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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

PACIFIC LAW CENTER, a Professional  
Law Corporation; and SOLOMON WARD  
SEIDENWURM & SMITH, LLP,

Plaintiff,

vs.

SHAHROK SAADAT-NEJAD, an  
individual,

Defendant.

CASE NO. 07cv0460-LAB (POR)

**ORDER CONSTRUING FILING  
AND GRANTING REQUEST FOR  
RELIEF FROM DEFAULT**

This matter is before the court on *pro se* defendant Shahrok Saadat-Nejad's ("Saadat Nejad") second apparent attempt to seek relief from the May 9, 2007 Clerk's Default entered against him in this case. He presented on May 21, 2007 an "Answer" and "Response And Oppose [*sic*] Default And Motion For Case Dismissal And Declaration of Shahrokh Saadat-Nejad." The court rejected via Discrepancy Order on May 15, 2007 similar unfocused and misnomered papers Saadat-Nejad had presented for filing and attempted to explain the reasons for the rejection.

The court elects to construe Saadat-Nejad's latest "Answer" documents as a request for relief from default, and concurrently with this Order authorizes via Discrepancy Order the filing of those documents under the description "Request For Relief From Default." However, the court ignores as irrelevant and unauthorized any purported "Motion" component of those papers, including the extraneous arguments and exhibits addressing

1 the merits of his positions in this and certain state court actions involving these parties as  
2 well as his presentation of political opinions irrelevant to the resolution of this dispute. The  
3 court also reminds Saadat-Nejad of the discussion on the record at the last hearing in this  
4 court regarding the inappropriateness and inadvisability of continuing his undisciplined  
5 propensity to include *ad hominem* aspersions on members of the bench and bar in his court  
6 papers.

7 Plaintiffs requested and obtained a Clerk's Entry Of Default on May 9, 2007, as  
8 Saadat-Nejad failed to file the required Answer to the Complaint, and the deadline to timely  
9 do so has passed. The court **GRANTS** Saadat-Nejad relief from the Default, but only in  
10 consideration of the procedural history of this action, in particular the several actual  
11 appearances by this *pro se* defendant who clearly has intended to defend the action from  
12 its inception. In particular, the docket substantiates TRO and Preliminary injunction hearings  
13 have been held since the March 13, 2007 filing of the Complaint. Saadat-Nejad filed  
14 responsive papers and personally appeared at those motion hearings. He also participated  
15 in a settlement conference with the magistrate judge assigned to this case in the interim  
16 between the entry of the TRO and the hearing of the Preliminary Injunction motion. Leave  
17 will be given to cure the technical defect of failure to file a mandatory responsive pleading.

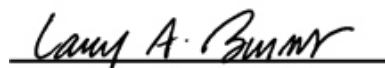
18 For the foregoing reasons, **IT IS HEREBY ORDERED** the Clerk of Court shall set  
19 aside the Default. **IT IS FURTHER ORDERED** Saadat-Nejad shall file an Answer to the  
20 Complaint in compliance with the Federal Rules of Civil Procedure (in particular, but not  
21 limited to, Rule 8) and this court's Local Rules on or before **June 11, 2007**. Defendant is  
22 admonished his Answer must remain narrowly focused on the purposes and restricted scope  
23 of such a pleading. Failure to timely file his Answer will result in reinstatement of the Clerk's  
24 Entry Of Default, with prejudice.

25 **IT IS SO ORDERED.**

26 DATED: May 25, 2007

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**HONORABLE LARRY ALAN BURNS**  
United States District Judge