

1 2010, is Martin Luther King Jr.'s Birthday, a "legal holiday" as defined by Fed.R.Civ.P. 6(a)(6).
2 Pursuant to Fed.R.Civ.P. 6(a)(1)(C) in computing any time period specified "in any local rule"
3 where the period for filing "is stated in days or longer unit of time...if the last day is a ...legal
4 holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or
5 legal holiday". Defendants' last business day for filing their motion was, therefore, January 16,
6 2010, but no motion has been filed as of the filing of this opposition to administrative leave.

7 Coombs Decl. at ¶ 3.

8 Moreover, Defendants' counsel's request for a stipulation to this relief on Martin Luther
9 King Jr.'s Birthday, was particularly untimely and not meaningful given that the federal courts as
10 well as Plaintiff's counsel's office was closed in recognition of this holiday and there had been no
11 mention of this issue by Defendants' counsel previously. Coombs Decl. at ¶ 4. Defendants' filing
12 of their request for administrative leave instead of their post-trial motion on this date, indicates they
13 were able to file such a motion, but have delayed unreasonably.

14 Any untimely (and length excessive) post-trial motion filed by Defendants will rob Plaintiff
15 of the allotted time it would have received to prepare its opposition to a 25-page brief (not a brief
16 upwards of 45 pages), had Defendants' complied with the Local Rules.

17 Plaintiff opposes Defendants' belated request to file any untimely post-trial motion
18 supported by papers exceeding the 25 page limit set by the Local and asks that, if the Court is
19 inclined to grant this relief to condition it upon (a) giving Plaintiff additional time to prepare its
20 opposition to these papers that will already be untimely, and (b) giving Plaintiff leave to file
21 opposing papers up to the same length as any moving papers which are permitted by the Court.

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24 Dated: January 19, 2010

J. Andrew Coombs, A Professional Corp.

25 By: /s/ J. Andrew Coombs

J. Andrew Coombs

Annie S. Wang

26 Attorneys for Plaintiff Louis Vuitton Malletier, S.A.
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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 United States District Court for the Northern District of California. I am counsel of record for plaintiff Louis Vuitton Malletier, S.A. in the above captioned matter and principal of J. Andrew Coombs, A P.C. Except as otherwise stated to the contrary, I have personal knowledge of the following.
2. On November 23, 2009, I attended a case management conference in the above-captioned matter. At that time, the Court set further hearing dates (i) on Plaintiff's prayer for injunctive relief, and (ii) on Defendants' proposed post-verdict motions. Docket No. 253. The Court set a hearing date of February 22, 2010, on Defendants' motions.
3. On or about January 19, 2010, I reviewed the PACER docket for this matter and did not see any post-trial motion filed by Defendants since November 23, 2009, as of the filing of this Opposition to Defendant's Administrative Motion for Leave To Exceed Page Limitation and Objections To Untimely Motion.
4. In observance of Martin Luther King Jr.'s birthday, my office was closed on January 18, 2010, and I did not receive Defendants' counsel's request for any stipulation until January 19, 2010. I am informed and believe there had been no mention of this issue by Defendants' counsel previously.

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

Executed this 19th day of January, 2010 at Glendale, California

/s/ J. Andrew Coombs
J. Andrew Coombs