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8
 9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA (SAN JOSE)

11)	
12	Louis Vuitton Malletier, S.A.,)	Case No. C 07 3952 JW
13)	
14	Plaintiff,)	PLAINTIFF'S MOTION FOR
15)	ADMINISTRATIVE LEAVE TO FILE
16	v.)	PLAINTIFF'S MOTION IN LIMINE NO.
17)	1 TO EXCLUDE EVIDENCE OF
18	Akanoc Solutions, Inc., et al.)	FINANCIAL CONDITION OF
19)	PLAINTIFF AND ITS AFFILIATES;
20	Defendants.)	DECLARATION IN SUPPORT
21)	
22)	Trial Date: August 18, 2009
23)	

24 Plaintiff Louis Vuitton Malletier, S.A. ("Louis Vuitton" or "Plaintiff") brings this motion
 25 for administrative relief to file its Motion in Limine No. 1 to Exclude Evidence of Financial
 26 Condition of Plaintiff and its Affiliates ("Motion in Limine") in light of Defendants' recently
 27 disclosed intent to introduce financial statements concerning Plaintiff's parent company, the
 28 LVMH Group on or about July 24, 2009, less than a month before the trial, despite its irrelevance
 to Plaintiff, and disregarding the Parties' long standing agreement that Louis Vuitton would not be
 introducing such evidence as it agreed not to seek damages based on its loss.

Defendants initially agreed to allow Plaintiff to file its one Motion in Limine, but later
 reneged when Plaintiff declined to stipulate to Defendants' filing of an additional motion in limine

1 concerning a matter that could have brought during the first, second, or third rounds of Defendants'
2 motions in limine filings.

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4 The subject matter of the Motion in Limine is highly prejudicial and susceptible to creating
5 undue bias, particularly in light of its lack of probative value and can not be decided at trial.

6 Plaintiff respectfully requests that the Court grant its motion for leave given Defendants'
7 late disclosure, making it impossible for Plaintiff to bring such a Motion in Limine any sooner. A
8 copy of Plaintiff's Motion in Limine is lodged concurrently herewith.

9
10 Dated: August 5, 2009

J. Andrew Coombs, A Professional Corp.

11 /s/ J. Andrew Coombs
12 By: J. Andrew Coombs
13 Annie Wang
14 Attorneys for Plaintiff Louis Vuitton Malletier, S.A.

DECLARATION OF J. ANDREW COOMBS

I, J. Andrew Coombs, declare as follows:

1. I am an attorney at law duly admitted to practice before the Courts of the State of California and the United States District Court for the Northern District of California. I am counsel of record for Plaintiff Louis Vuitton Malletier, S.A. (“Plaintiff” or “Louis Vuitton”) in an action styled Louis Vuitton Malletier, S.A. v. Akanoc Solutions, Inc., et al., Case No. C 07 3952 JW. I submit this declaration in support of Plaintiff’s Motion for Administrative Leave to File Plaintiff’s Motion in Limine No. 1 to Exclude Evidence of Financial Condition of Plaintiff and Its Affiliates; Declaration in Support. Except as otherwise stated to the contrary, I have personal knowledge of the following facts and, if called as a witness, I could and would competently testify as follows.

2. On or about Monday, August 3, 2009, I spoke with Mr. Jim Lowe, counsel for Defendants, regarding a stipulation to file Plaintiff’s Motion in Limine No. 1. Initially, Mr. Lowe agreed to this request. However, on or about August 4, 2009, Mr. Lowe made Defendants’ agreement contingent upon Plaintiff’s agreement that Defendants could file a sixteenth motion in limine concerning an unsupportable matter that could have in any event, been brought earlier.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 5th day of August, 2009, at Glendale, California.

/s/ J. Andrew Coombs
J. ANDREW COOMBS