

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FOX PARTNERS, L.P.

Plaintiff,

v.

GRAND HOME HOLDINGS, INC., et al.,

Defendants.

No. C 13-0221 PJH

ORDER

Defendants Grand Home Holdings, Inc. and Grand Home Enterprise Co. Ltd. removed this action from the Superior Court of California, County of Sonoma, on January 16, 2013.¹ On January 29, 2013, Grand Home Holdings, Inc. filed an answer to the complaint. On February 6, 2013, plaintiff Fox Partners L.P. filed a motion for writ of attachment, against Grand Home Holdings, Inc. On February 20, 2013, Grand Home Holdings, Inc. filed an opposition to the motion for writ of attachment.

Meanwhile, on February 19, 2013, plaintiff filed a request for entry of default against Grand Home Enterprise Co. Ltd. The court entered the default on February 21, 2013.²

On February 27, 2013, plaintiff filed a notice of withdrawal of the motion for writ of attachment “and pleadings in support thereof.” Also on February 27, 2013, plaintiff filed another motion for writ of attachment, against Grand Home Holdings, Inc., noticing the motion for hearing on April 3, 2013.

¹ On March 5, 2013, Grand Home Holdings, Inc. filed an “amended” notice of removal, stating that it was the sole defendant that had been served as of the time of removal and was therefore the sole defendant removing the action; and also stating that it had misstated the name of the other defendant. Instead of Grand Home Enterprise Co. Ltd., the name should have been Grand Hall Enterprise Co. Ltd.

² See note 1, above. It now appears that default was entered against the wrong party.

1 Due to the court's unavailability on April 3, 2013 (as indicated on the court's
2 website), the date noticed for the hearing on the motion for writ of attachment is VACATED.
3 Pursuant to the Civil Local Rules of this court, any opposition to the motion for writ of
4 attachment was due on March 13, 2013, and any reply to the opposition was due on March
5 20, 2013. Civ. L.R. 7-3. To date, no opposition to the February 27, 2013 motion has been
6 filed.

7 No later than March 27, 2013, the parties shall jointly advise the court whether the
8 motion for writ of attachment is opposed, and if so, on what basis. If the motion is
9 opposed, defendant must file an opposition no later than March 27, 2013, and plaintiff must
10 file a reply no later than April 3, 2013. The parties shall also indicate whether they wish the
11 court to hold a hearing, and on what date (at least 14 days after the reply is filed). The
12 court's calendar for April 17, 2013 is full.

13
14 **IT IS SO ORDERED.**

15 Dated: March 25, 2013



PHYLLIS J. HAMILTON
United States District Judge

16
17
18
19
20
21
22
23
24
25
26
27
28