAL
BRIEFING IN SUPPORT OF MOTION
FOR DEFAULT JUDGMENT [DOCKET
NO. 64]**

Plaintiffs have filed a motion for default judgment. [Docket No. 64.]

Having reviewed that motion, this court determines that Plaintiffs did not brief their entitlement to the entry of default judgment pursuant to the factors enumerated in the Ninth Circuit's decision in *Eitel v. McCool*, 782 F.2d 1470, 1471-72 (9th Cir. 1986). Most notably, Plaintiffs did not indicate on which of their three claims they seek default judgment, or the merits or sufficiency of those claims.

Plaintiffs did not brief the issue of this court's personal jurisdiction over Defendant, nor did they address the adequacy of service on Defendant. *See In re Tuli*, 172 F.3d 707, 712 (9th Cir. 1999) (before assessing merits of motion for default judgment, court must confirm that it has subject

1 matter jurisdiction over case and personal jurisdiction over parties, as well as ensure adequacy of
2 service on defendant).

3 Plaintiffs' accounting of its attorneys' fees and costs does not describe the experience or title
4 of Susan Olson.

5 Plaintiffs shall submit additional briefing by **October 23, 2014**, to address the above
6 deficiencies in the motion for default judgment. Any opposition or statement of non-opposition is
7 due no later than **October 27, 2014**.

8 Please be advised that the previously-noticed hearing date on the motion of October 30, 2014
9 shall remain as scheduled.

10 **Immediately upon receipt of this Order, Plaintiffs shall serve Defendant with a copy of**
11 **this Order and file a proof of service with the court.**

12
13 IT IS SO ORDERED.

14 Dated: October 20, 2014



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16 _____
DONNA M. RYU
United States Magistrate Judge