

1 DADY & GARDNER, P.A.
 2 80 South Eighth Street
 3 5100 IDS Center
 4 Minneapolis, MN 55402
 5 Telephone: (612) 359-9000
 6 Facsimile: (612) 359-3507

7 John D. Holland (*Admitted Pro HacVice*)
 8 jholland@dadygardner.com

9 BRYAN CAVE LLP
 10 120 Broadway
 11 Suite 300
 12 Santa Monica, CA 90401
 13 Telephone: (310) 576-2100
 14 Facsimile: (310) 576-2200

15 Jonathan Solish, CA Bar No. 67609
 16 jonathan.solish@bryancave.com
 17 Kristy A. Murphy, CA Bar No. 252234
 18 kristy.murphy@bryancave.com

19 *Attorneys for Plaintiff*
 20 *Coronado Transportation Systems, Inc.*

21 UNITED STATES DISTRICT COURT

22 NORTHERN DISTRICT OF CALIFORNIA

23 CORONADO TRANSPORTATION
 24 SYSTEMS, INC.,

25 Case No. 4:15-cv-04462 KAW

26 Plaintiff,

27 v.

28 SIXT FRANCHISE USA, LLC, SIXT
 RENT A CAR LLC, ERICH SIXT,
 CRAIG OLSON, and FLORIAN DERN,

**~~(PROPOSED)~~ ORDER
 TRANSFERRING VENUE TO
 THE SOUTHERN DISTRICT OF
 CALIFORNIA**

Defendants.

I. INTRODUCTION

Now before the Court is an unopposed Motion to transfer venue filed by the remaining Plaintiff in the above-titled action, Coronado Transportation Systems, Inc.

As such, the court must evaluate the appropriate factors in reviewing whether transfer is appropriate. *See Tung Tai Grp. v. Fla. Transformer, Inc.*, No. 5:11-cv-02389

EJD(HRL), 2011 WL 3471400, at *2 (N.D. Cal. Aug. 8, 2011) (citing *White v. ABCO*

1 *Eng’g Corp.*, 199 F.3d 140, 144 (3d Cir. 1999)). For the reasons set forth below, the
2 Court finds the transfer of venue to the Southern District of California is appropriate,
3 and therefore the Motion is GRANTED by this order.

4 **II. LEGAL STANDARD**

5 Under 28 U.S.C. Section 1404.(a), the Court may “[f]or the convenience of
6 parties and witnesses, in the interests of justice ... transfer any civil action to any other
7 district ... where it might have been brought.” The Court must undertake an
8 “‘individualized, case-by-case consideration of convenience and fairness,’” and
9 determine whether three elements are satisfied: (1) the propriety of venue in the
10 transferor district, (2) whether the action could have been brought in the transferee
11 district, and (3) whether the transfer will serve the interests of justice and convenience
12 of the parties and witnesses. *Tung Tai*, 2011 WL 3471400, at *1 (quoting *Jones v. GNC*
13 *Franchising, Inc.*, 211 F.3d 495, 498 (9th Cir. 2000)). The Court weighs a series of
14 factors in determining whether the third element is satisfied including Plaintiff’s choice
15 of forum, the convenience of the parties and witnesses, ease of access to evidence, the
16 familiarity of the potential fora with applicable law, feasibility of consolidation, local
17 interests, and court congestion. *Williams v. Bowman*, 157 F. Supp. 2d 1103, 1106 (N.D.
18 Cal. 2001) (citing *Royal Queentex Enters. Inc. v. Sara Lee Corp.*, No. C-99-4787 MJJ,
19 2000 WL 246599, at *2 (N.D. Cal. Mar. 1, 2000)).

20 **III. DISCUSSION**

21 First, the Court finds that the first two prongs of Section 1404(a) are satisfied
22 because venue is proper in this district, and the case could have been brought in the
23 Southern District of California. The action was originally filed in the United States
24 District Court for the Northern District of California based on the operations by a former
25 plaintiff, Adwin, LLC, at San Francisco International Airport. (See Dkt. 1 at paragraph
26 10.) However, the action could have been brought by the other remaining Plaintiff,
27 Coronado Transportation Systems, Inc. (“Plaintiff”) in the Southern District of
28 California because the Defendants are subject to personal jurisdiction in California (see

1 Dkt. 1 at ¶¶ 9-19), and a substantial part of the events giving rise to Plaintiff’s claims
2 took place in the Southern District (*see* 28 U.S.C. § 1391(a), (b) (2) – (3)); and Dkt. 19,
3 ¶¶ 9-20,52 (noting that Defendants sold the other, remaining Plaintiff a franchise for
4 operation at the San Diego Airport and, thereby, elected to do business in San Diego,
5 California).

6 In addition, the Court finds that transferring the action to the Southern District of
7 California will serve the convenience of the parties and witnesses and promote the
8 interests of justice. Neither Plaintiff nor Defendants opposes the transfer. This weighs
9 heavily in favor of transfer.

10 This Court finds that because venue is proper in this District, the action could
11 have been brought in the Southern District of California, and transferring the action to
12 the Southern District will serve the interests of justice and convenience of the parties
13 and witnesses, this case satisfies all three prongs of Section 1404(a).

14 **IV. CONCLUSION**

15 For the reasons set forth above the Court GRANTS Plaintiff’s unopposed Motion
16 and DIRECTS the Clerk to transfer this action to the Southern District of California. In
17 light of this decision, the Case Management Conference scheduled for May 24, 2016 is
18 VACATED.

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20 IT IS SO ORDERED.

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22 DATED: 5/2/16

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UNITED STATES DISTRICT JUDGE