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United States District Court
Northern District of California

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

BYRON CHAPMAN,

Plaintiff,

vs.

SCHELLVILLE GRILL, et al.,

Defendants.

Case No.: 16-CV-7324 YGR

**ORDER ADOPTING IN PART MAGISTRATE
JUDGE’S REPORT AND RECOMMENDATION;
GRANTING MOTION FOR DEFAULT
JUDGMENT**

Dkt. Nos. 12 & 18

The Court has reviewed Magistrate Judge Laporte’s Report and Recommendation to Grant In Part and Deny in Part Plaintiff’s Motion for Entry of Default Judgment (Dkt. No. 18), to which defendants filed no objections.

On June 26, 2017, plaintiff objected to Magistrate Judge Laporte’s recommendation that plaintiff not be awarded the costs associated with providing chambers copies of plaintiff’s moving and reply papers as required by the Court. (Dkt. No. 20.) Plaintiff seeks \$200 to reimburse the costs of providing chambers copies of plaintiff’s motion for default judgment (Dkt. No. 12, “Motion”) and reply brief. (Dkt. No. 14, “Reply”.) Plaintiff’s counsel represents that plaintiff spent \$15 on printing and \$100 apiece on rush messaging services for its Motion and Reply. (Dkt. No. 20-2, Exhs. A, B.)

Pursuant to Civil Local Rule 5.1(e)(7)(A), “[c]ourtesy copies of motions and oppositions filed under Civil L.R. 7-3 . . . shall be mailed via first class mail to the Clerk’s Office on the same day the documents are electronically filed. Courtesy copies of replies to motions filed under Civil L.R. 7-3 must be delivered to the Clerk’s Office no later than noon on the court day following the day that the reply was electronically filed.”

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The Court thus finds that compliance with Civil L.R. 7-3 did not require rush messaging. Accordingly, plaintiff’s objection to Magistrate Judge Laporte’s recommendation not to award the \$200 for messaging services for the Motion is **OVERRULED**. However, the Court **GRANTS** the plaintiff \$20 to reimburse the costs of printing the Motion and Reply, and sending these documents via first class mail.

The Court finds the Report correct, well-reasoned and thorough, and adopts it in all other respects.

Accordingly, and for the reasons set forth in the Report, Plaintiff’s Motion for Default Judgment (Dkt. No. 12) is **GRANTED**. The Judgment shall be entered by separate Order.

This terminates Docket Nos. 12 & 18.

IT IS SO ORDERED.

Dated July 6, 2017



YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE