

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

J&J SPORTS PRODUCTIONS, INC.,)	Case No.: 12-CV-2259-LHK
)	
Plaintiff,)	
v.)	
)	ORDER TO SUBMIT BRIEFING AND
AIMIE NGUYEN, ET AL.)	MATERIALS PERTINENT TO
)	SUMMARY JUDGMENT
Defendants.)	
)	
)	
)	

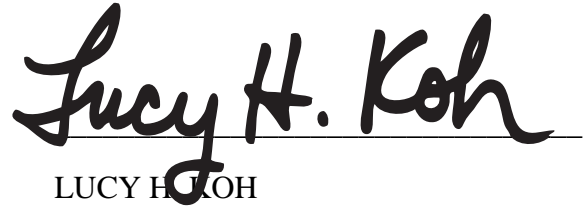
In briefing related to Defendant’s Motion to Dismiss, and at hearing on March 14, 2013, the parties have presented relevant matters outside the pleadings. Inter alia, Plaintiff read into the record a “Legal Contract of Ownership Change” between Defendant Aimie Nguyen and Ivan Lee, which directly undermines the plausibility of the allegations of the Complaint. Because the Court will consider and not exclude this evidence, the Defendant’s Motion must be treated as a Motion for Summary Judgment under Rule 56. Fed. R. Civ. Pro. 12(d).

Plaintiff is hereby ORDERED to submit to the Court a copy of the Legal Contract of Ownership Change. The Court gives leave to Defendant to submit supplemental briefing, any request for further hearing, and any additional material pertinent to this motion by March 29, 2013. Plaintiff is given leave to reply with briefing, a hearing request, and pertinent material by April 12, 2013.

IT IS SO ORDERED.
Case No.: 12-CV-2259-LHK
ORDER TO SUBMIT BRIEFING AND MATERIALS PERTINENT TO SUMMARY
JUDGMENT

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Dated: March 15, 2013



LUCY H. KOH

United States District Judge