

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

OHIO CASUALTY INSURANCE
COMPANY, THE,

Plaintiff,

v.

JAMES IN WUNG PARK, et al.,

Defendants.

Case No. 15-cv-02716-DMR

**ORDER TO SUBMIT SUPPLEMENTAL
BRIEFING IN SUPPORT OF MOTION
FOR DEFAULT JUDGMENT**

Re: Dkt. No. 14

On October 12, 2015, Plaintiff Ohio Casualty Insurance Company filed a motion for default judgment. [Docket No. 14.] Having reviewed that motion, this court determines that Plaintiff did not brief the issue of this court’s subject matter jurisdiction over this controversy, nor did it establish this court’s personal jurisdiction over Defendants James In Wung Park and Kathy Park. Furthermore, it did not address the adequacy of service on Defendants. 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 matter jurisdiction over case and personal jurisdiction over parties, as well as ensure adequacy of service on defendant).

Additionally, Plaintiff’s accounting of its attorneys’ fees and costs does not separate the fees incurred by each attorney and legal assistant. Plaintiff must submit a more detailed accounting sufficient to support Plaintiff’s requested award of reasonable attorneys’ fees for litigating this action, such that the court may determine whether the time spent was “excessive, redundant, or otherwise unnecessary.” *Hensley v. Eckerhart*, 461 U.S. 424, 434 (1983); see also N.D. Cal. Civ. L.R. 54-5. Plaintiff also did not submit evidence of the costs it seeks in connection with this action, nor did it explain the basis for the \$637.60 in costs “per contract” it seeks. (See *Durante Decl.*, Oct. 12, 2015, ¶¶ 25, 26.)

Plaintiff shall submit additional briefing by **October 30, 2015**, to address the above

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deficiencies in the motion for default judgment. Any opposition or statement of non-opposition is due no later than **November 13, 2015**. The parties shall comply with Civil Local Rule 5-1(e)(7).

Immediately upon receipt of this Order, Plaintiff shall serve Defendants with a copy of this Order and file a proof of service with the court.

IT IS SO ORDERED.

Dated: October 19, 2015

