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9 **UNITED STATES DISTRICT COURT**
 10 **SOUTHERN DISTRICT OF CALIFORNIA**
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12 PACIFIC LAW CENTER, a Professional Law
 Corporation; and SOLOMON WARD
 13 SEIDENWURM & SMITH, LLP,
 14 Plaintiffs,
 15 v.
 16 SHAHROKH SAADAT-NEJAD,
 17 Defendant.
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CASE NO. 07-CV-0460 JLS (POR)
**SOLOMON WARD SEIDENWURM &
 SMITH, LLP'S OPPOSITION TO
 DEFENDANT'S DECLARATION
 ADDRESSING THIS COURT'S ORDER
 DIRECTING PARTIES TO SHOW CAUSE
 WHY A MOTION FOR SUMMARY
 JUDGMENT IS INAPPROPRIATE**
 Date: To Be Determined
 Time: To Be Determined
 Courtroom: 6
 Hon. Janis L. Sammartino

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I

SAADAT-NEJAD FAILED TO SHOW WHY A PERMANENT INJUNCTION SHOULD NOT ISSUE

On July 16, 2008, this Court ordered the parties to brief three issues: 1) what constitutes bad faith intent to profit under the Anti-Cybersquatting Protection Act; 2) the legality of “gripe sites;” 3) if Saadat-Nejad had faith intent; but no longer does, can the Court still permanently enjoin him from creating a site that incorporate the words “Solomon Ward” and “Pacific Law Center.”

Solomon Ward submitted a timely brief addressing these issues and explaining why a permanent injunction is appropriate. Saadat-Nejad filed a four page declaration that did not address **any** issue the Court ordered briefed. For that matter, Saadat-Nejad’s declaration did not even address any issue remotely relevant to this case. Although federal courts provide for a liberal construction of a complaint when a party *pro se* files it,¹ this does nothing for Saadat-Nejad. First, his “brief” was not a complaint. More importantly, even if the Court were to give Saadat-Nejad’s declaration the most liberal reading, it still falls short and gives no reason why a permanent injunction should not issue. “[P]ro se representation does not excuse a party from complying with a court's orders and with the Federal Rules of Civil Procedure.”² Furthermore, this Court has patiently explained at length to Saadat-Nejad that “the law doesn’t say that [the Court] can make exceptions for people who self-represent” and warned Saadat-Nejad that he has a “heavy, heavy burden.”³

The seven exhibits attached to Saadat-Nejad’s declaration contain no new information for the court to consider in deciding whether a permanent injunction should issue and Saadat-Nejad has failed to offer any legal support or argument that he did not violate the Anti-Cybersquatting Protection Act. Consequently, Solomon Ward requests that this Court make its preliminary injunction permanent.

¹ *Wilborn v. Escalderon*, 789 F.2d 1328, 1330 (9th Cir.1986) citing to *Haines v. Kerner*, 404 U.S. 519, 520 (1972).
² *Jones v. Phipps*, 39 F.3d 158, 163 (7th Cir. 1994).

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II

THE COURT SHOULD NOT GRANT SAADAT-NEJAD ANY EXTENSION TO RESPOND TO SOLOMON WARD'S MOTION

On August 11, 2008 Saadat-Nejad filed a motion seeking more time to oppose Solomon Ward's motion now before the Court because defendant Pacific Law Center did not file a motion. Even if this Court is inclined to give Saadat-Nejad time, it should be limited to his opposition to Pacific Law Center's motion, if it ever files one. Solomon Ward timely moved for a permanent injunction and complied with this Court's order. Saadat-Nejad had ample time to respond.

DATED: August 14, 2008

SOLOMON WARD SEIDENWURM & SMITH, LLP

By: /s/ Edward J. McIntyre
EDWARD J. MCINTYRE
MICHAEL M. VASSEGGHI
Attorneys for Solomon Ward Seidenwurm & Smith, LLP

³ Court Reporter's Transcript of the June 12, 2008 proceedings p.14 lines 5-15.

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CERTIFICATE OF SERVICE

I caused the **SOLOMON WARD SEIDENWURM & SMITH, LLP'S OPPOSITION TO DEFENDANT'S DECLARATION ADDRESSING THIS COURT'S ORDER DIRECTING PARTIES TO SHOW CAUSE WHY A MOTION FOR SUMMARY JUDGMENT IN INAPPROPRIATE** to be served in the following manner:

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

Electronic Mail Notice List

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The following party is not on the list to receive e-mail notices from the Court. We are emailing copies to Mr. Saadat-Nejad at c9729972@yahoo.com.

In addition, we served hard copies via Federal Express:

Shahrokh Saadat-Nejad
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San Diego, CA 92111
VIA FEDERAL EXPRESS

/s/ Edward J. McIntyre

EDWARD J. MCINTYRE