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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

TOM VER LLC,  
Plaintiff,  
v.  
ORGANIC ALLIANCE, INC, et al.,  
Defendants.

Case No. 13-CV-03506-LHK

**ORDER RE PENDING DEFAULT  
JUDGMENT MOTIONS**

Pursuant to the Court’s September 3, 2014, case management order, the parties filed a joint settlement status report on December 4, 2014. The parties indicated that settlement “has not yet been reached but the defendants are working diligently to assist Defendant Organic Alliance, Inc. in obtaining the funds required to settle Plaintiff’s claim.” ECF No. 93.

Plaintiff has two pending motions for default judgment, ECF Nos. 86, 87, against Defendants Organic Alliance and Christopher White. Both motions are noticed for hearing on December 18, 2014. At the September 3, 2014, case management conference, counsel for Tom Ver LLC indicated that these motions may be moot if the parties are able to reach a settlement agreement.

Plaintiff is hereby ordered to file a statement regarding the status of its motions for default

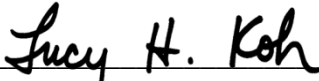
1 judgment by Monday, December 8, 2014. The statement shall indicate what action, if any,  
2 Plaintiff requests that the Court take on its motions for default judgment. Should Plaintiff wish to  
3 continue to attempt settlement negotiations, Plaintiff shall either withdraw its motions or request  
4 that the Court dismiss them without prejudice.

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6 **IT IS SO ORDERED.**

7 Dated: December 4, 2014

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LUCY H. KOH  
United States District Judge

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