

E-Filed 08/27/2010

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DR JKL LIMITED, a Hong Kong
Corporation,

No. CV 09-4977 RS

ORDER SETTING HEARING DATE

Plaintiff,

v.

HPC IT EDUCATION CENTER, a Hong
Kong Company, and SAM YUEN, an
individual,

Defendants.

On October 19, 2009, plaintiff Dr. JKL, Limited filed a complaint in this Court against defendants HPC IT Education Center and Sam Yuen alleging: (1) copyright infringement; (2) trademark infringement; (3) false designation of origin; (4) breach of written contract; and (5) breach of good faith and fair dealing. Defendant Yuen filed an "Answer & Defence to the Complaint" (sic) as well as a letter addressed to the Court on January 13, 2010. Following plaintiff's Application to Enter Default, the clerk entered a Notice of Entry of Default on February 26, 2010. Plaintiff filed his Motion for Default Judgment with this Court on May 13, 2010, arguing, among other things, that the answer filed by defendant Yuen did not constitute an answer on behalf of defendant HPC IT Education Center. Plaintiff also maintained that there had been no response from defendants with regards to the ADR and other forms required to be filed for the case pursuant to the Civil Local Rules and Rule 26(f) of the Federal Rules of Civil Procedure and that, on February 11, 2010, he learned that Koo & Associates, the law firm plaintiff understood to be representing defendants in this action, no longer represented either defendant.

No. C -09-09-4977 RS
ORDER

At the July 22, 2010 oral argument on the Motion for Default Judgment, the Court directed plaintiff to file a Motion to Strike defendant Yuen's answer, which the Court explained it would rule on prior to ruling on the Motion for Default Judgment. Plaintiff filed the Motion to Strike on July 27, 2010, set to be heard on September 9, 2010. Pursuant to the Civil Local Rule 7-3, a response to the Motion to Strike was due on August 19, 2010. Defendants have not responded to the motion.

The Court hereby orders that the Motion for Default Judgment will be heard simultaneously with the Motion for Strike on **September 9, 2010** at 1:30 p.m. in Courtroom 3 on the 17th Floor of the United States Courthouse, 450 Golden Gate Avenue, San Francisco, California. Defendants are directed to file any opposition to the motions by **September 3, 2010**. The Court notes that it makes available to parties representing themselves a "Handbook for Litigants Without a Lawyer" (aka "*Pro Se* Handbook), copies of which are available at the clerk's office or the court's website (www.cand.uscourts.gov).

IT IS SO ORDERED.

Dated: August 27, 2010



RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE