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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DEUTSCHE BANK NATIONAL TRUST  
COMPANY,  
  
Plaintiff,  
  
v.  
  
CB EQUITIES, LLC, et al.,  
  
Defendants.

Case No. 15-cv-03809-DMR

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

Re: Dkt. No. 40

On February 25, 2016, Plaintiff Deutsche Bank National Trust Company filed a Motion for Default Judgment [Docket No. 40.] Having reviewed Plaintiff’s motion, this court determines that Plaintiff did not brief its 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). Plaintiff’s motion fails to provide any relevant legal authority or analysis to establish its case. The motion also does not clearly specify the relief sought.

Deutsche Bank’s present motion is substantively identical to its prior Motion for Default Judgment filed on September 28, 2015 [Docket No. 11], does not comply with the Hon. Kandis A. Westmore’s prior order in this case [Docket No. 15], nor does it address any of the substantive issues identified in the undersigned’s prior order [Docket No. 24] requiring Plaintiff to supplement its briefing in support of its prior Motion for Default Judgment.

Plaintiff is hereby ordered to supplement its briefing in support of its Motion for Default Judgment [Docket No. 40] to address these deficiencies.

Additionally, Plaintiff’s First Amended Complaint [Docket No. 32] references a number of exhibits, none of which were filed with the First Amended Complaint.

Plaintiff shall file its supplemental briefing in support of its Motion for Default Judgment [Docket No. 40] and the exhibits referenced in its First Amended Complaint [Docket No. 32] **by**

1 **April 13, 2016.** Any opposition or statement of non-opposition is due no later than **April 18,**  
2 **2016.**

3 Please be advised that the previously-noticed hearing date on the motion of April 14, 2016  
4 at 11:00 a.m. has been vacated. You are hereby notified that the hearing on the motion is set for  
5 April 28, 2016 at 11:00 a.m. at the U.S. District Court, 1301 Clay Street, Oakland, California  
6 94612. For courtroom number and floor information, please check the Court's on-line calendar at  
7 <http://www.cand.uscourts.gov> (click "Calendars - Judges' Weekly Calendars" link, then select  
8 Judge Ryu's calendar) or call Judge Ryu's Courtroom Deputy, Ivy Garcia, at (510) 637-3639, one  
9 week prior to the scheduled hearing.

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

12  
13 **IT IS SO ORDERED.**

14 Dated: April 7, 2016



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Donna M. Ryu  
United States Magistrate Judge