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6 Attorneys for Defendants
 7 Akanoc Solutions, Inc.,
 Managed Solutions Group, Inc.
 8 and Steve Chen

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 10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

13 LOUIS VUITTON MALLETIER, S.A.,)	Case No.: C 07-3952 JW (HRL)
)	
14 Plaintiff,)	Hon. James Ware
)	
15 vs.)	
)	DEFENDANTS' MOTION FOR
)	ADMINISTRATIVE RELIEF FOR
)	LEAVE TO EXCEED PAGE LIMIT
17 AKANOC SOLUTIONS, INC., et al.,)	FOR RULE 59 MOTION
)	
18 Defendants.)	
)	
19)	

1 Pursuant to Civil L.R. 7-11,¹ Defendants Managed Solutions Group, Inc., Akanoc Solutions,
2 Inc. and Steve Chen (“Defendants”) respectfully submit this motion for administrative relief for an
3 order granting leave to exceed the 25-page limit (Northern District Civil Local Rule 7-4(b)) for their
4 Rule 59 Motion.

5 Although Defendants have attempted to address the myriad legal and factual issues that must
6 be presented in their Rule 59 Motion within 25 pages, Defendants have been unable. These issues
7 include: (1) insufficiencies in the evidence as to direct infringement; (2) insufficiencies in the
8 evidence as to contributory infringement; (3) insufficiencies in the jury instructions; (4) the
9 unconstitutionality of the statutory damages provisions as applied in this case; and (5) the grossly
10 excessive statutory damages award in this case. Each issue requires multi-step analysis. This case
11 also involves both copyright and trademark claims – based on different statutes – necessitating
12 parallel, but separate analysis which Defendants could not adequately present in 25 pages.

13 Defendants will be prejudiced if this request is denied because they will have to truncate or
14 omit issues. But no issue is indispensable. Defendants’ analysis of each issue demonstrates why this
15 Court must vacate the verdict and award in this case. A truncated motion would provide the Court
16 with an incomplete explanation about why Defendants are entitled to the relief requested in their
17 Rule 59 motion.

18 Vuitton, however, will not be prejudiced if this request is granted because Defendants will
19 stipulate to an opposition by Vuitton of the same length.

20 Judicial economy is also served by granting Defendants’ request because it will afford this
21 Court an opportunity to rule on all relevant issues. This will establish a more complete record
22 should either party appeal, diminishing the likelihood of remand on unresolved issues.

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26 ¹Defendants contacted Plaintiff’s counsel via e-mail on January 18, 2010, requesting that Plaintiff
27 stipulate to the filing of this motion for administrative relief for leave to exceed the page limits for its
28 Rule 59 Motion and that Plaintiff stipulate to the relief requested herein. Plaintiff’s counsel refused
to stipulate to both the filing of this motion and to the relief requested herein. Declaration of James
A. Lowe (“Lowe Decl.”) ¶ 4. Accordingly, Defendants attach the Lowe Decl. in lieu of a stipulation
under Northern District Civil Local Rule 7-12.

1 Defendants respectfully request that the Court allowing Defendants to exceed the 25-page
2 limit for their Rule 59 Motion by filing a motion of up to 45-pages.

3
4 Dated: January 18, 2010

GAUNTLETT & ASSOCIATES

5 By: /s/James A. Lowe

6 David A. Gauntlett

7 James A. Lowe

Preston K. Ascherin

8 Attorneys for Defendants
9 Akanoc Solutions, Inc.,
10 Managed Solutions Group, Inc.,
11 and Steve Chen
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