





1           4.       Furthermore, this particular case is a television signal piracy lawsuit, arising out of  
2 the alleged unauthorized exhibition of a pay-per-view TV event at a commercial establishment.  
3 These types of cases are routinely settled. Defendants' counsel herein specializes in this area of  
4 the law and has resolved numerous such cases throughout the United States, and with plaintiff's  
5 counsel in particular. In order to maximize the chances of settlement it is advantageous to keep  
6 the costs and attorney's fees to a minimum, which is what this Court would help facilitate by  
7 allowing for the requested telephonic appearance.

8           5.       Additionally, based upon my experience, case management conferences are  
9 typically conducted by telephone in various jurisdictions and venues, including specifically within  
10 the federal court system and in the Northern District of California in particular. The preferred  
11 method is to allow counsel to initiate a conference call and call chambers directly (as opposed to  
12 using court call). Using this procedure, significant expenses for everyone can be saved by  
13 conducting the case management conference by telephone. Also, given the nature of the case  
14 management conference, namely that it primarily consists of setting dates that have already been  
15 agreed to and a very quick discussion of the case, there is not any pressing need for a face-to-face  
16 interaction.

17           6.       While there are ample reasons to conduct all case management conferences by  
18 telephone, this is especially so in television signal piracy cases like this instant case. The nature of  
19 plaintiff's claim is rather simple, namely that defendants exhibited a pay-per-view television event  
20 at a commercial location without authorization. There are no great complexities that would justify  
21 an in-person case management conference to discuss the nuances and intricacies of the matter,  
22 particularly at this early stage of the case before even the basic written discovery has been  
23 completed.

24           7.       It is also worth observing that many federal courts have consistently viewed  
25 television signal piracy cases as a nuisance value or nominal value claim, even in the context of  
26 granting default judgments (when all of plaintiff's allegations are presumed to be true), and thus is  
27 does not make sense to incur travel and related attorney's fees expenses for a case management

1 conference that would likely be in excess of the total value of the claim. For example, the  
2 following cases resulted in statutory damages of only \$250.00: J & J Sports Productions, Inc. v.  
3 Felipe Cruz Manzano, U.S. Dist. LEXIS 84931 (N.D. Cal. 2008); J & J Sports Productions, Inc. v.  
4 Steve Sang Ro, U.S. Dist. LEXIS 21425 (N.D. Cal. 2010), J & J Sports Productions, Inc. v.  
5 Aviles, 2011 WL 1884617 \*3 (N.D. Cal. May 18, 2011) (all relatively recent cases in this  
6 particular United States District Court as well). There are literally hundreds of other similar cases  
7 with extremely small default judgment awards in signal piracy cases; those are merely some  
8 examples.

9           8.       For all of the above-described reasons, it is hereby requested that defendants'  
10 attorney Matthew A. Paré be permitted to make a telephonic appearance at the case management  
11 conference in this matter on December 18, 2013, at 2:00 p.m. Additionally, it is respectfully  
12 requested that the Court issue its ruling on this request as soon as possible so as to enable travel  
13 arrangements to be made as far in advance of the case management conference as possible if a  
14 personal appearance is deemed necessary.

15           Respectfully submitted.

16 Dated: December 4, 2013

LAW OFFICE OF MATTHEW PARE, APC

17

By: /s/ Matthew A. Paré, Esquire

18

\_\_\_\_\_  
Matthew A. Paré, Esquire  
Counsel for Defendant

19

20

21

22

23

24

25

26

27

28

1 Matthew A. Paré, Esq., California State Bar No.: 258434  
2 **LAW OFFICE OF MATTHEW PARE, APC**  
3 823 Anchorage Place, Suite 114  
4 Chula Vista, CA 91914  
5 Phone: (619) 869-4999  
6 Fax: (619) 475-6296  
7 e-mail: mattparelawca@gmail.com

8  
9  
10 **CERTIFICATE OF SERVICE**

11 I hereby certify that on December 4, 2013, I electronically filed the foregoing with the Clerk  
12 of the Court using the ECF System which sent notification of such filing to the following:

13 Thomas P. Riley, Esq., California State Bar No.: 194706  
14 **LAW OFFICES OF THOMAS P. RILEY, P.C.**  
15 First Library Square  
16 1114 Fremont Avenue  
17 South Pasadena, CA 91030-3227  
18 Phone: (626) 799-9797  
19 Fax: (626) 799-9795  
20 e-mail: TPRLAW@att.net

21 Matthew A. Paré, Esq., California State Bar No.: 258434  
22 **LAW OFFICE OF MATTHEW PARE, APC**  
23 823 Anchorage Place, Suite 114  
24 Chula Vista, CA 91914  
25 Phone: (619) 869-4999  
26 Fax: (619) 475-6296  
27 e-mail: mattparelawca@gmail.com

28 By: /s/ Matthew A. Paré

29 \_\_\_\_\_  
30 Matthew A. Paré, Esquire