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28UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIAXEROX CORPORATION,
Plaintiff,
v.
AC SQUARE, INC.,
Defendant.Case No. [15-cv-04816-DMR](#)**ORDER TO SUBMIT SUPPLEMENTAL
BRIEFING IN SUPPORT OF MOTION
FOR DEFAULT JUDGMENT**

Re: Dkt. No. 16

On January 4, 2016, Plaintiff Xerox Corporation filed a motion for default judgment. [Docket No. 16.] Having reviewed that motion, this court determines that Plaintiff did not brief the issue of this court's personal jurisdiction over Defendant, nor did it 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 matter jurisdiction over case and personal jurisdiction over parties, as well as ensure adequacy of service on defendant). With respect to the adequacy of service of process, Plaintiff must establish that the individual served on behalf of Defendant is the proper agent for service of process on Defendant, as well as establish that service was adequately effected by the means used.

Additionally, Plaintiff requests an award of attorneys' fees and costs of the suit, but did not submit evidence of the attorneys' fees and costs incurred. 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 cites "the Court's Local Rules for Default Judgment," but it is unclear which rules it contends apply in this Court. Any accounting of Plaintiff's attorneys' fees and costs must separate the fees incurred by each attorney and legal assistant, and the attorneys'

United States District Court
Northern District of California

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fees from the costs.

Plaintiff shall submit additional briefing by **January 11, 2016** to address the above deficiencies in the motion for default judgment. Any opposition or statement of non-opposition is due no later than **January 25, 2016**.

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

IT IS SO ORDERED.

Dated: January 5, 2016

